PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS
OF THE
UNITED STATES,

Passed at the first session * which was begun and held at the City of Wash-
ington, in the District of Columbia, on Thursday, the fourth day of
July, A. D. 1861, and ended on Tuesday, the sixth day of August,
A. D. 1861.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President,
and President of the Senate. SOLOMON FOOTE was elected Presi-
dent of the Senate, pro tempore, on the eighteenth day of July, and
continued so to act until the close of the session. GALUSHA A.
GROW, Speaker of the House of Representatives.

CHAP. I. — An Act to refund and remit the Duties on Arms imported by States.

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 directed to refund and
remit the duties and impost on all arms imported into the United States
since the first day of May last, or which may be imported before the first
day of January next, by, or for the account of any State: Provided, The
Secretary of the Treasury shall be satisfied that the said arms are in-
tended, in good faith, for the use of the troops of any State which is, or
may be engaged in aiding to suppress the insurrection now existing
against the United States.

APPROVED, July 10, 1861.

CHAP. II. — An Act to provide for the Payment of the Militia and Volunteers called into
the Service of the United States from the Time they were called into Service to the thirtieth
Day of June, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United
States of America, in Congress assembled, That there be, and hereby is,
appropriated, out of any money in the Treasury not otherwise appro-
priated, the sum of five millions seven hundred and sixty thousand dol-
ars, or so much thereof as may be necessary, to enable the Government
to pay the militia and volunteers called into service of the United States,
being an additional amount required for the fiscal year ending June thir-
tieth, eighteen hundred and sixty-one.

APPROVED, July 13, 1861.

CHAP. III. — An Act further to provide for the Collection of Duties on Imports, and for
other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That whenever it shall in the
judgment of the President, by reason of unlawful combinations of persons
in opposition to the laws of the United States, become impracticable to

* This session was called by Proclamation of the President, dated April 15th,
1861. See Appendix, Proclamation, No. 3, post, p. 1268.

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July 10, 1861.

Duties to be remitted on arms imported by
States between May 1, 1861, and Jan. 1, 1862.
Proviso.
Post, p. 274.

July 13, 1861.

Appropriation
for pay of volun-
teers.

July 13, 1861.

When imprac-
ticable to collect
duties at any port
of entry in any
execute the revenue laws and collect the duties on imports by the ordinary means, in the ordinary way, at any port of entry in any collection district, he is authorized to cause such duties to be collected at any port of delivery in said district until such obstruction shall cease; and in such case the surveyors at said ports of delivery shall be clothed with all the powers, and be subject to all the obligations of collectors at ports of entry; and the Secretary of the Treasury, with the approbation of the President, shall appoint such number of weighers, gaugers, measurers, inspectors, appraisers, and clerks as may be necessary, in his judgment, for the faithful execution of the revenue laws at said ports of delivery, and shall fix and establish the limits within which such ports of delivery are constituted ports of entry, as aforesaid; and all the provisions of law regulating the issue of marine papers, the coasting trade, the warehousing of imports, and collection of duties, shall apply to the ports of entry so constituted, in the same manner as they do to ports of entry established by the laws now in force.

Sec. 2. And be it further enacted, That if, from the cause mentioned in the foregoing section, in the judgment of the President, the revenue from duties on imports cannot be effectually collected at any port of entry in any collection district, in the ordinary way, and by the ordinary means, or by the course provided in the foregoing section, then and in that case he may direct that the custom-house for the district be established in any secure place within said district, either on land or on board any vessel in said district or at sea near the coast; and in such case the collector shall reside at such place, or on shipboard, as the case may be, and there retain all vessels and cargoes arriving within or approaching said district, until the duties imposed by law on said vessels and their cargoes are paid in cash: Provided, That if the owner or consignee of the cargo on board any vessel detained as aforesaid, or the master of said vessel shall desire to enter a port of entry in any other district in the United States where no such obstructions to the execution of the laws exist, the master of such vessel may be permitted so to change the destination of the vessel and cargo in his manifest, whereupon the collector shall deliver him a written permit to proceed to the port so designated: And, provided further, That the Secretary of the Treasury shall, with the approbation of the President, make proper regulations for the enforcement on shipboard of such provisions of the laws regulating the assessment and collection of duties as in his judgment may be necessary and practicable.

Sec. 3. And be it further enacted, That it shall be unlawful to take any vessel or cargo detained as aforesaid from the custody of the proper officers of the customs, unless by process of some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, it shall and may be lawful for the President, or such person or persons as he shall have empowered for that purpose, to employ such part of the army or navy or militia of the United States, or such force of citizen volunteers as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

Sec. 4. And be it further enacted, That if, in the judgment of the President, from the cause mentioned in the first section of this act, the duties upon imports in any collection district cannot be effectually collected by the ordinary means and in the ordinary way, or in the mode and manner provided in the foregoing sections of this act, then and in that case the President is hereby empowered to close the port or ports of entry in said district, and in such case give notice thereof by proclamation; and thereupon all right of importation, warehousing, and other privileges incident to ports of entry shall cease and be discontinued at such port so closed, until opened by the order of the President on the cessation of such
obstructions; and if, while said ports are so closed, any ship or vessel from
beyond the United States, or having on board any articles subject to du-
ties, shall enter or attempt to enter any such port, the same, together with
its tackle, apparel, furniture, and cargo, shall be forfeited to the United
States.

SEC. 5. And be it further enacted, That whenever the President, in
pursuance of the provisions of the second section of the act entitled "An
act to provide for calling forth the militia to execute the laws of the
Union, suppress insurrections, and repel invasions, and to repeal the act
now in force for that purpose," approved February twenty-eight, seven-
teen hundred and ninety-five, shall have called forth the militia to sup-
press combinations against the laws of the United States, and to cause the
laws to be duly executed, and the insurgents shall have failed to disperse
by the time directed by the President, and when said insurgents claim
to act under the authority of any State or States, and such claim is not
disclaimed or repudiated by the persons exercising the functions of gov-
ernment in such State or States, or in the part or parts thereof in which
such combination exists, nor such insurrection suppressed by said State or
States, then and in such case it may and shall be lawful for the Presi-
dent, by proclamation, to declare that the inhabitants of such State, or any
section or part thereof, where such insurrection exists, are in a state of
insurrection against the United States; and thereupon all commercial in-
tercourse by and between the same and the citizens thereof and the citi-
zens of the rest of the United States shall cease and be unlawful so long
as such condition of hostility shall continue; and all goods and chattels,
wares and merchandise, coming from said State or section into the other
parts of the United States, and all proceeding to such State or section, by
land or water, shall, together with the vessel or vehicle conveying the
same, or conveying persons to or from such State or section, be forfeited
to the United States: Provided, however, That the President may, in his
discretion, license and permit commercial intercourse with any such part
of said State or section, the inhabitants of which are so declared in a
state of insurrection, in such articles, and for such time, and by such per-
sons, as he, in his discretion, may think most conducive to the public
interest; and such intercourse, so far as by him licensed, shall be conducted
and carried on only in pursuance of rules and regulations prescribed by
the Secretary of the Treasury. And the Secretary of the Treasury may
appoint such officers at places where officers of the customs are not now au-
thorized by law as may be needed to carry into effect such rules, licenses
and regulations; and officers of the customs and other officers shall receive
for services under this section, and under said rules and regulations, such
fees and compensation as are now allowed for similar service under other
provisions of law.

SEC. 6. And be it further enacted, That from and after fifteen days
after the issuing of the said proclamation, as provided in the last forego-
ing section of this act, any ship or vessel belonging in whole or in part
to any citizen or inhabitant of said State or part of a State whose inhabi-
tants are so declared in a state of insurrection, found at sea, or in any
part of the rest of the United States, shall be forfeited to the United
States.

SEC. 7. And be it further enacted, That in the execution of the provi-
sions of this act, and of the other laws of the United States providing for
the collection of duties on imports and tonnage, it may and shall be law-
ful for the President, in addition to the revenue cutters in service, to em-
ploy in aid thereof such other suitable vessels as may, in his judgment,
be required.

SEC. 8. And be it further enacted, That the forfeitures and penalties
incurred by virtue of this act may be mitigated or remitted in pursuance
of the authority vested in the Secretary of the Treasury by the act enti-
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THIRTY-SEVENTH CONGRESS. Sess. I. Ch. 3, 4. 1861.


In what courts forfeitures may be enforced.

July 17, 1861.

Chap. IV. — An Act to provide for the Appointment of Assistant Paymasters in the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of assistant paymaster in the navy of the United States be, and hereby is, established, and that from and after the passage of this act the President of the United States, by and with the advice and consent of the Senate, may appoint assistant paymasters from time to time, as they shall be needed for active service in the navy, not exceeding thirty-six in number:

SEC. 2. And be it further enacted, That every person who shall be appointed assistant paymaster shall at the time of his appointment, be not less than twenty-one years of age, nor more than twenty-six years; and that, previous to his appointment, his physical, mental, and moral qualifications shall be inquired into and favorably reported upon by a board of paymasters appointed for that purpose by the Secretary of the Navy, and under such regulations as he may prescribe.

SEC. 3. And be it further enacted, That the annual pay of assistant paymaster shall be as follows, viz.:

On duty at sea, for the first five years after date of commission, one thousand three hundred dollars; after five years from date of commission, one thousand five hundred dollars.

On other duty, for the first five years after date of commission, one thousand dollars; after five years from date of commission, one thousand two hundred dollars.

On leave of absence or waiting orders, for the first five years after date of commission, eight hundred dollars; after five years from date of commission, one thousand dollars; and when attached to vessels for sea service, each assistant paymaster shall be entitled to one ration per day.

SEC. 4. And be it further enacted, That from and after the passage of this act no commanding officer of any vessel in the navy shall be required to perform the duties of paymaster or assistant paymaster; and when such office shall become vacant, by death or otherwise, in ships at sea or on foreign stations, or on the Pacific coast of the United States, the senior officer present may make an acting appointment of any fit person to perform the duties until another paymaster or assistant paymaster shall report for duty. Any person performing the duties of paymaster or assistant paymaster in accordance with this section (but not otherwise,) shall be entitled to receive the pay of such grade whilst so acting.

SEC. 5. And be it further enacted, That each assistant paymaster shall, upon his appointment, enter into bonds in the amount of ten thousand dollars, with at least two good and sufficient securities, for the faithful performance of his duties, and that assistant paymasters shall have rank and precedence with assistant surgeons not passed, and that all appointments to fill vacancies in the corps of paymasters shall be made by regular promotion from the list of assistant paymasters.

SEC. 6. And be it further enacted, That within six months after the expiration of the present insurrection, the corps of paymasters and as-

Future reduc-
sistant paymasters shall be reduced to the number of seventy-five in the whole.

APPROVED, July 17, 1861.

CHAP. V. — An Act to authorize a National Loan and for other Purposes.

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 to borrow on the credit of the United States, within twelve months from the passage of this act, a sum not exceeding two hundred and fifty millions of dollars, or so much thereof as he may deem necessary for the public service, for which he is authorized to issue coupon bonds, or registered bonds, or treasury notes, in such proportions of each as he may deem advisable; the bonds to bear interest not exceeding seven per centum per annum, payable semi-annually, irredeemable for twenty years, and after that period redeemable at the pleasure of the United States; and the treasury notes to be of any denomination fixed by the Secretary of the Treasury, not less than fifty dollars, and to be payable three years after date, with interest at the rate of seven and three tenths per centum per annum, payable semi-annually. And the Secretary of the Treasury may also issue in exchange for coin, and as part of the above loan, or may pay for salaries or other dues from the United States, treasury notes of a less denomination than fifty dollars, not bearing interest, but payable on demand by the Assistant Treasurers of the United States at Philadelphia, New York, or Boston, or treasury notes bearing interest at the rate of three and sixty-five hundredths per centum, payable in one year from date, and exchangeable at any time for treasury notes for fifty dollars, and upwards, issued under the authority of this act, and bearing interest as specified above: Provided, That no exchange of such notes in any less amount than one hundred dollars shall be made at any one time: And provided further, That no treasury notes shall be issued of a less denomination than ten dollars, and that the whole amount of treasury notes, not bearing interest, issued under the authority of this act, shall not exceed fifty millions of dollars.

Ref. 2. And be it further enacted, That the treasury notes, and bonds issued under the provisions of this act shall be signed by the First or Second Comptroller, or the Register of the Treasury, and countersigned by such other officer or officers of the Treasury as the Secretary of the Treasury may designate; and all such obligations, of the denomination of fifty dollars and upwards, shall be issued under the seal of the Treasury Department. The registered bonds shall be transferable on the books of the Treasury on the delivery of the certificate, and the coupon bonds and treasury notes shall be transferable by delivery. The interest coupons may be signed by such person or persons, or executed in such manner, as may be designated by the Secretary of the Treasury, who shall fix the compensation for the same.

Ref. 3. And be it further enacted, That the Secretary of the Treasury shall cause books to be opened for subscription to the treasury notes for fifty dollars and upwards at such places as he may designate in the United States and under such rules and regulations as he may prescribe, to be superintended by the Assistant Treasurers of the United States at their respective localities, and at other places, by such depositaries, postmasters, and other persons as he may designate, notice thereof being given in at least two daily papers of this city, and in one or more public newspapers published in the several places where subscription books may be opened; and subscriptions for such notes may be received from all persons who may desire to subscribe, any law to the contrary notwithstanding; and if a larger amount shall be subscribed in the aggregate than is required at one time, the Secretary of the Treasury is authorized to receive the same, should he deem it advantageous to the public interest; and if not, he shall

Section of corps of paymasters, &c.

Secretary of Treasury may borrow within twelve months not over $250,000,000.

Coupon or registered bonds or treasury notes may be issued therefor.

Bonds, when redeemable.

Treasury notes; denomination; interest; when payable.

Certain treasury notes may be issued in exchange for coin, &c.

1861, ch. 46, §§ 1, 5. Post, p. 313.

Proviso.

Post, pp. 345, 370. Proviso.

Post, p. 313.

Notes and bonds, how signed, &c.

How transferable.

Books to be opened for subscription for treasury notes for $50 and over, &c.

Who may subscribe.

If larger amount is subscribed, &c.
accept the amount required by giving the preference to the smaller subscriptions; and the Secretary of the Treasury shall fix the compensations of the public officers or others designated for receiving said subscriptions: Provided, That for performing this or any other duty in connection with this act, no compensation for services rendered shall be allowed or paid to any public officer whose salary is established by law; and the Secretary of the Treasury may also make such other rules and regulations as he may deem expedient touching the installment to be paid on any subscription at the time of subscribing, and further payments by installments or otherwise, and penalties for non-payment of any installment, and also concerning the receipt, deposit, and safe-keeping of money received from such subscriptions, until the same can be placed in the possession of the official depositaries of the Treasury, any law or laws to the contrary notwithstanding. And the Secretary of the Treasury is also authorized, if he shall deem it expedient, before opening books of subscription as above provided, to exchange for coin or pay for public dues or for treasury notes of the issue of twenty-third of December, eighteen hundred and fifty-seven, and falling due on the thirtieth of June, eighteen hundred and sixty-one, or for treasury notes issued and taken in exchange for such notes, any amount of said treasury notes for fifty dollars or upwards not exceeding one hundred millions of dollars.

Sec. 4. And be it further enacted, That, before awarding any portion of the loan in bonds authorized by this act, the Secretary of the Treasury, if he deem it advisable to issue proposals for the same in the United States, shall give not less than fifteen days' public notice in two or more of the public newspapers in the city of Washington, and in such other places of the United States as he may deem advisable, designating the amount of such loan, the place and the time up to which sealed proposals will be received for the same, the periods for the payment, and the amount of each installment in which it is to be paid, and the penalty for the non-payment of any such installments, and when and where such proposals shall be opened in the presence of such persons as may choose to attend; and the Secretary of the Treasury is authorized to accept the most favorable proposals offered by responsible bidders: Provided, That no offer shall be accepted at less than par.

Sec. 5. And be it further enacted, That the Secretary of the Treasury may, if he deem it advisable, negotiate any portion of said loan, not exceeding one hundred millions of dollars, in any foreign country and payable at any designated place either in the United States or in Europe, and may issue registered or coupon bonds for the amount thus negotiated agreeably to the provisions of this act, bearing interest payable semi-annually, either in the United States or at any designated place in Europe; and he is further authorized to appoint such agent or agents as he may deem necessary for negotiating such loan under his instructions, and for paying the interest on the same, and to fix the compensation of such agent or agents, and shall prescribe to them all the rules, regulations, and modes under which such loan shall be negotiated, and shall have power to fix the rate of exchange at which the principal shall be received from the contractors for the loan, and the exchange for the payment of the principal and interest in Europe shall be at the same rate.

Sec. 6. And be it further enacted, That whenever any treasury notes of a denomination less than fifty dollars, authorized to be issued by this act, shall have been redeemed, the Secretary of the Treasury may re-issue the same, or may cancel them and issue new notes to an equal amount: Provided, That the aggregate amount of bonds and treasury notes issued under the foregoing provisions of this act shall never exceed the full amount authorized by the first section of this act; and the power to issue, or re-issue such notes shall cease and determine after the thirty-first of December, eighteen hundred and sixty-two.
SEC. 7. And be it further enacted, That the Secretary of the Treasury is hereby authorized, whenever he shall deem it expedient, to issue in exchange for coin, or in payment for public dues, treasury notes of any of the denominations hereinafter specified, bearing interest not exceeding six per centum per annum, and payable at any time not exceeding twelve months from date, provided that the amount of notes so issued, or paid, shall at no time exceed twenty millions of dollars.

SEC. 8. And be it further enacted, That the Secretary of the Treasury shall report to Congress, immediately after the commencement of the next session, the amount he has borrowed under the provisions of this act, of whom, and on what terms, with an abstract of all the proposals, designating those that have been accepted and those that have been rejected, and the amount of bonds or treasury notes that have been issued for the same.

SEC. 9. And be it further enacted, That the faith of the United States is hereby solemnly pledged for the payment of the interest and redemption of the principal of the loan authorized by this act.

SEC. 10. And be it further enacted, That all the provisions of the act entitled “An act to authorize the issue of treasury notes,” approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as the same can or may be applied to the provisions of this act, and not inconsistent therewith, are hereby revived or re-enacted.

SEC. 11. And be it further enacted, That, to defray all the expenses that may attend the execution of this act, the sum of two hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 17, 1861.

CHAP. VI.—An Act making additional Appropriations for the Support of the Army for the fiscal Year ending June thirtieth, eighteen hundred and sixty-two, and Appropriations of Arrangements for the fiscal Year ending June thirtieth, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-two.

For expenses of recruiting, transportation of recruits from the different rendezvous to general depots, procuring of medical attendance, and all other expenses attending the raising of twenty-four thousand two hundred and eighty-five men, to be organized into nine regiments of infantry, one regiment of cavalry, and one regiment of artillery, as per general orders number sixteen, dated War Department, Adjutant-General’s Office, Washington, May fourth, eighteen hundred and sixty-one, three hundred and fifty-eight thousand dollars.

For purchase of books of tactics and instruction for the volunteers, Books of tactics fifty thousand dollars.

For pay of the army, three million nine hundred and sixty-nine thousand eight hundred and forty-eight dollars and eighty-eight cents.

For commutation of officers’ subsistence, four hundred and seventy-eight thousand three hundred and seventeen dollars and sixty cents.

For commutation of forage for officers’ horses, seventy-three thousand and fifty-six dollars.

For payments in lieu of clothing for officers’ servants, fifty-seven thousand one hundred and eighty dollars.

For pay of the three months' volunteers, two million five hundred and seven thousand dollars.

For pay of the two and three years volunteers, fifty-five million dollars.

For subsistence in kind for regular troops, two million four hundred and
ninety-three thousand four hundred and ninety-seven dollars and fifty cents.

For subsistence in kind for two and three years' volunteers, twenty-three million eighty-four thousand two hundred and eighty-four dollars.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospital, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the regiments of dragoons, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank-books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's department, and for printing of division and department orders and reports, fourteen million two hundred and sixty-five thousand fifty-nine dollars and thirty-seven cents.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judges advocate, recorders, members, and witnesses, while on that service, under the act of [March sixteenth] eighteen hundred and two; extra pay to soldiers employed under the direction of the quartermaster's department in the erection of barracks, quarters, storehouses, and hospitals, in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of second of March, eighteen hundred and nineteen, and of fourth of August, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to pay-masters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at the posts on the frontiers, or at other posts and places, when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of fifth July, eighteen hundred and thirty-eight; for the apprehension of deserters and the expenses incident to their pursuit; and for the following expenditures required for the regiments of dragoons and light artillery, viz.: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named, seven million six hundred and sixty-six thousand six hundred and sixty-six dollars.

For the purchase of dragoon and artillery horses, ten million five hundred and fourteen thousand five hundred dollars.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage when travelling on duty without troops, escorts or supplies, five hundred thousand dollars.

For transportation of the army, including the baggage of the troops when moving either by land or water; of clothing, camp and garrison equipage, from the depot at Philadelphia to the several posts and army depots, and from those depots to the troops in the field; and subsistence from the places of purchase and from the places of delivery, under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, toils, and ferriages; the purchase and hire of
horses, mules, and harness, and the purchase and repair of wagons, carts, and drays; and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic, and for procuring water at such posts as from their situation require it to be brought from a distance; and for clearing roads and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operation of the troops in the field, sixteen million two hundred and twenty thousand nine hundred and fifty-four dollars.

For gunboats on the western rivers, one million dollars.

For clothing, camp and garrison equipage, thirteen million four hundred and sixteen thousand four hundred and thirty-seven dollars and two cents.

For contingencies of the army, two hundred thousand dollars.

For the medical and hospital departments, one million two hundred and seventy-one thousand eight hundred and forty-one dollars.

For armament of fortifications, four hundred and fifty-seven thousand dollars.

For the current expenses of the ordnance service, two hundred and six thousand two hundred and ninety-two dollars.

For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, two million three hundred and sixty thousand dollars.

For the manufacture of arms, two million five hundred and seventy-three thousand three hundred and ten dollars.

For increasing the manufacturing capacity of the national armory, four hundred and twenty-two thousand five hundred dollars.

For the purchase of gunpowder and lead, four hundred and fifty-one thousand seven hundred and eighty dollars.

For the purchase of artillery horses, two hundred and seventy-five thousand dollars.

For additions to and extensions of the shop-room, machinery, tools and fixtures at the different arsenals, one hundred and twenty-six thousand six hundred and ninety dollars.

For fortifications:

Fort Montgomery, Lake Champlain, New York, twenty thousand dollars.

Fort Knox, Penobscot River, Maine, twenty thousand dollars.

Fort on Hog Island Ledge, Portland harbor, Maine, fifteen thousand dollars.

Fort Adams, Newport harbor, Rhode Island, five thousand dollars.

Fort Richmond, Staten Island, New York, ten thousand dollars.

Fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.

Fort at Willet’s Point, opposite Fort Schuyler, New York, one hundred thousand dollars.

Fort Carroll, Baltimore harbor, Maryland, twenty-five thousand dollars.

Fort Calhoun, Hampton Roads, Virginia, twenty-five thousand dollars.

Fort Taylor, Key West, Florida, one hundred thousand dollars.

Fort Jefferson, Garden Key, Florida, one hundred thousand dollars.

Fort at Fort Point, San Francisco bay, California, fifty thousand dollars.
Fort at Alcatraz Island, San Francisco bay, California, twenty-five thousand dollars.

Fort at Sandy Hook, New York harbor, one hundred thousand dollars.

For repairs and alterations of barracks quarters at forts not permanently occupied by troops, ten thousand dollars.

For contingencies of fortifications, thirty thousand dollars.

For surveys for military defences, fifty thousand dollars.

For amount required to refund to the States expenses incurred on account of volunteers called into the field, ten million dollars.

SEC. 2. And be it further enacted, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for arrearages for the year ending thirtieth of June, eighteen hundred and sixty-one.

For subsistence in kind for three months' volunteers, one million two hundred and eighty-one thousand dollars.

For subsistence in kind for two and three years' volunteers, four hundred and twenty thousand dollars.

For the regular supplies of the quartermaster's department, five hundred and sixty-five thousand two hundred and forty-six dollars and sixty-three cents.

For incidental expenses of the quartermaster's department, three hundred and sixty-five thousand and thirteen dollars and eighty cents.

For transportation of the army and its supplies, two million two hundred and fifty-four thousand one hundred and eighty-six dollars and sixty-one cents.

For transportation of officers' baggage, fifteen thousand three hundred and sixty-seven dollars.

For purchase of dragon horses, two hundred and ninety-seven thousand three hundred and thirty-five dollars.

For clothing, camp, and garrison equipage, one million three hundred and fifty thousand one hundred and fifty-one dollars and thirty-eight cents.

For current expenses of ordnance service, twenty thousand dollars.

For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, four hundred thousand dollars.

For manufacture of arms, sixty thousand dollars.

For increasing the manufacturing capacity of the national armory, fifty thousand dollars.

For purchase of gunpowder and lead, forty thousand dollars.

For purchase of artillery horses, twenty-five thousand dollars.

For hire of quarters for troops, of store-houses for the safe-keeping of military stores, of grounds for summer cantonments, and for temporary huts, one hundred and fifty-eight thousand, two hundred and eighty-three dollars, and eighty-one cents.

SEC. 3. And be it further enacted, That all appropriations and all provisions of law herein contained applicable to three years' volunteers shall apply to two years' volunteers, and all other volunteers who have been or may be received into the service of the United States, for a period exceeding three months.

APPROVED, July 17, 1861.

July 18, 1861.

CHAP. VII. — An Act to alter and regulate the Navy Ration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the navy ration shall consist of the following daily allowance of provisions to each person: One pound of salt pork, with half a pint of beans or peas; or one pound of salt beef, with half a pound of flour, and two ounces of dried apples, or other dried fruit; or three quarters of a pound of preserved meat, with half a pound of rice, two ounces of butter, and one ounce of desiccated
"mixed vegetables;" or three quarters of a pound of preserved meat, two ounces of butter, and two ounces of desicated potato; together with fourteen ounces of biscuit, one quarter of an ounce of tea, or one ounce of coffee, or cocoa, two ounces of sugar, and a gill of spirits; and of a weekly allowance of half a pound of pickles, half a pint of molasses, and half a pint of vinegar.

**SEC. 2.** And be it further enacted, That fresh or preserved meat may be substituted for salt beef or pork, and vegetables for the other articles usually issued with the salted meats; allowing one and a quarter pound of fresh, or three quarters of a pound of preserved meat for one pound of salted beef or pork; and regulating the quantity of vegetables so as to equal the value of the articles for which they may be substituted.

**SEC. 3.** And be it further enacted, That should it be necessary to vary the above-described daily allowance, it shall be lawful to substitute one pound of soft bread, or one pound of flour, or half a pound of rice, for fourteen ounces of biscuit; half a pint of wine for a gill of spirits; half a pound of rice for half a pint of beans or peas; half a pint of beans or peas for half a pound of rice.

**SEC. 4.** And be it further enacted, That in case of necessity, the daily allowance of provisions may be diminished or varied by the discretion of the senior officer present in command; but payment shall be made to the persons whose allowance shall be thus diminished, according to the scale of prices which is, or may be, established for the same; but a commander who shall thus make a diminution or variation shall report to his commanding officer, or to the Navy Department, the necessity for the same, and give to the paymaster written orders, specifying particularly the diminution or reduction which is to be made.

**SEC. 5.** And be it further enacted, That no commissioned or warrant officer, or any person under twenty-one years of age, shall be allowed to draw the spirit part of the daily ration; and all other persons shall be permitted to relinquish that part of their rations under such restriction as the President of the United States may authorize; and that the spirit portion of the daily ration may be suspended or stopped by the commanding officer, whenever, in his opinion, it shall be expedient, for cause of drunkenness; and to any person who, by this section, is prohibited from drawing, or who may relinquish, the spirit part of his ration, there shall be paid, in lieu thereof, the sum of four cents per day.

**SEC. 6.** And be it further enacted, That the provisions of this act shall go into effect in the United States on the first day of the succeeding quarter after it becomes a law; and in vessels abroad, on the first day of the succeeding quarter after its official receipt; that any acts and parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be, and are hereby, repealed.

**SEC. 7.** And be it further enacted, That the Secretary of the Navy be authorized to procure the preserved meats, pickles, butter, and desicated vegetables in such manner and under such restrictions and guarantees as in his opinion will best insure the good quality of said articles.

Approved, July 18, 1861.

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**CHAP. VIII. — An Act making additional Appropriations for the Naval Service for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrangements for the Year ending the thirtieth of June, eighteen hundred and sixty-one.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-two: For pay of commission, warrant, and petty officers and seamen, includ-
Repair and equipment.
Fuel.

For the repair and equipment of vessels of the navy eight million five hundred and seventy-five thousand dollars.

For fuel for the navy, to be purchased in the mode prescribed by law for other materials, and for the transportation thereof, one million and eighty thousand dollars.

Hemp.

For the purchase of hemp and other materials for the navy, three hundred thousand dollars.

Ordnance.

For ordnance and ordnance stores, including incidental expenses, three million five hundred and twenty thousand dollars.

Seven steam screw sloops, 1861, ch. 40, § 9, Ante, p. 151.
Side-wheel steamer.

For the completion of seven steam screw sloops, authorized by act of February twenty-first, eighteen hundred and sixty-one, one million six hundred thousand dollars.

Provisions.

For the completion of seven steam screw sloops and side-wheel steamer, ninety-one thousand four hundred and thirty-nine dollars and eighty-two cents.

Surgeons' necessaries, &c.

For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, one million nine hundred and ninety-four thousand two hundred and twenty-two dollars and forty-seven cents.

Contingent expenses.

For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, twenty-five thousand dollars.

For contingent expenses that may accrue for the following purposes, viz.: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam-engines in navy yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repairs of workmen's tools, postage on public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidental labor not chargeable to any other appropriation, transportation to and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, one million fifty-two thousand three hundred dollars: Provided, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau, under each respective appropriation.

Each bureau to show its disbursements.

Marine Corps.

For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants, for rations and clothing for servants, additional rations for five years' service, for undrawn clothing and rations, bounties for re-enlistments, one hundred and sixty thousand two hundred and twenty-four dollars.

For provisions, forty-two thousand and forty-eight dollars.

For clothing, fifty-six thousand four hundred and forty-eight dollars.

For fuel, six thousand and forty-eight dollars.

For military stores, viz.: pay of armorers, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, six thousand dollars.

For transportation of officers and troops, and expenses of recruiting, eight thousand dollars.

For contingencies, viz.: freight, ferriage, toll, carriage, wharfage, pur-
chase and repair of boats, compensation to judges advocate, per diem for attending courts-martial, courts of inquiry, and for constant labor, house rent in lieu of quarters, burial of deceased marines, printing, stationery, postage, telegraphing, apprehension of deserters, oil, candles, gas, repair of gas and water fixtures, water rent, forage, straw, barrack furniture, furniture for officers' quarters, bed sacks, spades, shovels, axes, picks, carpenters' tools, keep of a horse for the messenger, pay of matron, washwoman, and porter at the hospital head-quarters, repairs of fire-engine, purchase and repair of engine hose, purchase of lumber for benches, mess tables, bunks, repairs to public carryall, purchase and repair of harness, galleys and cooking stoves for mess rooms, stoves where there are no grates, gravel for parade grounds, repairs of pumps, furniture for staff and commanding officers' offices, brushes, brooms, buckets, paving, and for other purposes, twelve thousand dollars.

Navy Yards.

**Portsmouth, New Hampshire.** For repairs of all kinds, ten thousand dollars.

**Boston.** For machinery, completing machine shop, drainage, masting sheers, repairs, and painting, one hundred and fifty-four thousand one hundred dollars.

**New York.** For hoisting apparatus for provision stores, four thousand six hundred and fifty dollars.

- For dredging channels, twenty thousand dollars.
- For repairs of dry dock, six thousand dollars.
- For water pipes, hydrants, two thousand five hundred dollars.
- For floor for mould loft, one thousand two hundred dollars.
- For bilge blocks for dry dock, three thousand dollars.
- For new derrick, including foundation, twenty-one thousand nine hundred and eighty-eight dollars.

For floor to third story of machine shop and columns to support, three thousand dollars.

- For railroad through new store, two thousand five hundred dollars.
- For caisson to launching ways, eight thousand five hundred and forty-one dollars.

For repairs of all kinds, twenty-eight thousand four hundred and thirty dollars.

- For removing small shears, one thousand dollars.

**Philadelphia.** For repairs of floating dock, forty thousand dollars.

**Washington.** For repairs of all kinds, forty-four thousand four hundred and forty-seven dollars.

**Mare Island.** For repairs to floating dock, and other repairs in the yard, sixty thousand dollars.

For machinery for machine shop, thirty thousand dollars.

**Naval Asylum, Philadelphia.** For the extension of main sewer, eight hundred dollars.

For contingent expenses at the several navy yards, to meet extraordinary demands for the remainder of the current and the next fiscal year, one hundred thousand dollars.

**Sec. 2. And be it further enacted, That** the following sums be, and they are hereby, appropriated for arrearages for the year ending thirtieth of June, eighteen hundred and sixty-one:

- For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, three hundred and thirty-nine thousand two hundred dollars.

- For the charter of vessels, their purchase, fitting for war service, reservations due on existing contracts, the fitting out of the ships of war, three million eight hundred and sixty-six thousand dollars.

For ordnance and ordnance stores, including incidental expenses, ninety thousand dollars.
For contingent expenses that may accrue for the following purposes, viz.: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models, and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam-engines in navy yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repair of workmen's tools, postage of public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidentals labor not chargeable to any other appropriation, transportation to and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage, and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, ten thousand dollars; and the Secretary of the Navy is hereby authorized to expend so much of the sums remaining in the Treasury on the first of July, eighteen hundred and sixty-one, to the credit of "printing and publication of sailing directions, wind and current charts, astronomical observations, and hydrographical surveys," as may be necessary for completing the unfinished work left at the Observatory by the late Superintendent: Provided, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau under each respective appropriation.

SEC. 3. And be it further enacted, That no patented article connected with marine engines shall be hereafter purchased or attached to, or used in connection with any steam vessel of war, until the same shall have been submitted to, and officially recommended in writing for purchase and use by a competent board of naval engineers.

APPROVED, July 18, 1861.

July 22, 1861.

CHAP. IX.—An Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property.

Whereas, certain of the forts, arsenals, custom-houses, navy yards, and other property of the United States have been seized, and other violations of law have been committed and are threatened by organized bodies of men in several of the States, and a conspiracy has been entered into to overthrow the Government of the United States: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to accept the services of volunteers, either as cavalry, infantry, or artillery, in such numbers, not exceeding five hundred thousand, as he may deem necessary, for the purpose of repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property: Provided, That the services of the volunteers shall be for such time as the President may direct, not exceeding three years nor less than six months, and they shall be disbanded at the end of the war. And all provisions of law applicable to three years' volunteers shall apply to two years' volunteers, and to all volunteers who have been, or may be, accepted into the service of the United States, for a period not less than six months, in the same manner as if such volunteers were specially named. Before receiving into service any number of volunteers exceeding those now called for and accepted, the President shall, from time to time, issue his proclamation, stating the number desired, either as
cavalry, infantry, or artillery, and the States from which they are to be furnished, having reference, in any such requisition, to the number then in service from the several States, and to the exigencies of the service at the time, and equalizing, as far as practicable, the number furnished by the several States, according to Federal population.

Sec. 2. And be it further enacted, That the said volunteers shall be subject to the rules and regulations governing the army of the United States, and that they shall be formed, by the President, into regiments of infantry, with the exception of such numbers for cavalry and artillery, as he may direct, not to exceed the proportion of one company of each of those arms to every regiment of infantry, and to be organized as in the regular service. Each regiment of infantry shall have one colonel, one lieutenant-colonel, one major, one adjutant, (a lieutenant,) one quartermaster, (a lieutenant,) one surgeon and one assistant surgeon, one sergeant-major, one regimental quartermaster-sergeant, one regimental commissary-sergeant, one hospital steward, two principal musicians, and twenty-four musicians for a band, and shall be composed of ten companies, each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, and from sixty-four to eighty-two privates. 

Sec. 3. And be it further enacted, That these forces, when accepted as herein authorized, shall be organized into divisions of three or more brigades each; and each division shall have a major-general, three aides-de-camp, and one assistant adjutant-general with the rank of major. Each brigade shall be composed of four or more regiments and shall have one brigadier-general, two aides-de-camp, one assistant adjutant-general with the rank of captain, one surgeon, one assistant quartermaster, and one commissary of subsistence.

Sec. 4. And be it further enacted, That the President shall be authorized to appoint, by and with the advice and consent of the Senate, for the command of the forces provided for in this act, a number of major-generals, not exceeding six, and a number of brigadier-generals, not exceeding eighteen, and the other division and brigade officers required for the organization of these forces, except the aides-de-camp, who shall be selected by their respective generals from the officers of the army or volunteer corps: Provided, That the President may select the major-generals and brigadier-generals provided for in this act, from the line or staff of the regular army, and the officers so selected shall be permitted to retain their rank therein. The governors of the States furnishing volunteers under this act, shall commission the field, staff, and company officers requisite for the said volunteers; but, in cases where the State authorities refuse or omit to furnish volunteers at the call or on the proclamation of the President, and volunteers from such States offer their services under such call or proclamation, the President shall have power to accept such services, and to commission the proper field, staff, and company officers. 

Sec. 5. And be it further enacted, That the officers, non-commissioned officers, and privates, organized as above set forth, shall, in all respects, be placed on the footing, as to pay and allowances, of similar corps of the regular army: Provided, That the allowances of non-commissioned officers and privates for clothing, when not furnished in kind, shall be three dollars and fifty cents per month, and that each company officer, non-commissioned officer, private, musician, and artificer of cavalry shall furnish his own horse and horse equipments, and shall receive forty cents per day for their use and risk, except that in case the horse shall become disabled, or shall die, the allowance shall cease until the disability be removed or another horse be supplied. Every volunteer non-commissioned officer, private, musician, and artificer, who enters the service of the United States under this act, shall be paid at the rate of fifty cents in lieu of subsistence, and if a cavalry volunteer, twenty-five cents additional, in lieu of forage, for and in proportion to population of States. 1861, ch. 34, § 2. Post, p. 235.

Infantry regiments, how mad-up. To be subject to army rules and regulations. How to be formed.


Divisions and brigades, how composed and officered.

Major-generals and brigadier-generals to be appointed.

may be selected from regular army, and retain their rank there-in.

Field, staff and company officers, how commissioned.

Pay to be that of same grades in regular army.


Commutation of subsistence and travel.
every twenty miles of travel from his place of enrolment to the place of muster—the distance to be measured by the shortest usually travelled route; and when honorably discharged an allowance at the same rate, from the place of his discharge to his place of enrolment, and, in addition thereto, if he shall have served for a period of two years, or during the war, if sooner ended, the sum of one hundred dollars: Provided, That such of the companies of cavalry herein provided for, as may require it, may be furnished with horses and horse equipments in the same manner as in the United States army.

Sec. 6. And be it further enacted, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service, and the widow, if there be one, and if not, the legal heirs of such as die, or may be killed in service, in addition to all arrears of pay and allowances, shall receive the sum of one hundred dollars.

Sec. 7. And be it further enacted, That the bands of the regiments of infantry and of the regiments of cavalry shall be paid as follows: one-fourth of each shall receive the pay and allowances of sergeants of engineer soldiers; one-fourth those of corporals of engineer soldiers; and the remaining half those of privates of engineer soldiers of the first class; and the leaders of the band shall receive the same pay and emoluments as second lieutenants of infantry.

Sec. 8. And be it further enacted, That the wagoners and saddlers shall receive the pay and allowances of corporals of cavalry. The regimental commissary-sergeant shall receive the pay and allowances of regimental sergeant-major, and the regimental quartermaster-sergeant shall receive the pay and allowances of a sergeant of cavalry.

Sec. 9. And be it further enacted, That there shall be allowed to each regiment one chaplain, who shall be appointed by the regimental commander on the vote of the field officers and company commanders on duty with the regiment at the time the appointment shall be made. The chaplain so appointed must be a regular ordained minister of a Christian denomination, and shall receive the pay and allowances of a captain of cavalry, and shall be required to report to the colonel commanding the regiment to which he is attached, at the end of each quarter, the moral and religious condition of the regiment, and such suggestions as may conduce to the social happiness and moral improvement of the troops.

Sec. 10. And be it further enacted, That the general commanding a separate department or a detached army, is hereby authorized to appoint a military board or commission, of not less than three nor more than five officers, whose duty it shall be to examine the capacity, qualifications, propriety of conduct and efficiency of any commissioned officer of volunteers within his department or army, who may be reported to the board or commission; and upon such report, if adverse to such officer, and if approved by the President of the United States, the commission of such officer shall be vacated: Provided always, That no officer shall be eligible to sit on such board or commission, whose rank or promotion would in any way be affected by its proceedings, and two members at least, if practicable, shall be of equal rank of the officer being examined. And when vacancies occur in any of the companies of volunteers, an election shall be called by the colonel of the regiment to fill such vacancies, and the men of each company shall vote in their respective companies for all officers as high as captain, and vacancies above captain shall be filled by the votes of the commissioned officers of the regiment, and all officers so elected shall be commissioned by the respective Governors of the States, or by the President of the United States.

Sec. 11. And be it further enacted, That all letters written by soldiers in the service of the United States, may be transmitted through the mails
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without prepayment of postage, under such regulations as the Post-Office Department may prescribe, the postage thereon to be paid by the recipients.

SEC. 12. And be it further enacted, That the Secretary of War be, and he is hereby, authorized and directed to introduce among the volunteer forces in the service of the United States, the system of allotment tickets now used in the navy, or some equivalent system, by which the family of the volunteer may draw such portions of his pay as he may request.

APPROVED, July 22, 1861.

CHAP. X. — An Act authorizing the Secretary of the Treasury to remit Fines and Penalties incurred in certain cases.

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 to pay, out of any moneys in the Treasury not otherwise appropriated, to the person or persons entitled to receive the same, the amount of such fines or penalties as have been incurred and paid by the owners or masters of vessels since the first day of December, eighteen hundred and sixty, in consequence of their failure to produce to collectors of the customs the clearances or other papers prescribed and required by the laws of the United States regulating the issue of marine papers, and the foreign and coasting trades: Provided, That the Secretary of the Treasury shall be satisfied in each case that there was no willful negligence, or any intention of fraud on the part of the person or persons incurring the fines or penalties aforesaid, and that they were unable to obtain the requisite papers, by reason of there being no officer of the customs at the port of departure authorized to issue marine papers, or to grant clearances under the laws of the United States.

SEC. 2. And be it further enacted, That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any moneys in the Treasury not otherwise appropriated, to the person or persons entitled to receive the same, the sum of five hundred dollars, that being the amount of a fine improperly exacted by the collector of the customs at the port of Norfolk, Virginia, in the month of November, eighteen hundred and sixty, of the master of the "India," a Russian vessel.

SEC. 3. And be it further enacted, That the Secretary of the Treasury be, and is hereby, authorized to remit, in whole or in part, on such conditions, and under such regulations, not inconsistent with law, as he may prescribe, the additional duty secured by the bond given for the transportation of merchandise from a port in one collection district to a port in another collection district, prescribed by the sixth section of the act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," approved the twenty-eighth day of March, eighteen hundred and fifty-four: Provided, That it shall be proved to the satisfaction of the Secretary of the Treasury that the failure to transport and deliver the merchandise aforesaid according to the conditions of the bond, occurred without willful negligence or fraudulent intent on the part of the obligors.

APPROVED, July 24, 1861.

CHAP. XI. — An Act making additional Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrears of the Year ending thirtieth of June, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereafter expressed, for soldiers need not be prepaid.

Post, p. 332.

Allotment tickets may be introduced among the volunteer forces.

APPROVED, July 24, 1861.
the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, viz.:

For purchase or construction of steam or sailing revenue cutters, equipping the same, and expenses connected therewith, four hundred and fifty thousand dollars.

For repair of the Potomac, Navy Yard, and upper bridges, and the roads appurtenant thereto, ten thousand dollars.

For annual repairs of the Capitol water-closets, public stables, water-pipes, broken glass, and locks, one thousand dollars.

For fuel, in part, of the President's House, six hundred dollars.

For contingent expenses of the executive office, including stationery therefor, one thousand dollars.

SEC. 2. And be it further enacted, That the following sums be, and they are hereby, appropriated, in like manner:

For contingent expenses of foreign intercourse, twenty thousand dollars.

For contingent expenses of all the missions abroad, twenty-five thousand dollars.

For publication in pamphlet form and in the newspapers of the States and Territories the laws of the first session of the Thirty-seventh Congress, nine thousand dollars, or so much thereof as may be necessary.

SEC. 3. And be it further enacted, That the following sums be, and the same are hereby appropriated, in like manner, for the year ending the thirtieth of June, eighteen hundred and sixty-one:

For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, eight thousand dollars.

For contingent expenses of the executive office, including stationery therefor, four hundred dollars.

SEC. 4. And be it further enacted, That the proper accounting officers of the Treasury are hereby directed to allow to Asbury Dickens, late Secretary of the Senate, in the settlement of his accounts, credit for a payment to Mrs. E. A. Richardson, of four hundred dollars, under a resolution of the Senate of the second of March, one thousand eight hundred and sixty-one.

Approved, July 24, 1861.

July 24, 1861.

CHAP. XII. — An Act in Relation to forwarding Soldiers' Letters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all prepaid letters to soldiers in any regiment in the service of the United States, and directed to them at a point where they have been stationed, may be forwarded, whenever practicable, to any other point to which they may have been ordered, without further charge thereon.

Approved, July 24, 1861.

July 24, 1861.

CHAP. XIII. — An Act to provide for the temporary Increase of the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for and during the present insurrection the Secretary of the Navy shall be, and he is hereby, authorized to hire, purchase, or contract for such vessels as may be necessary for the temporary increase of the navy of the United States, and he is also hereby authorized to furnish any vessel or vessels which may be purchased or contracted for, with such ordnance, ordnance stores, and munitions of war, as may be necessary to enable such vessel or vessels to render the most efficient service, pursuant to the orders which may be given to their respective commanders.

SEC. 2. And be it further enacted, That the temporary appointments made, or which may be made, by the Secretary of the Navy, of acting
lieutenants, acting paymasters, acting assistant surgeons, acting masters and masters' mates, are hereby ratified and confirmed as temporary acting appointments, until the return of the vessels in which they are respectively employed, or until the suppression of the present insurrection, as may be deemed necessary; and the rate of compensation allowed for the several grades specified is hereby legalized and approved.

Sec. 3. And be it further enacted, That for the purpose of carrying into effect the foregoing act, and to suppress piracy, and render more effective the closing of the ports of the insurgents, there be appropriated and placed at the disposal of the Navy Department the sum of three millions of dollars.

Approved, July 24, 1861.

CHAIR. XIV.—An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Sloop-of-war Levant, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of fixing the time at which shall commence the pensions under the existing laws, of the widows and orphan children of the officers, seamen, marines, and others in service, who were lost in the United States sloop-of-war Levant, as well as the time to which the pay of said officers, seamen, marines, and others in service, shall be allowed, the thirtieth day of June, one thousand eight hundred and sixty-one, shall be deemed and taken to be the day on which the said sloop-of-war Levant foundered at sea.

Sec. 2. And be it further enacted, That the widow, or child, or children, and in case there shall be no widow, or child, or children, (as aforesaid,) then the parent or parents, and if there be no parents, the brothers and sisters of the officers, seamen, marines, and others in service, who were lost in said sloop-of-war Levant, including captain's clerk and assistant draughtsman, shall be entitled to and receive, out of any money in the Treasury not otherwise appropriated, a sum equal to twelve months' pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessel.

Sec. 3. And be it further enacted, That the proper accounting officers of the Treasury Department be, and are hereby, authorized and directed to settle the accounts of Andrew J. Watson, late purser in the navy, who was lost in the sloop-of-war Levant, with all his accounts and vouchers for expenditures and payments made by him, and with all the money, stores, and supplies procured for the use of said vessel, and to allow him a credit for whatever sum appears to be due from him on the books of the Department.

Approved, July 24, 1861.

CHAIR. XV.—An Act for the Relief of certain Musicians and Soldiers stationed at Fort Sumter, in South Carolina.

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 hereby is, directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of eleven hundred and fifty dollars to remunerate soldiers and members of the band stationed at Fort Sumter, in South Carolina, for losses of private property incurred in the removal from Fort Moultrie to Fort Sumter, on the evening of December twenty-six, eighteen hundred and sixty; said sum to be distributed as follows, namely: To the band, four hundred dollars; to company E, first artillery, five hundred dollars; to company H, first artillery, two hundred and fifty dollars; and to be divided among the members of said band and
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said companies suffering losses, or the heirs of such persons as aforesaid, according to the award of the commanding officers of the several commands.

**Approved, July 24, 1861.**

**CHAP. XVI.—An Act for the Relief of the Ohio and other Volunteers.**

Whereas the War Department has decided that the term of service of the ninety days' volunteers, called out under the act of seventeen hundred and ninety-five, commenced only on the day when they were actually sworn into the service of the United States; and whereas, the troops now in service of the United States from the State of Ohio were not sworn into said service until some days after their organization and acceptance as companies by the Governor of said State, and that for such period, under existing laws, no payment can be made: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper disbursing officer compute and pay to the said volunteers compensation from the day of their organization and acceptance as companies by the Governor of the State of Ohio, as aforesaid, until the expiration of their term of service.

**SEC. 2. And be it further enacted, That where the militia of other States are situated similarly with those of Ohio, the War Department pay them according to the provisions of the foregoing section.**

**Approved, July 24, 1861.**

**CHAP. XVII.—An Act in addition to the “Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property,” approved July twenty-second, eighteen hundred and sixty-one.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to accept the services of volunteers, either as cavalry, infantry, or artillery, in such numbers as the exigencies of the public service may in his opinion demand, to be organized as authorized by the act of the twenty-second of July, eighteen hundred and sixty-one: Provided, That the number of troops hereby authorized shall not exceed five hundred thousand.

**SEC. 2. And be it further enacted, That the volunteers authorized by this act shall be armed as the President may direct; they shall be subject to the rules and articles of war, and shall be upon the footing, in all respects, with similar corps of the United States army, and shall be mustered into the service for “during the war.”**

**SEC. 3. And be it further enacted, That the President shall be authorized to appoint, by and with the advice and consent of the Senate, for the command of the volunteer forces, such number of major-generals, and of brigadier-generals, as may, in his judgment, be required for their organization.”**

**Approved, July 25, 1861.**

**CHAP. XVIII.—An Act to refund Duties on Arms imported by States.**

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 is hereby authorized to refund, out of any money in the Treasury not otherwise appropriated, the duties paid on arms imported by States, under the conditions and subject to the limitation of the act approved the tenth day of July, eighteen hundred and sixty-one, entitled "An act to refund and remit the duties on arms imported by States."

**Approved, July 25, 1861.**
THIRTY-SEVENTH CONGRESS. Sess. I. Ch. 19, 20. 1861.

Chap. XIX. — An Act for the better Organization of the Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, the United States Marine Corps shall consist of the following officers, non-commissioned officers, musicians, and privates, viz.: One colonel commandant, one colonel, two lieutenant-colonels, four majors, one adjutant and inspector, one paymaster, one quartermaster, two assistant quartermasters, twenty captains, thirty first lieutenants, thirty second lieutenants, one sergeant-major, one quartermaster-sergeant, one drum-major, one principal musician, two hundred sergeants, two hundred and twenty corporals, thirty musicians for band, sixty drummers, sixty fifers, and twenty-five hundred privates.

Sec. 2. And be it further enacted, That the commissions of the officers now in the marine corps shall not be vacated by this act; and that the President of the United States may, during the recess of the Senate, first by promotions, and then by selections, appoint the officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

Sec. 3. And be it further enacted, That the appointment of commissioned officers to be made under the provisions of this act shall be of persons between the ages of twenty and twenty-five years, and [they] shall be subjected, under the direction of the Secretary of the Navy, to an examination as to their qualifications for the service to which they are to be appointed.

Approved, July 25, 1861.

Chap. XX. — An Act relative to the Revenue Marine, to fix the Compensation of the Officers thereof, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compensation of the officers of the revenue cutters shall be at the following rates, to wit:

Duty Pay.

Captains, eighteen hundred dollars per annum.
First lieutenants, fourteen hundred dollars per annum.
Second lieutenants, twelve hundred dollars per annum.
Third lieutenants, nine hundred dollars per annum.

Leave of Absence or Waiting Orders Pay.

Captains, twelve hundred dollars per annum.
First lieutenants, one thousand dollars per annum.
Second lieutenants, eight hundred dollars per annum.
Third lieutenants, seven hundred dollars per annum.

Sec. 2. And be it further enacted, That the number of officers for each revenue vessel shall be one captain and three lieutenants, first, second, and third; and of a steam-vessel, one engineer, and one assistant engineer, and such number of petty officers and men as in the opinion of the Secretary of the Treasury may be required to make the vessels efficient for the duties required of them: Provided, That the Secretary of the Treasury shall have the power to assign any greater number of officers than is herein prescribed should the nature of the service to which any vessel may be assigned in his opinion require it.

Sec. 3. And be it further enacted, That the Secretary of the Treasury shall have the power to direct the performance of any service by the revenue vessels which, in his judgment, may be necessary for the protection of the revenue.

Sec. 4. And be it further enacted, That the Secretary of the Treasury may, at his discretion, dispose of any of the vessels now belonging to the revenue marine which, in his opinion, are unsuitable for service, and to
substitute therefor such other vessels as the advanced naval architecture and the increased wants of the service demand: Provided, That no expenditure shall be incurred beyond the specific appropriation therefor.

SEC. 5. And be it further enacted, That the President of the United States, with the assent of the Secretary of the Treasury, may transfer the steamer "Harriet Lane" permanently to the navy: Provided, That the cost of said steamer shall be refunded to the appropriation "for a suitable steamer for a revenue cutter," and which amount, together with the proceeds of any vessels disposed of by authority of this act, may be applied to the building or purchase of such other vessels as may be required.

SEC. 6. And be it further enacted, That there may be appointed such number of additional engineers and assistant engineers as may be required by the steamers now or hereafter in the service.

Approved, July 25, 1861.

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Proviso.

The Harriet Lane may be transferred to the Navy.

Proviso.

Additional engineers and assistants may be appointed.

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July 27, 1861.

CHAP. XXI. — An Act to indemnify the States for Expenses incurred by them in Defence of the United States.

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, directed, out of any money in the Treasury not otherwise appropriated, to pay to the Governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State or for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury.

Approved, July 27, 1861.

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July 27, 1861.

CHAP. XXII. — An Act making additional Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrears of the Year ending thirtieth of June, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, namely:

Contingent expenses of the House of Representatives.—For stationery, four thousand six hundred dollars.

For pages and temporary mail-boys, four thousand eight hundred and forty dollars.

For laborers, one thousand nine hundred and seventeen dollars.

For furniture and repairs and boxes for members, five thousand dollars.

For reporting proceedings of the called session of the Thirty-seventh Congress, at the rate per column fixed by law, eight thousand dollars: Provided, That the said proceedings shall be reported with and bound in the Congressional Globe and Appendix of the first regular session of the present Congress.

Treasury Department.—

Office of the Secretary of the Treasury.

For contingent expenses, including compensation of additional clerks who may be employed by the Secretary according to the exigencies of the public service, and additional compensation for extra labor of clerks in his office, twenty-five thousand dollars.
Interior Department.—For compiling and supervising the publication of the Biennial Register, per act of March third, [second] eighteen hundred and sixty-one, five hundred dollars.

To enable the Secretary of the Interior to supply such newly created offices as are entitled thereto with full sets of the Statutes at Large, and to replace those once furnished to old officers which have since been unavoidably lost or destroyed, two thousand dollars.

For salaries of five clerks of class three, eleven clerks of class two, and four clerks of class one, per acts of April twenty-second and May thirty-first, eighteen hundred and fifty-four, twenty-eight thousand two hundred dollars.

For compensation of eight additional night watchmen for the Department of the Interior, at a salary of six hundred dollars each per annum, four thousand eight hundred dollars.

Surveyors-General.—For compensation of the surveyor-general of the Territory of Colorado, three thousand six hundred and nine dollars and eighty-nine cents.

For compensation of the surveyor-general of the Territory of Nevada, three thousand seven hundred and seventy-five dollars.

For compensation of the surveyor-general of the Territory of Dakota, two thousand one hundred and fifteen dollars and thirty-eight cents.

Contingent Expenses of the War Department.—

Office of the Secretary of War:

For the purpose of increasing temporarily the clerical force and messengers in the War Department and its bureaus, as follows, viz.:

In the office of the Secretary of War, one clerk of the first class, two of the second, two of the third, and one of the fourth, and two assistant messengers, at an annual salary of eight hundred and forty dollars each.

In the office of the Quartermaster-General, five clerks of the first class, two of the second, two of the third, and one of the fourth, and two assistant messengers, at an annual salary of eight hundred and forty dollars each.

In the office of the Commissary-General, three clerks of the first class and two of the second.

In the office of Surgeon-General, one clerk of the third class.

In the office of the Paymaster-General, three clerks of the second class and three of the third.

In the Bureau of Topographical Engineers, two clerks of the third class.

In the Ordnance Bureau, two clerks of the first class; forty-eight thousand seven hundred and sixty dollars.

And the Adjutant-General is authorized to employ in his office any number, not exceeding ten, of non-commissioned officers, to be selected by the Adjutant-General from the army, in addition to his present clerical force.

For blank-books, stationery, binding, labor, and miscellaneous items, two thousand dollars.

Office of the Adjutant-General:

For blank-books, binding, stationery, and miscellaneous items, one thousand dollars.

Office of the Paymaster-General:

For blank-books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Surgeon-General:

For blank-books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Colonel of Ordnance:

For blank-books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.
Office of the Colonel of Topographical Engineers:
For blank-books, binding, stationery, and miscellaneous items, eight hundred dollars.

For the General Purposes of the Northwest Executive Building. — For fuel, light, and miscellaneous items, one thousand dollars.

Mint of the United States at Philadelphia. — For transportation of bullion from assay office to the mint for coinage, forty thousand four hundred and seventy-four dollars and eighty-three cents.

Independent Treasury. — For increased establishment of office of Assistant Treasurer of the United States at New York, seven thousand two hundred dollars; being for additional clerks and compensation to clerks in said office.

For additional compensation of clerk of Assistant Treasurer of the United States at Saint Louis, three hundred dollars.

Government of the Territories.

Territory of Dakota. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.
For contingent expenses of said Territory, one thousand dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Nevada. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.
For contingent expenses of said Territory, one thousand dollars.
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

For compensation of the district attorney for the Territory of Dakota, two hundred and fifty dollars.
For compensation of the district attorney for the Territory of Nevada, two hundred and fifty dollars.
For compensation of the marshal for the Territory of Dakota, two hundred dollars.
For compensation of the marshal for the Territory of Nevada, two hundred dollars.

For office rent for the surveyor-general of the Territory of Colorado, fuel, furniture, books, stationery, and other incidental expenses, two thousand dollars.
For office rent for the surveyor-general of the Territory of Nevada, furniture, fuel, books, stationery, and other incidental expenses, two thousand dollars.
For office rent for the surveyor-general of the Territory of Dakota, furniture, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For salaries and commissions of registers of land-offices and receivers of public moneys, two thousand five hundred dollars.
For incidental expenses of the several land-offices, two thousand dollars.
For the support and maintenance of the penitentiary of the District of Columbia, five thousand dollars.
For the pay of eight additional first class clerks in the Navy Department, nine thousand six hundred dollars.
For the salary of Assistant Secretary of the Navy, four thousand two hundred dollars.
For the yearly compensation of the two laborers employed in the library of Congress, which is hereby fixed at five hundred dollars each, beginning July first, eighteen hundred and sixty-one, one thousand dollars.

Sec. 2. And be it further enacted, That the following sum be and the
same is hereby appropriated, in like manner, for the year ending the thirtieth of June, eighteen hundred sixty-one:

For the support and maintenance of the penitentiary in the District of Columbia, seven thousand nine hundred and eighty-one dollars and eighty cents.

Sec. 3. And be it further enacted, That the sum of ten thousand one hundred and fifty dollars appropriated for the contingent expenses of the office of the Auditor of the Treasury for the Post-Office Department, in "An Act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth day of June, eighteen hundred and sixty-two," approved February twentieth, eighteen hundred and sixty-one, shall be applied, so far as may be necessary, to pay for stationery, horse for use of the office, lights, washing, towels, ice, and miscellaneous items, in addition to the items mentioned in said appropriation.

Approved, July 27, 1861.

Chap. XXIII. — An Act to provide for the Payment of the Police organized by the United States for the City of Baltimore, and to enable the Mint to furnish small gold coins, and to provide for the Manufacture or Purchase of Field Signals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the maintenance of said police there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars.

Sec. 2. And be it further enacted, That of said sum not more than twenty thousand dollars shall be expended in any one month for said purpose, and that the same shall cease when the said police are dismissed from service by the United States: And provided, That the disbursements of the amount hereby allowed shall be made only with the sanction and by the authority of the Commanding General of that Military Department.

Sec. 3. And be it further enacted, That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, viz:

To enable the mint to furnish such small gold coins as may be required for the public service, forty thousand dollars, or so much thereof as may be necessary.

For the manufacture or purchase of apparatus and equipments for field signals, five thousand dollars.

Approved, July 27, 1861.

Chap. XXIV. — An Act to increase the present Military Establishment of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the regular army, as now authorized by law, nine regiments of infantry, one regiment of cavalry, and one regiment of artillery; each regiment of infantry to consist of not less than two nor more than three battalions, as the exigencies of the public service may, in the opinion of the President of the United States, demand; each battalion to consist of eight companies; each company to consist of one captain, one first and one second lieutenant, one first sergeant, four corporals, eight privates, each regiment to consist of not more than three battalions of not more than two squadrons each; and each squadron shall consist of two companies, each company to be composed of one captain, one first and one second lieutenant, one first ser-
geant, one quartermaster-sergeant, four sergeants, eight corporals, two musicians, two farriers, one saddler, one wagoner, and as many privates, not exceeding seventy-two, as the President of the United States may, according to the requirements of the military service, direct. The regiment of artillery hereby authorized shall consist of not more than twelve batteries; and each battery shall consist of one captain, one first and one second lieutenant, one first sergeant, one quartermaster-sergeant, four sergeants, eight corporals, two musicians, two artificers, one wagoner, and as many privates, not exceeding one hundred and twenty-two, as the President of the United States may, according to the requirements of the military service, direct. And there may be added to the aforesaid battery organization, at the discretion of the President, having due regard to the public necessities and means, one first and one second lieutenant, two sergeants, and four corporals.

Sec. 2. And be it further enacted, That the field and staff commissioned and non-commissioned officers of the regiments hereinbefore authorized shall be as follows: To each regiment of infantry, one colonel, one lieutenant-colonel, one regimental adjutant, one regimental quartermaster and commissary, one drum-major, or leader of the band, and two principal musicians; and to each battalion of infantry, one major, one battalion adjutant, one battalion quartermaster and commissary, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, and one hospital-steward; the regimental and battalion adjutants, and quartermasters and commissaries, to be taken from the lieutenants of the regiments and battalions, respectively: To the regiment of cavalry, one colonel, one lieutenant-colonel, one regimental adjutant, one regimental quartermaster and commissary, and two chief buglers; and to each battalion of cavalry, one major, one battalion adjutant, one battalion quartermaster and commissary, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital-steward, one saddler sergeant, and one veterinary surgeon; the regimental adjutant and the regimental and battalion quartermasters and commissaries to be taken from the lieutenants of the regiments and battalions, respectively: To the regiment of artillery, one colonel, one lieutenant-colonel, one major to every four batteries, one adjutant, one regimental quartermaster and commissary, to be taken from the lieutenants of the regiment, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, two principal musicians, and one hospital-steward — and the bands of the regular regiments shall consist of not more than twenty-four musicians for each regiment of infantry and artillery, and sixteen musicians for each regiment of mounted troops.

Sec. 3. And be it further enacted, That there shall be added to the army of the United States the following general officers, namely: Four major-generals, with three aides-de-camp each, to be taken from captains or lieutenants of the army, and six brigadier-generals, with two aides-de-camp each, to be taken from the lieutenants of the army.

Sec. 4. And be it further enacted, That the officers and enlisted men raised in pursuance of the foregoing sections shall receive the same pay, emoluments, and allowances, and be on the same footing, in every respect, with those of corresponding grades and corps now in the regular service. The regimental bands will be paid as follows: one-fourth of each, the pay and allowances of sergeants of engineer soldiers; one-fourth, those of corporals of engineer soldiers; and one-half, those of engineer soldiers of the first class. The drum-major, or leader of the band, the pay and emoluments of a second lieutenant of infantry. The saddler sergeants, veterinary sergeants, company quartermaster-sergeants, and drum-majors, will receive the pay and allowances of sergeants of cavalry. The battalion adjutant and battalion quartermasters and commissaries will receive the emoluments now provided by law for regimental adjutants.

Sec. 5. And be it further enacted, That the term of enlistments made
and to be made in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, in the regular army, including the force authorized by this act, shall be for the period of three years, and those to be made after January one, eighteen hundred and sixty-three, shall be for the term of five years, as at present authorized, and that the men enlisted in the regular forces, after the first day of July, eighteen hundred and sixty-one, shall be entitled to the same bounties, in every respect, as those allowed or to be allowed to the men of the volunteer forces.

SEC. 6. And be it further enacted, That the increase of the military establishment created or authorized by this act is declared to be for service during the existing insurrection and rebellion; and within one year after the constitutional authority of the Government of the United States shall be re-established, and organized resistance to such authority shall no longer exist, the military establishment may be reduced to a number not exceeding twenty-five thousand men, unless otherwise ordered by Congress.

SEC. 7. And be it further enacted, That the President of the United States shall cause regiments, battalions, and companies to be disbanded, and officers, non-commissioned officers, musicians, and privates to be discharged, so as to reduce the military establishment as is provided by the preceding section: Provided, That all of the officers of the regular army who have been or may be detached or assigned to duty for service in any other regiment or corps shall resume their positions in the regular army, and shall be entitled to the same rank, promotion, and emoluments as if they had continued to serve in their own regiments or corps.

SEC. 8. And be it further enacted, That the enlistments for the regiments authorized by this act shall be in charge of the officers detailed for that purpose who are appointed to said regiments from civil life; and that in the mean time the officers appointed to the same from the regular army shall be detailed by the commanding general to such service in the volunteer regiments now in the field as will, in his judgment, give them the greatest military instruction and efficiency; and that the commanding general may, in his discretion, employ said officers with any part of the regular forces now in the field until the regiments authorized by this act shall have been fully recruited, and detail any of the officers now in the regular army to service with the volunteer regiments now in the field, or which may hereafter be called out, with such rank as may be offered them in said volunteer regiments, for the purpose of imparting to them military instruction and efficiency.

APPROVED, July 29, 1861.

CHAIR. XXV. — An Act to provide for the Suppression of Rebellion against and Resistance to the Laws of the United States, and to amend the Act entitled "An Act to provide for calling forth the Militia to execute the Laws of the Union," &c., passed February twenty-eighth, seventeen hundred and ninety-five.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President of the United States, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory of the United States, it shall be lawful for the President of the United States to call forth the militia of any or all the States of the Union, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.
President to command insurgents to disperse.

Militia to be subject to rules of war, and to continue in service.

Limit of service.

Pay, &c.

Penalty for disobedience of orders of President.

Courts-martial, how composed.

Fines, how collected and paid.

1795, ch. 38, §§ 7, 8. Vol. i. p 424.

Marshals to have in their districts the authority of sheriffs.

Act 1795, ch. 38, §§ 2, 3, 4, &c. repealed.

Vol. i. p 424.

Sec. 2. And be it further enacted, That whenever, in the judgment of the President, it may be necessary to use the military force hereby directed to be employed and called forth by him, the President shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes, within a limited time.

Sec. 3. And be it further enacted, That the militia so called into the service of the United States shall be subject to the same rules and articles of war as the troops of the United States, and be continued in the service of the United States until discharged by proclamation of the President: Provided, That such continuance in service shall not extend beyond sixty days after the commencement of the next regular session of Congress, unless Congress shall expressly provide by law therefor: And provided further, That the militia so called into the service of the United States shall, during their time of service, be entitled to the same pay, rations, and allowances for clothing as are or may be established by law for the army of the United States.

Sec. 4. And be it further enacted, That every officer, non-commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States in any of the cases before recited, shall forfeit a sum not exceeding one year’s pay, and not less than one month’s pay, to be determined and adjudged by a court-martial; and such officer shall be liable to be cashiered by a sentence of court-martial, and be incapacitated from holding a commission in the militia for a term not exceeding twelve months, at the discretion of the court; and such non-commissioned officer and private shall be liable to imprisonment, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month for every twenty-five dollars of such fine.

Sec. 5. And be it further enacted, That courts-martial for the trial of militia shall be composed of militia officers only.

Sec. 6. And be it further enacted, That, all fines to be assessed as aforesaid shall be certified by the presiding officer of the court-martial, and shall be collected and paid over according to the provisions and in the manner prescribed by the seventh and eighth sections of the act of February twenty-eight, seventeen hundred and ninety-five, to which this is an amendment.

Sec. 7. And be it further enacted, That the marshals of the several districts of the United States, and their deputies, shall have the same powers in executing the laws of the United States as sheriffs and their deputies in the several States, have by law, in executing the laws of the respective States.

Sec. 8. And be it further enacted, That sections two, three, and four of the act entitled “An Act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes,” approved February twenty-eight, seventeen hundred and ninety-five, and so much of the residue of said act and of all other acts as conflict with this act are hereby repealed.

Approved, July 29, 1861.

July 31, 1861.

Chap. XXVII.—An Act authorizing the Appointment of an Assistant Secretary of the Navy, and fixing the Salary of the same, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall appoint, in the department of the Secretary of the Navy, by and with the advice and consent of the Senate, a competent person, who shall be called the Assistant Secretary of the Navy, whose salary shall be four thousand dollars, payable in the same manner as the salary of the Secretary of the Navy, who shall perform all such duties in the office of the Secretary of the Navy, belonging to that department, as shall be prescribed by the Secretary of
the Navy, or as may be required by law, and who shall act as Secretary of the Navy in the absence of that officer.

Sec. 2. And be it further enacted, That there be added to the clerical force of the Navy Department eight additional clerks, with a salary of twelve hundred dollars each per annum.

APPROVED, July 31, 1861.

CHAP. XXVIII.—An Act making an Appropriation to pay the Expenses of transporting and delivering Arms and Munitions of War to the loyal Citizens of the States of which the Inhabitants now are or hereafter may be in Rebellion against the Government of the United States, and to provide for the Expense of organizing them into Companies, Battalions, Regiments, or otherwise, for their own Protection against domestic Violence, Insurrection, Invasion, or Rebellion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended, under the direction of the President of the United States, in supplying and defraying the expenses of transporting and delivering such arms and munitions of war as in his judgment may be expedient and proper to place in the hands of any of the loyal citizens residing in any of the States of which the inhabitants are in rebellion against the Government of the United States, or in which rebellion is or may be threatened, and likewise for defraying such expenses as may be properly incurred in organizing and sustaining, while so organized, any of said citizens into companies, battalions, regiments, or otherwise, for their own protection against domestic violence, insurrection, invasion, or rebellion.

APPROVED, July 31, 1861.

CHAP. XXIX.—An Act making an Appropriation for the Purchase of Arms for the Volunteers and Regular Troops of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the President of the United States, for the purchase of arms for the use of the volunteers and regular troops of the United States.

APPROVED, July 31, 1861.

CHAP. XXX.—An Act providing a Commission to examine and report as to the Compensation of all Officers of the Government, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of scaling, equalizing, and reducing the compensation of the various officers of the Government, a Board of Commissioners is hereby organized, to be composed as follows: Of two members of the Senate, to be appointed by the presiding officer of the Senate; three members of the House of Representatives, to be appointed by the Speaker of the House; one officer of the navy and one officer of the army, to be appointed by the President. That said Board shall examine and report, as soon as practicable: First, a fair and just compensation for each officer of the Government; second, such provisions of law as will regulate the expenditure of all indefinite and contingent appropriations, including those for the courts of the United States; third, regulations for the more economical collection of the revenue; fourth, what officers or employments, if any, may be dispensed with without detriment to the public service.

Sec. 2. And be it further enacted, That said commission have leave
to report by bill or bills, or otherwise, to each House at the next session of Congress, and have leave to employ a clerk, at a compensation not to exceed four dollars per day for the time actually needed.

**Approved, July 31, 1861.**

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**Chap. XXXI.—An Act to increase the Medical Corps of the Navy.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the medical corps of the Navy shall consist of eighty surgeons, and one hundred and twenty passed and other assistant-surgeons.

**Approved, July 31, 1861.**

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**Chap. XXXII.—An Act in addition to an Act entitled “An Act further to provide for the Collection of Duties on Imports, and for other Purposes,” approved July thirteenth, A. D. eighteen hundred and sixty-one.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the power of the President to declare the inhabitants of any State, or any part thereof, in a state of insurrection, as provided in the fifth section of the act to which this is an addition, shall extend to and include the inhabitants of any State, or part thereof, where such insurrection against the United States shall be found by the President at any time to exist.

**Approved, July 31, 1861.**

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**Chap. XXXIII.—An Act to define and punish certain Conspiracies.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if two or more persons within any State or Territory of the United States shall conspire together to overthrow, or to put down, or to destroy by force, the Government of the United States, or to levy war against the United States, or to oppose by force the authority of the Government of the United States; or by force to prevent, hinder, or delay the execution of any law of the United States; or by force to seize, take, or possess any property of the United States against the will or contrary to the authority of the United States; or by force, or intimidation, or threat to prevent any person from accepting or holding any office, or trust, or place of confidence, under the United States; each and every person so offending shall be guilty of a high crime, and upon conviction thereof in any district or circuit court of the United States, having jurisdiction thereof, or district or supreme court of any Territory of the United States having jurisdiction thereof, shall be punished by a fine not less than five hundred dollars and not more than five thousand dollars; or by imprisonment, with or without hard labor, as the court shall determine, for a period not less than six months nor greater than six years, or by both such fine and imprisonment.

**Approved, July 31, 1861.**

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**Chap. XXXIV.—An Act authorizing the Secretary of War to reimburse Volunteers for Expenses incurred in employing regimental and other Bands, and for other Purposes.**

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, to the volunteers called out by the President's proclamation of the fifteenth April, one thousand eight hundred and sixty-one, such sums of money as may have been expended by the said volunteers in the employment of regimental or company bands during the period of their service under said proclamation: Provided, Tha...
amount to be allowed shall not exceed that to be paid to volunteer bands regularly mustered into the service under the President’s proclamation of May third, one thousand eight hundred and sixty-one.

Sec. 2. And be it further enacted, That the President, in accepting and organizing volunteers under the act entitled "An Act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-two, eighteen hundred and sixty-one, may accept the service of such volunteers without previous proclamation, and in such numbers from any State or States as, in his discretion, the public service may require.

Approved, July 31, 1861.

CHAP. XXXV. — An Act to increase the Consular Representation of the United States during the present Insurrection.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States may, by and with the advice and consent of the Senate, appoint consuls at any foreign ports where he shall deem it advisable, for the purpose of preventing piracy, with such compensation, not exceeding fifteen hundred dollars per annum, as he shall think proper; to hold their offices, respectively, during the pleasure of the President, and in every case such compensation to cease with the restoration of internal peace within the United States. And the President may, during the present insurrection, increase the compensation of any consuls in foreign ports, if he shall deem it necessary, so as not, however, to exceed the sum of fifteen hundred dollars in any case. But this power shall cease with the re-establishment of internal peace as aforesaid.

Approved, August 2, 1861.


Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the above entitled act be, and the same is hereby, amended by inserting after the word "captain," where the same first occurs in said act, the words "or commander," so that the President shall be authorized to select the superintendents of the several navy yards and heads of bureaus from the captains or commanders of the navy of the United States.

Approved, August 2, 1861.

CHAP. XXXVII. — An Act concerning the Attorney-General and the Attorneys and Marshals of the several Districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney-General of the United States be, and he is hereby, charged with the general superintendence and direction of the attorneys and marshals of all the districts in the United States and the Territories as to the manner of discharging their respective duties; and the said district-attorneys and marshals are hereby required to report to the Attorney-General an account of their official proceedings, and the state and condition of their respective offices, in such time and manner as the Attorney-General may direct.

Sec. 2. And be it further enacted, That the Attorney-General be, and he is hereby, empowered, whenever in his opinion the public interest may require it, to employ and retain (in the name of the United States) such attorneys and counsellors-at-law as he may think necessary to assist the district-attorneys in the discharge of their duties, and shall stipulate with such assistant counsel the amount of compensation.

August 2, 1861.


Volunteers under act 1861, ch. 9, how may be accepted by the President. Ante, p. 269.
SEC. 3. And be it further enacted, That the Attorney-General shall have power to increase the clerical force of his office to discharge the increased duties of the same, occasioned by this act, by appointing additional clerks, not exceeding two, and may fix their compensation at an annual salary not exceeding fourteen hundred dollars each per annum.

Approved, August 2, 1861.

August 3, 1861.

CHAP. XXXVIII. — An Act to provide for the Construction of one or more armored Ships and Floating Batteries, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint a board of three skilful naval officers to investigate the plans and specifications that may be submitted for the construction or completing of iron or steel-clad steamships or steam-batteries, and on their report, should it be favorable, the Secretary of the Navy will cause one or more armored or iron or steel-clad steamships or floating steam-batteries to be built; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one million five hundred thousand dollars.

SEC. 2. And be it further enacted, That in case of a vacancy in the office of engineer-in-chief of the navy the appointment thereto shall be made from the list of chief engineers.

Approved, August 3, 1861.

August 3, 1861.

CHAP. XXXIX. — An Act to amend "An Act to prohibit the sale of Spirituous Liquors and Intoxicating Drinks in the District of Columbia, in certain Cases."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any person shall be convicted of the offence described in the act entitled "An Act to prohibit the sale of spirituous liquors and intoxicating drinks, in the District of Columbia, in certain cases," he shall be punished by a fine of twenty dollars or imprisonment in the jail of Washington county, in the District of Columbia, for the period of thirty days.

Approved, August 3, 1861.

August 3, 1861.

CHAP. XL. — An Act to provide for the Purchase of Arms, Ordnance, and Ordnance Stores.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase and manufacture of arms, ordnance, and ordnance stores.

Approved, August 3, 1861.

August 3, 1861.

CHAP. XLI. — An Act to suspend in part the Operation of an Act entitled "An Act relating to Revenue Cutters and Steamers."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of third March, eighteen hundred and forty-five, entitled "An Act relating to revenue cutters and steamers," be and the same is so far suspended as to allow the Secretary of the Treasury to apply so much of the appropriation for the collection of the revenue as he may deem expedient to the charter or purchase of vessels for the revenue service: Provided, That no liability shall be incurred for the purposes herein named, which, together with the expenses of collecting the revenue, shall exceed the appropriation already made for the latter object.

Approved, August 3, 1861.
THIRTY-SEVENTH CONGRESS. Sess. I. Ch. 42. 1861.

CHAP. XLII. — An Act providing for the better Organization of the Military Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, an officer in the War Department, to be called the Assistant Secretary of War, whose salary shall be three thousand dollars per annum, payable in the same manner as that of the Secretary of War, who shall perform all such duties in the office of the Secretary of War, belonging to that department, as shall be prescribed by the Secretary of War, or as may be required by law.

Sec. 2. And be it further enacted, That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, in addition to the number authorized by existing laws and in accordance with existing regulations, five assistant inspector-generals, with the rank and pay of majors of cavalry, ten surgeons, and twenty assistant-surgeons, to have the pay, rank, and allowances, and perform the duties of similar officers in the present military establishment. That hereafter the Adjutant-General's department shall consist of the following officers, namely: One adjutant-general, with the rank, pay, and emoluments of a brigadier-general; one assistant adjutant-general, with the rank, pay, and emoluments of a colonel of cavalry; two assistant adjutant-generals, with the rank, pay, and emoluments each of a lieutenant-colonel of cavalry; four assistant adjutant-generals, with the rank, pay, and emoluments each of a major of cavalry; and twelve assistant adjutant-generals, with the rank, pay, and emoluments each of a captain of cavalry; and that there shall be added to the subsistence department four commissaries of subsistence, each with the rank, pay, and emoluments of a major of cavalry; and eight commissaries of subsistence, with the rank, pay, and emoluments each of a captain of cavalry, and to be taken from the line of the army, either of the volunteers or regular army.

Sec. 3. And be it further enacted, That there shall be added to each of the corps of engineers and topographical engineers three first and three second lieutenants, to be promoted thereto in accordance with the existing laws and regulations. And there shall be added to the quartermaster's department one colonel, two lieutenant-colonels, four majors, and twenty captains, with the rank, pay, and allowances of officers of cavalry; and whenever any army captain of the quartermaster's department shall have served fourteen years' continuous service he shall be promoted to the rank of major; and that there shall be added to the quartermaster's department as many master wagoners, with the rank, pay, and allowances of sergeants of cavalry, and as many wagoners, with the pay and allowances of corporals of cavalry, as the military service, in the judgment of the President, may render necessary. And there shall be added to the ordnance department of the United States army, as now organized, one chief of ordnance, with the rank, pay, and emoluments of the quartermaster-general of the army; one colonel, one lieutenant-colonel, and six second lieutenants; the field officers to be appointed by selection from the officers of the army, and the second lieutenants from the graduates of the United States Military Academy, by transfers from the engineers, or the topographical engineers, or the artillery.

Sec. 4. And be it further enacted, That there shall be added to the corps of engineers three companies of engineer soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and be entitled to the same benefits, in every respect, as the company created by the act for the organization of a company of sappers and miners and pontoniers, approved May sixteen, eighteen hundred and forty-six. The said three companies shall be subject to the rules and articles of war; shall be recruited in the same manner and

Assistant-Secretary of war.

Salary.

Duties.

Additional assistant inspector-generals, surgeons, and assistant-surgeons.

Adjutant-general's department, of whom to consist.

Subsistence department.

Engineers and topographical engineers.

Quartermaster's department.

Rule as to promotions.

Master wagoners, &c.

Ordnance department, increase of.

Appointments.

Engineer soldiers.

Pay, &c.

August 3, 1861.

with the same limitations; shall be instructed in and perform the same
duties, and be liable to serve in the same way, and shall have their vehi-
cles, pontons, tools, implements, arms, and other supplies, regulated in the
same manner as the existing engineer company; and each of the four
companies of engineer soldiers shall hereafter be composed of ten ser-
geants, ten corporals, two musicians, sixty-four privates of the first class,
or artificers, and sixty-four privates of the second class, in all one hundred
and fifty men each.

Sec. 5. And be it further enacted, That there be added to the medical
staff of the army a corps of medical cadets, whose duty it shall be to act
as dressers in the general hospitals and as ambulance attendants in the
field, under the direction and control of the medical officers alone.
They shall have the same rank and pay as the military cadets at West
Point. Their number shall be regulated by the exigencies of service, at
no time to exceed fifty. It shall be composed of young men of liberal
education, students of medicine, between the ages of eighteen and twenty-
three, who have been reading medicine for two years, and have attended
at least one course of lectures in a medical college. They shall enlist for
one year, and be subject to the rules and articles of war. On the fifteenth
day of the last month of their service, the near approach of their discharge
shall be reported to the surgeon-general, in order, if desired, that they
may be relieved by another detail of applicants.

Sec. 6. And be it further enacted, That in general or permanent hos-
pitals female nurses may be substituted for soldiers, when, in the opinion
of the surgeon-general or medical officer in charge, it is expedient to do
so; the number of female nurses to be indicated by the surgeon-general
or surgeon in charge of the hospital. The nurses so employed to receive
forty cents a day and one ration in kind, or by commutation, in lieu of all
emoluments except transportation in kind.

Sec. 7. And be it further enacted, That one chaplain shall be allowed
to each regiment of the army, to be selected and appointed as the
President may direct: Provided, That none but regularly ordained
ministers of some Christian denomination shall be eligible to selection or
appointment.

Sec. 8. And be it further enacted, That no cadet, who has been or
shall hereafter be reported as deficient, either in conduct or studies, and
recommended to be discharged from the academy, shall be returned or
reappointed, or appointed to any place in the army before his class shall
have left the academy and received their commissions, unless upon the
recommendation of the academic board of the academy: Provided, That
all cadets now in the service, or hereafter entering the Military Academy
at West Point, shall be called on to take and subscribe the following oath:
"I, A. B., do solemnly swear that I will support the Constitution of the
United States, and bear true allegiance to the National Government;
that I will maintain and defend the sovereignty of the United States
paramount to any and all allegiance, sovereignty, or fealty I may owe to
any State, county, or country whatsoever; and that I will at all times
obey the legal orders of my superior officers and the rules and articles
governing the armies of the United States." And any cadet or can-
didate for admission who shall refuse to take this oath shall be dismissed
from the service.

Sec. 9. And be it further enacted, That the three months' extra pay
allowed by the twenty-ninth section of the act of the fifth of July,
eighteen hundred and thirty-eight, for re-enlistments under certain con-
tions, the bounty granted by the third section of the act of the seventeenth
of June, eighteen hundred and fifty, for enlistments at remote and distant
stations, and the premium now paid for bringing accepted recruits to the
rendezvous, be and they are hereby abolished.

Sec. 10. And be it further enacted, That hereafter two dollars per
Sec. 11. And be it further enacted, That in all cases of enlistment and re-enlistment in the military service of the United States the prescribed oath of allegiance may be administered by any commissioned officer of the army.

Sec. 12. And be it further enacted, That the two regiments of dragoons, the regiment of mounted riflemen, and the two regiments of cavalry, shall hereafter be known and recognized as the first, second, third, fourth, and fifth regiments of cavalry, respectively; the officers thereof to retain their present relative rank, and to be promoted as of one arm of service, according to existing law and established usage and regulation.

Sec. 13. And be it further enacted, That the army ration shall be increased as follows, viz.: Twenty-two ounces of bread or flour, or one pound of hard bread, instead of the present issue; fresh beef shall be issued as often as the commanding-officer of any detachment or regiment shall require it, when practicable, in place of salt meat; beans and rice or hominy shall be issued in the same ration in the proportions now provided by the regulation, and one pound of potatoes per man shall be issued at least three times a week, if practicable; and when these articles cannot be issued in these proportions, an equivalent in value shall be issued in some other proper food, and a ration of tea may be substituted for a ration of coffee upon the requisition of the proper officer: Provided, That after the present insurrection shall cease, the ration shall be as provided by law and regulations on the first day of July, eighteen hundred and sixty-one.

Sec. 14. And be it further enacted, That there may be allowed in hospitals, to be provided under such rules as the surgeon-general of the army, with the approval of the Secretary of War, may prescribe, such quantities of fresh or preserved fruits, milk or butter, and of eggs, as may be necessary for the proper diet of the sick.

Sec. 15. And be it further enacted, That any commissioned officer of the army, or of the marine corps, who shall have served as such for forty consecutive years, may, upon his own application to the President of the United States, be placed upon the list of retired officers, with the pay and emoluments allowed by this act.

Sec. 16. And be it further enacted, That if any commissioned officer of the army, or of the marine corps, shall have become, or shall hereafter become, incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command, and from the line of promotion, with the following pay and emoluments, namely: the pay proper of the highest rank held by him at the time of his retirement, whether by staff or regimental commission, and four rations per day, and without any other pay, emoluments, or allowances; and the next officer in rank shall be promoted to the place of the retired officer, according to the established rules of the service. And the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer: Provided, That should the brevet lieutenant-general be retired under this act, it shall be without reduction in his current pay, subsistence, or allowances: And provided further, That there shall not be on the retired list at any one time more than seven per centum of the whole number of officers of the army, as fixed by law.

Sec. 17. And be it further enacted, That, in order to carry out the provisions of this act, the Secretary of War, or Secretary of the Navy, as the case may be, under the direction and approval of the President of the United States, shall, from time to time, as occasion may require, assemble a board of not more than nine, nor less than five commissioned officers, two-fifths of whom shall be of the medical staff; the board, 

$2 a month to be retained out of the monthly pay of each enlisted man in the regular army until the expiration of his term of service, instead of one dollar per month, as authorized by existing laws.

Who may administer oath of allegiance to soldiers.

Dragoons, mounted riflemen, and cavalry, to be known as cavalry.

Present officers to retain their rank.

Army ration, increase of.

Proviso.

Allowance to hospitals.

Certain commissioned officers of the army and marine corps may be retired, at their request.

Commissioned officers of the army and marine corps, if incapacitated, to be retired.

Pay.

Promotions.

Proviso.

Brevet Lieutenant-General.

Limit of retired list.

Secretary of War or Navy may assemble a board to determine the disabilities of officers.
except those taken from the medical staff, to be composed, as far as may be, of his seniors in rank, to determine the facts as to the nature and occasion of the disability of such officers as appear disabled to perform such military service, such board being hereby invested with the powers of a court of inquiry and court-martial, and their decision shall be subject to like revision as that of such courts by the President of the United States. The board, whenever it finds an officer incapacitated for active service, will report whether, in its judgment, the said incapacity result from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service. If so, and the President approve such judgment, the disabled officer shall thereupon be placed upon the list of retired officers, according to the provisions of this act. If otherwise, and if the President concur in opinion with the board, the officer shall be retired as above, either with his pay proper alone, or with his service rations alone, at the discretion of the President, or he shall be wholly retired from the service, with one year's pay and allowances; and in this last case his name shall be thereforward omitted from the army register, or navy register, as the case may be: Provided always, That the members of the board shall in every case be sworn to an honest and impartial discharge of their duties, and that no officer of the army shall be retired either partially or wholly from the service without having had a fair and full hearing before the board, if, upon due summons, he shall demand it.

Sec. 18. And be it further enacted, That the officers partially retired shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the army register, or navy register, as the case may be, and shall be subject to the rules and articles of war; and to trial by general court-martial for any breach of the said articles.

Sec. 19. And be it further enacted, That so much of the sixth section of the act of August twenty-three, eighteen hundred and forty-two, as allows additional or double rations to the commandant of each permanent or fixed post garrisoned with troops, be and the same is hereby repealed.

Sec. 20. And be it further enacted, That officers of the army, when absent from their appropriate duties for a period exceeding six months, either with or without leave, shall not receive the allowances authorized by the existing laws for servants, forage, transportation of baggage, fuel, and quarters, either in kind or in commutation.

Sec. 21. And be it further enacted, That any officer of the navy who has been forty years in the service of the United States may, upon his own application to the President of the United States, be placed upon the list of retired officers of the navy, and shall receive the pay and emoluments allowed by this act.

Sec. 22. And be it further enacted, That if any officer of the navy shall have become, or shall hereafter become, incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion, with the following pay and emoluments, namely:

- Captains in the navy, thirteen hundred dollars;
- Commanders in the navy, eleven hundred dollars;
- Lieutenants in the navy, one thousand dollars;
- Surgeons ranking with captains, thirteen hundred dollars;
- Surgeons ranking with commanders, eleven hundred dollars;
- Surgeons ranking with lieutenants, one thousand dollars;
- Paymasters ranking with captains, thirteen hundred dollars;
- Paymasters ranking with commanders, eleven hundred dollars;
- Paymasters ranking with lieutenants, one thousand dollars;
- Chief engineers, one thousand dollars;
- First assistant engineers, seven hundred dollars;
- Second assistant engineers, five hundred dollars;
THIRTY-SEVENTH CONGRESS. Sess. I. Ch. 42, 44. 1861.

Third assistant engineers, four hundred dollars; Masters, four hundred dollars;

Passed midshipmen, three hundred and fifty dollars; and with four rations per day to each of the above-named officers of the navy, to be commuted at thirty cents, each ration, and without any other pay or allowances. Captains, commanders, and lieutenants now on the retired list of the navy shall receive the same compensation and no greater than is allowed to retired officers of the same rank by the provisions of this act. The next officer in rank shall be promoted to the place of the retired officer, according to the established rules of the service. And the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer.

Sec. 23. And be it further enacted, That whenever any officer of the navy, on being ordered to perform the duties appropriate to his commission, shall report himself unable to comply with such order, or whenever, in the judgment of the President of the United States, an officer of the navy shall be in any way incapacitated from performing the duties of his office, the President, at his discretion, shall direct the Secretary of the Navy to refer the case of such officer to a board of not more than nine, and not less than five, commissioned officers, two-fifths of whom shall be members of the medical bureau of the navy; the board, except those taken from the medical bureau, to be composed, if possible, (as far as may be,) of his seniors in rank. The determination of the board in each case shall, with a record of its proceedings, be transmitted to the Secretary of the Navy, to be laid before the President for his approval or disapproval, and orders in the case. The board, whenever it finds an officer incapacitated for active service, will report whether, in its judgment, the incapacity result from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service; if so, and the President approve of such judgment, the disabled officer shall thereupon be placed upon the list of retired officers, according to the provisions of this act. But if such disability or incompetency proceeded from other causes, and the President concur in opinion with the board, the officer may be retired upon furlough pay, or he shall be wholly retired from the service, with one year's pay, at the discretion of the President; and in this last case his name shall be wholly omitted from the navy register. The members of the board shall, in every case, be sworn to an honest and impartial discharge of their duties, and no officer of the navy shall be retired, either partially or wholly, from the service without having had a fair and full hearing before the board, if he shall demand it.

Sec. 24. And be it further enacted, That the retired officers shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the navy register, shall be subject to the rules and articles governing the navy, and to trial by general court-martial.

Sec. 25. And be it further enacted, That retired officers of the army, navy, and marine corps may be assigned to such duties as the President may deem them capable of performing, and such as the exigencies of the public service may require.

Approved, August 3, 1861.

Chap. XLIV. — An Act to prohibit the Sale of Spirituous Liquors and Intoxicating Drinks in the District of Columbia, in certain Cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for any person in the District of Columbia to sell, give, or administer to any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, any spirituous liquor or

Rations.
Commutation.
Promotions.

Board to decide the incapacity of navy officers.

How composed; duty.
Report.
Effect of decision when approved.
Members to be sworn.
Officers may be heard.

Privileges and liabilities of retired officers.

Duty may be assigned retired officers.

August 5, 1861.
1862, ch. 108.
Post, p. 571.

Sale of spirituous liquors, &c., in District of Columbia, to soldiers, forbidden.

1861, ch. 163. Post, p. 549.

August 5, 1861.

Chap. Xlv. — An Act to provide increased Revenue from Imports, to pay Interest on the Public Debt, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the date of the passage of this act, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempted from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say: First, On raw sugar, commonly called muscovado or brown sugar, and on sugars not advanced above number twelve, Dutch standard, by claying, boiling, clarifying, or other process, and on sirup of sugar or of sugar-cane and concentrated molasses, or concentrated melado, two cents per pound; and on white and clayed sugar, when advanced beyond the raw state, above number twelve, Dutch standard, by clarifying or other process, and not yet refined, two and a half cents per pound; on refined sugars, whether loaf, lump, crushed, or pulverized, four cents per pound; on sugars after being refined, when they are tintured, colored, or in any way adulterated, and on sugar-candy, six cents per pound; on molasses, five cents per gallon: Provided, That all sirups of sugar or of sugar-cane, concentrated molasses or melado, entered under the name of molasses, or any other name than sirup of sugar or of sugar-cane, concentrated molasses, or concentrated melado, shall be liable to forfeiture to the United States. On all teas, fifteen cents per pound; on almonds, four cents per pound; shelled almonds, six cents per pound; on brimstone, crude, three dollars per ton; on brimstone, in rolls, six dollars per ton; on coffee, of all kinds, four cents per pound; on cocoa, three cents per pound; on cocoa leaves and cocoa shells, two cents per pound; on cocoa, prepared or manufactured, eight cents per pound; on chicory root, one cent per pound; and on chicory ground, two cents per pound; on chocolate, six cents per pound; on cassia, ten cents per pound; cassia buds, fifteen cents per pound; on cin- namon, twenty cents per pound; on cloves, eight cents per pound; on cayenne pepper, six cents per pound; on cayenne pepper, ground, eight cents per pound; on currants, five cents per pound; on argol, three cents per pound; on cream tartar, six cents per pound; on tartaric acid, tartar emetic, and rochelle salts, ten cents per pound; on dates, two cents per pound; on figs, five cents per pound; on ginger root, three cents per pound; on ginger, ground, five cents per pound; on liquorice paste and juice, five cents per pound; liquorice root, one cent per pound; on mace and nutmegs, twenty-five cents per pound; on nuts of all kinds, not other- wise provided for, two cents per pound; on pepper, six cents per pound; on pimento, six cents per pound; on plums, five cents per pound; on prunes, five cents per pound; on raisins, five cents per pound; on unmanufac- tured Russia hemp, forty dollars per ton; on Manilla and other hems of India, twenty-five dollars per ton; on lead, in pigs or bars, one dollar and fifty cents per one hundred pounds; in sheets, two dollars and twenty-five cents per one hundred pounds; on white lead, dry or ground in oil, and red lead, two dollars and twenty-five cents per one hundred pounds; on salt, in sacks, eighteen cents per one hundred pounds, and in bulk, twelve cents per one hundred pounds; on soda ash, one-half cent per pound; on bicarbonate of soda, one cent per pound; on sal soda, one-half cent per pound; on caustic soda, one cent per pound; on chloride of

intoxicating drink; and every person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a magistrate or court having criminal jurisdiction, shall be punished by a fine of twenty-five dollars or imprisonment for thirty days. Approved, August 5, 1861.
limes, thirty cents per one hundred pounds; on saltpetre, crude, one cent per pound: refined, or partially refined, two cents per pound; spirits of turpentine, ten cents per pound; on oil of cloves, seventy cents per pound; on brandy, one dollar and twenty-five cents per gallon; on spirits distilled from grain, or other materials, fifty cents per gallon; on gum copal, and other gums or resinous substances used for the same or similar purposes as gum copal, ten cents per pound.

Sec. 2. And be it further enacted, That, from and after the day and year aforesaid, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say: On arrow-root, twenty per centum ad valorem; on ginger, preserved or pickled, thirty per centum ad valorem; on limes, lemons, oranges, bananas, and plantains, twenty per centum ad valorem; on Peruvian bark, fifteen per centum ad valorem; on quinine, thirty per centum ad valorem; on rags, of whatever material, ten per centum ad valorem; on gunpowder, thirty per centum ad valorem; on feathers and downs, thirty per centum ad valorem; on hides, ten per centum ad valorem; on sole and bend leather, thirty per centum ad valorem; on India rubber, raw or unmanufactured, ten per centum ad valorem; on India rubber shoes and boots, thirty per centum ad valorem; on ivory, unmanufactured, and on vegetable ivory, ten per centum ad valorem; on wines of all kinds, fifty per centum ad valorem; on silk in the gum, not more advanced in the manufacture than single tram and thrown or organzine, twenty-five per centum ad valorem; on all silks valued at not over one dollar per square yard, thirty per centum ad valorem; on all silks valued over one dollar per square yard, forty per centum ad valorem; on all silk velvets or velvets of which silk is the component material of chief value, valued at three dollars per square yard, or under, thirty per centum ad valorem; valued at over three dollars per square yard, forty per centum ad valorem; on floss silks, thirty per centum ad valorem; on silk ribbons, gau- loons, braids, fringes, laces, tassels, buttons, button-cloths, trimmings, and on silk twist, twist composed of mohair and silk, sewing silk in gum or puri- fied, and all other manufactures of silk, or of which silk shall be the component material of chief value, not otherwise provided for, forty per centum ad valorem.

Sec. 3. And be it further enacted, That all articles, goods, wares, and merchandise, imported from beyond the Cape of Good Hope in foreign vessels, not entitled by reciprocal treaties to be exempt from discrimi- nating duties, tonnage, and other charges, and all other articles, goods, wares, and merchandise not imported directly from the place of their growth or production, or in foreign vessels, entitled by reciprocal treaties to be exempt from discriminating duties, tonnage, and other charges, shall be subject to pay, in addition to the duties imposed by this act, ten per centum ad valorem: Provided, That this rule shall not apply to goods, wares, and merchandise imported from beyond the Cape of Good Hope in American vessels.

Sec. 4. And be it further enacted, That, from and after the passage of this act, there shall be allowed, on all articles wholly manufactured of materials imported, on which duties have been paid when exported, a draw- back, equal in amount to the duty paid on such materials and no more, to be ascertained under such regulations as shall be prescribed by the Secre- tary of the Treasury: Provided, That ten per centum on the amount of all drawbacks, so allowed, shall be retained for the use of the United States by the collectors paying such drawbacks, respectively.

Sec. 5. And be it further enacted, That all goods, wares, and merchan- dise, actually on shipboard and bound to the United States, and all goods, wares, and merchandise, on deposit in warehouses or public stores at the date of the passage of this act, shall be subject to pay such duties as pro- vided by law before and at the time of the passage of this act: Provided,
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That all goods deposited in public store or bonded warehouse after this act takes effect and goes into operation, if designed for consumption in the United States, must be withdrawn therefrom, or the duties thereon paid in three months after the same are deposited, and goods designed for exportation and consumption in foreign countries may be withdrawn by the owner at any time before the expiration of three years after the same are deposited, such goods, if not withdrawn in three years, to be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the Treasury: Provided, That merchandise upon which the owner may have neglected to pay duties within three months from the time of its deposit may be withdrawn and entered for consumption at any time within two years of the time of its deposit upon the payment of the legal duties, with an addition of twenty-five per centum thereto: Provided, also, That merchandise upon which duties have been paid, if exported to a foreign country, within three years, shall be entitled to return duties, proper evidence of such merchandise having been landed abroad to be furnished to the collector by the importer, one per centum of said duties to be retained by the government.

Sec. 6. And be it further enacted, That the act entitled "An Act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March two, eighteen hundred and sixty-one, be, and the same is hereby amended, as follows—that is to say, First, in section six, article first, after the words "in cordials and," strike out "liquors," and insert "liqueurs:" Second, in the same section, after the word "represent," insert "Provided, also, That no lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and all other spirituous beverages, than that now fixed by law for the description of first proof, but shall be increased in proportion for any greater strength than the strength of first proof:" Third, in section seven, clause fifth, the words "on screws, washed or plated, and all other screws, of iron or any other metal," shall be stricken out, and the words "on screws, of any other metal than iron," shall be inserted; Fourth, section twelve, article first, after the words "eighteen cents," where they first occur, insert "or less;" Fifth, section thirteen, article second, after the word "manufacturer," insert "except hosiery;" Sixth, in the same section, article third, strike out "wool," wherever it occurs, and insert in each place "worsted;" Seventh, in section fourteen, article first, after the words "ten per centum," insert "ad valorem;" Eighth, in section fifteen, before the word "yarns" insert "hemp;" in the same section, after the word "sheettings," insert "of flax or hemp;" and strike out "jute goods," and in lieu thereof insert "jute yarns;" Ninth, in section twenty-two, strike out the words "unwrought clay, three dollars per ton;" Tenth, in section nineteen, strike out "compositions of glass or paste, not set, intended for use by jewellers;" Eleventh, in section twenty-two, strike out "compositions of glass or paste, when set;" Twelfth, in section twenty-three, article sheathing metal, strike out "yard" and insert "foot."

Sec. 7. And be it further enacted, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed; Provided, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect in the existing laws contained, had been inserted in and re-enacted by this act.

Sec. 8. And be it further enacted, That a direct tax of twenty millions of dollars be and is hereby annually laid upon the United States, and the...
same shall be and is hereby apportioned to the States, respectively, in manner following:

To the State of Maine, four hundred and twenty thousand eight hun-
dred and twenty-six dollars.

To the State of New Hampshire, two hundred and eighteen thousand four hundred and six and two-third dollars.

To the State of Vermont, two hundred and eleven thousand and sixty-eight dollars.

To the State of Massachusetts, eight hundred and twenty-four thousand five hundred and eighty-one and one-third dollars.

To the State of Rhode Island, one hundred and sixteen thousand nine hundred and sixty-three and two-third dollars.

To the State of Connecticut, three hundred and eight thousand two hundred and fourteen dollars.

To the State of New York, two million six hundred and three thousand nine hundred and eighteen and two-third dollars.

To the State of New Jersey, four hundred and fifty thousand one hun-
dred and thirty-four dollars.

To the State of Pennsylvania, one million nine hundred and forty-six thousand seven hundred nineteen and one-third dollars.

To the State of Delaware, seventy-four thousand six hundred and eighty-three and one-third dollars.

To the State of Maryland, four hundred and thirty-six thousand eight hundred and twenty-three and one-dollar.

To the State of Virginia, nine hundred and thirty-seven thousand five hundred and fifty and two-third dollars.

To the State of North Carolina, five hundred and seventy-six thousand one hundred and ninety-four and two-dollar.

To the State of South Carolina, three hundred and sixty-three thousand five hundred and seventy-two dollars.

To the State of Georgia, five hundred and eighty-four thousand three hundred and sixty-seven and one-dollar.

To the State of Alabama, five hundred and twenty-nine thousand three hundred and thirteen and one-dollar.

To the State of Mississippi, four hundred and thirteen thousand eighty-four and two-dollar.

To the State of Louisiana, three hundred and eighty-five thousand eight hundred and eighty-six and two-dollar.

To the State of Ohio, one million five hundred and sixty-seven thousand eighty-nine and one-dollar.

To the State of Kentucky, seven hundred and thirteen thousand six hundred and ninety-five and one-dollar.

To the State of Tennessee, six hundred and sixty-nine thousand four hundred and ninety-eight dollars.

To the State of Indiana, nine hundred and four thousand eight hundred and seventy-five and one-dollar.

To the State of Illinois, one million one hundred and forty-six thousand five hundred and fifty-one and one-dollar.

To the State of Missouri, seven hundred and sixty-one thousand one hundred and twenty-seven and one-dollar.

To the State of Kansas, seventy-one thousand seven hundred and forty-three and one-dollar.

To the State of Arkansas, two hundred and sixty-one thousand eight hundred and eighty-six dollars.

To the State of Michigan, five hundred and one thousand seven hundred and sixty-three and one-dollar.

To the State of Florida, seventy-seven thousand five hundred and twenty-two and two-dollar.
Texas. To the State of Texas, three hundred and fifty-five thousand one hundred and six and two-thirds dollars.

Iowa. To the State of Iowa, four hundred and fifty-two thousand and eighty-eight dollars.

Wisconsin. To the State of Wisconsin, five hundred and nineteen thousand six hundred and eighty-eight and two-thirds dollars.

California. To the State of California, two hundred and fifty-four thousand five hundred and thirty-eight and two-thirds dollars.

Minnesota. To the State of Minnesota, one hundred and eight thousand five hundred and twenty-four dollars.

Oregon. To the State of Oregon, thirty-five thousand one hundred and forty and two-thirds dollars.

New Mexico. To the Territory of New Mexico, sixty-two thousand six hundred and forty-eight dollars.

Utah. To the Territory of Utah, twenty-six thousand nine hundred and eighty-two dollars.

Washington. To the Territory of Washington, seven thousand seven hundred and fifty-five and one-third dollars.

Nebraska. To the Territory of Nebraska, nineteen thousand three hundred and twelve dollars.

Nevada. To the Territory of Nevada, four thousand five hundred and ninety-two and two-thirds dollars.

Colorado. To the Territory of Colorado, twenty-two thousand nine hundred and five and one-third dollars.

Dakota. To the Territory of Dakota, three thousand two hundred and forty-one and one-third dollars.

District of Columbia. To the District of Columbia, forty-nine thousand four hundred and thirty-seven and one-third dollars.

Sec. 9. And be it further enacted, That, for the purpose of assessing the above tax and collecting the same, the President of the United States be, and he is hereby authorized, to divide, respectively, the States and Territories of the United States and the District of Columbia into convenient collection districts, and to nominate and, by and with the advice of the Senate, to appoint an assessor and a collector for each such district, who shall be freeholders and resident within the same: Provided, That any of said States and Territories, as well as the District of Columbia, may, if the President shall deem it proper, be erected into one district: And, provided further, That the appointment of said assessors and collectors, or any of them, shall not be made until on or after the second Tuesday in February, one thousand eight hundred and sixty-two.

Sec. 10. And be it further enacted, That before any such collector shall enter upon the duties of his office he shall execute a bond for such amount as shall be prescribed by the Secretary of the Treasury, with sureties to be approved as sufficient by the Solicitor of the Treasury, containing the condition that said collector shall justly and faithfully account for to the United States, and pay over, in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession; which bond shall be filed in the office of the First Comptroller of the Treasury, to be by him directed to be put in suit upon any breach of the condition thereof. And such collectors shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury may direct.

Sec. 11. And be it further enacted, That each of the assessors shall divide his district into a convenient number of assessment districts, within each of which he shall appoint one respectable freeholder to be assistant assessor; and each assessor and assistant assessor so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector, to be appointed by this act, (who is hereby empowered to ad-
minister the same,) the following oath or affirmation, to wit: "I, A. B., do swear, or affirm, (as the case may be,) that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for, (naming the assessment district,) without favor or partiality, and that I will do equal right and justice in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor or assistant assessor shall be appointed. And every assessor or assistant assessor acting in the said office without having taken the said oath or affirmation shall forfeit and pay one hundred dollars, one moiety thereof to the use of the United States, and the other moiety thereof to him who shall first sue for the same; to be recovered, with costs of suit, in any court having competent jurisdiction.

Sec. 12. And be it further enacted, That the Secretary of the Treasury shall establish regulations suitable and necessary for carrying this act into effect; which regulations shall be binding on each assessor and his assistants in the performance of the duties enjoined by or under this act, and shall also frame instructions for the said assessors and their assistants; pursuant to which instructions the said assessors shall, on the first day of March next, direct and cause the several assistant assessors in the district to inquire after and concerning all lands, lots of ground, with their improvements, buildings, and dwelling-houses, made liable to taxation under this act by reference as well to any lists of assessment or collection taken under the laws of the respective States, as to any other records or documents, and by all other lawful ways and means, and to value and enumerate the said objects of taxation in the manner prescribed by this act, and in conformity with the regulations and instructions above mentioned.

Sec. 18. And be it further enacted, That the said direct tax laid by this act shall be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling-houses, which several articles subject to taxation shall be enumerated and valued, by the respective assessors, at the rate each of them is worth in money on the first day of April, eighteen hundred and sixty-two: Provided, however, That all property, of whatever kind, coming within any of the foregoing descriptions, and belonging to the United States or any State, or permanently or specially exempted from taxation by the laws of the State wherein the same may be situated at the time of the passage of this act, together with such property belonging to any individual, who actually resides thereon, as shall be worth the sum of five hundred dollars, shall be exempted from the aforesaid enumeration and valuation, and from the direct tax aforesaid: And provided further, That in making such assessment due regard shall be had to any valuation that may have been made under the authority of the State or Territory at any period nearest to said first day of April.

Sec. 14. And be it further enacted, That the respective assistant assessors shall, immediately after being required as aforesaid by the assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of any lands, lots of ground, buildings, or dwelling-houses, lying and being within the collection district where they reside, and liable to a direct tax as aforesaid, to deliver written lists of the same; which lists shall be made in such manner as may be directed by the assessor, and, as far as practicable, conformably to those which may be required for the same purpose under the authority of the respective States.

Sec. 15. And be it further enacted, That if any person owning, possessing, or having the care or management of property liable to a direct tax, as aforesaid, shall not be prepared to exhibit a written list when required, as aforesaid, and shall consent to disclose the particulars of any

Oath.

Certificate.

Penalty for acting without oath.

Secretary of Treasury to establish regulations under this act, and frame instructions.

Assessors and assistants to follow them.

Direct tax.

Real estate.

Valuation to be as of April 1, 1862.


Exemptions.

Property owners to furnish lists upon request.

If owner has no list and will disclose, officer to make list.

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and all the lands and lots of ground, with their improvements, buildings, and dwelling-houses, taxable as aforesaid, then, and in that case, it shall be the duty of the officer to make such list, which, being distinctly read and consented to, shall be received as the list of such person.

SEC. 16. And be it further enacted, That if any such person shall deliver or disclose to any assessor or assistant assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person, so offending, and being thereof convicted before any court having competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act shall, in all such cases, be made, as aforesaid, upon lists, according to the form above described, to be made out by the assessors and assistant assessors, respectively; which lists the said assessors are hereby authorized and required to make according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises, respectively; and from the valuation and enumeration so made there shall be no appeal.

SEC. 17. And be it further enacted, That in case any person shall be absent from his place of residence at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor or assistant assessor to leave at the house or place of residence of such person, with some person of suitable age and discretion, a written note or memorandum requiring him to present to such assessor the list or lists required by this act within ten days from the date of such note or memorandum.

SEC. 18. And be it further enacted, That if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list or lists as aforesaid within the time required by this act, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the lands, buildings, dwelling-houses, and premises, if it be necessary, of such persons so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of the lands and lots of ground, with their improvements, buildings, and dwelling-houses, owned or possessed, or under the care or management of such person, as are required by this act; which lists so made and subscribed by such assessor shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act.

SEC. 19. And be it further enacted, That whenever there shall be in any assessment district any property, lands, and lots of ground, buildings, or dwelling-houses, not owned or possessed by, or under the care and management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall be transmitted to the assessor in the manner provided by this act, it shall be the duty of the assessor for such district, and he is hereby authorized and required, to enter into and upon the real estate, if it be necessary, and take such view thereof, and make lists of the same, according to the form prescribed, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, under and for the purposes of this act.

SEC. 20. And be it further enacted, That the owners, possessors, or persons having the care or management of lands, lots of ground, buildings, and dwelling-houses, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the lists thereof required by this act, (provided the assessment district in
which the said objects of taxation lie or be is therein distinctly stated,) at the time and in the manner prescribed, to the assessor of the assessment district wherein such persons reside. And it shall be the duty of the assessors, in all such cases, to transmit such lists, at the time and in the manner prescribed for the transmission of the lists of the objects of taxation lying and being within their respective assessment districts, to the assessor of the collection district wherein the said objects of taxation shall lie or be immediately after the receipt thereof; and the said lists shall be valid and sufficient for the purposes of this act; and on the delivery of every such list, the person making and delivering the same shall pay to the assessor one dollar, which he shall retain to his own use.

Sec. 21. And be it further enacted, That the lists aforesaid shall be taken with reference to the day fixed for that purpose by this act, as aforesaid; and the assistant assessors, respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists; the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay a tax under this act residing within the assessment district, together with the value and assessment of the objects liable to taxation within such district for which each such person is liable, and, whenever so required by the assessor, the amount of direct tax payable by each person on such objects under the State laws imposing direct taxes; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment thereof, with the amount of direct tax payable thereon as aforesaid. The forms of the said general list shall be devised and prescribed by the assessor, and lists taken according to such form shall be made out by the assistant assessors and delivered to the assessor within sixty days after the day fixed by this act, as aforesaid, requiring lists from individuals. And if any assistant assessor shall fail to perform any duty assigned by this act within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assistant assessor shall be discharged from office, and shall, moreover, forfeit and pay two hundred dollars, to be recovered for the use of the United States in any court having competent jurisdiction, with costs of suit.

Sec. 22. And be it further enacted, That immediately after the valuations and enumerations shall have been completed as aforesaid, the assessor in each collection district shall, by advertisement in some public newspaper, if any there be in such district, and by written notifications to be publicly posted up in at least four of the most public places in each collection district, advertise all persons concerned of the place where the said lists, valuations, and enumerations may be seen and examined; and that during twenty-five days after the publication of the notifications, as aforesaid, appeals will be received and determined by him relative to any erroneous or excessive valuations or enumerations by the assessor. And it shall be the duty of the assessor in each collection district, during twenty-five days after the date of publication to be made as aforesaid, to submit the proceedings of the assistant assessors and the list by them received or taken as aforesaid to the inspection of any and all persons who shall apply for that purpose; and the said assessors are hereby authorized to receive, hear, and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessors: Provided always, That it shall be the duty of said assessor to advertise and attend, not less than two successive days of the said twenty-five, at the court-house of each county within his collection district, there to receive and determine upon the appeals aforesaid: And provided also, That the question to be determined by the assessor, on

Lists to be taken in reference to a day certain.

List of residents,

of non-residents.

Asseessor to devise form of lists.

Penalty on assistant assessor for neglect of duty.

Notice to be given when lists, valuations, &c., are completed.

Assessors to submit proceedings of assistants to inspection, &c.

to hear and determine appeals.
an appeal respecting the valuation of property, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same collection district. And all appeals to the assessors, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested; and shall, moreover, state the ground or principle of inequality or error complained of. And the assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation shall be increased without a previous notice, of at least five days, to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing; to be left at the dwelling-house of the party by such assessor or an assistant assessor.

Sec. 23. And be it further enacted, That whenever a State, Territory, or the District of Columbia shall contain more than one collection district, the assessors shall have power, on examination of the lists rendered by the assistant assessors, according to the provisions of this act, to revise, adjust, and equalize the valuation of lands and lots of ground, with their improvements, buildings, and dwelling-houses, between such collection districts, by deducting from or adding to either such a rate per centum as shall appear just and equitable.

Sec. 24. And be it further enacted, That the assessors shall, immediately after the expiration of the time for hearing and deciding appeals, make out correct lists of the valuation and enumeration in each collection district, and deliver the same to the board of assessors hereinafter constituted in and for the States respectively. And it shall be the duty of the assessors in each State to convene in general meeting at such time and place as shall be appointed and directed by the Secretary of the Treasury. And the said assessors, or a majority of them, so convened, shall constitute, and they are hereby constituted, a board of assessors for the purposes of this act, and shall make and establish such rules and regulations as to them shall appear necessary for carrying such purposes into effect, not being inconsistent with this act or the laws of the United States.

Sec. 25. And be it further enacted, That the said board of assessors, convened and organized as aforesaid, shall, and may, appoint a suitable person or persons to be their clerk or clerks, but not more than one for each collection district, who shall hold his or their office or offices at the pleasure of said board of assessors, and whose duty it shall be to receive, record, and preserve all tax lists, returns, and other documents delivered and made to the said board of assessors, and who shall take an oath (or affirmation if conscientiously scrupulous of taking an oath) faithfully to discharge his or their trust; and in default of taking such oath or affirmation, previous to entering on the duties of such appointment, or on failure to perform any part of the duties enjoined on him or them respectively by this act, he or they shall respectively forfeit and pay the sum of two hundred dollars for the use of the United States, to be recovered in any court having competent jurisdiction, and shall also be removed from office.

Sec. 26. And be it further enacted, That it shall be the duty of the said clerks to record the proceedings of the said board of assessors, and to enter on the record the names of such of the assessors as shall attend any general meeting of the board of assessors for the purposes of this act. And if any assessor shall fail to attend such general meeting his absence shall be noted on the said record, and he shall, for every day he may be absent therefrom, forfeit and pay the sum of ten dollars for the use of the United States. And if any assessor shall fail or neglect to furnish the said board of assessors with the lists of valuation and enumeration of each assessment district within his collection district within three days after the time appointed as aforesaid for such general meeting.
of the said board of assessors, he shall forfeit and pay the sum of five hundred dollars for the use of the United States, and moreover shall forfeit his compensation as assessor. And it shall be the duty of the clerks of the said board of assessors to certify to the Secretary of the Treasury an extract of the minutes of the board, showing such failures or neglect, which shall be sufficient evidence of the forfeiture of such compensation to all intents and purposes: Provided always, That it shall be in the power of the Secretary of the Treasury to exonerate such assessor or assessors from the forfeiture of the said compensation, in whole or in part, as to him shall appear just and equitable.

Sec. 27. And be it further enacted, That if the said board of assessors shall not, within three days after the first meeting thereof as aforesaid, be furnished with all the lists of valuation of the several counties and State districts of any State, they shall nevertheless proceed to make out the equalization and apportionment by this act directed, and they shall assign to such counties and State districts the valuation lists of which shall not have been furnished, such valuation as they shall deem just and right; and the valuation thus made to such counties and State districts by the board of assessors shall be final, and the proper quota of direct tax shall be and is hereby declared to be imposed thereon accordingly.

Sec. 28. And be it further enacted, That it shall be the duty of the said board of assessors diligently and carefully to consider and examine the said lists of valuation, and they shall have power to revise, adjust, and equalize the valuation of property in any county or State district, by adding thereto, or deducting therefrom, such a rate per centum as shall, under the valuation of the several counties and State districts, be just and equitable: Provided, The relative valuation of property in the same county shall not be changed, unless manifest error or imperfection shall appear in any of the lists of valuation, in which case the said board of assessors shall have power to correct the same, as to them shall appear just and right. And if, in consequence of any revisal, change, and alteration of the said valuation, any inequality shall be produced in the apportionment of the said direct tax to the several States as aforesaid, it shall be the duty of the Secretary of the Treasury to report the same to Congress, to the intent that provision may be made by law for rectifying such inequality.

Sec. 29. And be it further enacted, That as soon as the said board of assessors shall have completed the adjustment and equalization of the valuation aforesaid, they shall proceed to apportion to each county and State district its proper quota of direct tax. And the said board of assessors shall, within twenty days after the time appointed by the Secretary of the Treasury for their first meeting, complete the said apportionment, and shall record the same; they shall thereupon further deliver to each assessor a certificate of such apportionment, together with the several lists by the assessors respectively presented to the board as aforesaid, and transmit to the Secretary of the Treasury a certificate of the apportionment by them made as aforesaid; and the assessors, respectively, shall thereupon proceed to revise their respective lists, and alter and make the same in all respects conformable to the apportionment aforesaid by the said board of assessors; and the said assessors, respectively, shall make out lists containing the sums payable according to the provisions of this act upon every object of taxation in and for each collection district; which lists shall contain the name of each person residing within the said district, owning or having the care or superintendence of property lying within the said district which is liable to the said tax, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district liable to the payment of the said tax, not owned or
occupied by or under the superintendence of any person resident therein, 
there shall be a separate list of such property, specifying the sum payable, 
and the names of the respective proprietors, where known. And the 
said assessors shall furnish to the collectors of the several collection 
districts, respectively, within thirty-five days after the apportionment 
is completed, as aforesaid, a certified copy of such list or lists for their 
proper collection districts, and in default of performance of the duties 
enjoined on the board of assessors and assessors, respectively, by this 
section, they shall severally and individually forfeit and pay the sum of 
five hundred dollars to the use of the United States, to be recovered 
in any court having competent jurisdiction. And it is hereby enacted 
and declared that the valuation, assessment, equalization, and apportion- 
ment, made by the said board of assessors, as aforesaid, shall be and re- 
main in full force and operation for laying, levying, and collecting, yearly 
and every year, the annual direct tax by this act laid and imposed, until 
altered, modified, or abolished by law.

Sec. 30. And be it further enacted, That there shall be allowed and 
paid to the several assessors and assistant assessors, for their services un- 
der this act; to each assessor two dollars per day for every day em- 
ployed in making the necessary arrangements and giving the necessary 
instructions to the assistant assessors for the valuation, and three dollars 
per day for every day employed in hearing appeals, revising valuations, 
and making out lists agreeably to the provisions of this act, and one dollar 
for every hundred taxable persons contained in the tax list, as delivered 
by him to said board of assessors; to each assistant assessor two dollars 
for every day actually employed in collecting lists and making valuations, 
the number of days necessary for that purpose to be certified by the 
assessor and approved by the commissioner of taxes, and one dollar for 
every hundred taxable persons contained in the tax lists, as completed 
and delivered by him to the assessor; to each of the assessors constituting 
the board of assessors, as aforesaid, for every day's actual attendance at 
said board, the sum of three dollars, and for travelling to and from the 
place designated by the Secretary of the Treasury, ten cents for each 
mile, by the most direct and usual route; and to each of the clerks of said 
board two dollars for every day's actual attendance thereon. And the 
said board of assessors, and said assessors, respectively, shall be allowed 
their necessary and reasonable charges for stationery and blank books 
used in the execution of their duties; and the compensation herein speci- 
fied shall be in full for all expenses not otherwise particularly authorized, 
and shall be paid at the Treasury, and such amount as shall be required 
for such payment is hereby appropriated.

Sec. 31. And be it further enacted, That each collector, on receiving a 
list, as aforesaid, from the said assessors, respectively, shall subscribe three 
receipts; one of which shall be given on a full and correct copy of such 
list, which list shall be delivered by him to, and shall remain with, the 
assessor of his collection district, and shall be open to the inspection of 
any person who may apply to inspect the same; and the other two re- 
cceipts shall be given on aggregate statements of the lists aforesaid, exhib- 
ituting the gross amount of taxes to be collected in each county or State 
district contained in the collection district, one of which aggregate state- 
ments and receipts shall be transmitted to the Secretary, and the other to 
the First Comptroller of the Treasury.

Sec. 32. And be it further enacted, That each collector, before rece- 
viving any list, as aforesaid, for collection, shall give bond, with one or 
more good and sufficient sureties, to be approved by the Solicitor of the 
Treasury, in the amount of the taxes assessed in the collection district for 
which he has been or may be appointed; which bond shall be payable to 
the United States, with condition for the true and faithful discharge of the 
duties of his office according to law, and particularly for the due collec-
tion and payment of all moneys assessed upon such district, and the said
bond shall be transmitted to the Solicitor of the Treasury, and, after ap-
proval by him, shall be deposited in the office of the First Comptroller of
the Treasury: Provided always, That nothing herein contained shall
be deemed to annul or in anywise impair the obligation of the bond
heretofore given by any collector; but the same shall be and remain in
full force and virtue, anything in this act to the contrary thereof in any-
wise notwithstanding.

Sec. 33. And be it further enacted, That the annual amount of the
taxes so assessed shall be and remain a lien upon all lands and other real
estate of the individuals who may be assessed for the same, during two
years after the time it shall annually become due and payable; and the
said lien shall extend to each and every part of all tracts or lots of land
or dwelling-houses, notwithstanding the same may have been divided or
alienated in part.

Sec. 34. And be it further enacted, That each collector shall be au-
thorized to appoint, by an instrument of writing under his hand and seal
as many deputies as he may think proper, to be by him compensated for
their services, and also to revoke the powers of any deputy, giving public
notice thereof in that portion of the district assigned to such deputy; and
each such deputy shall have the like authority, in every respect, to collect
the direct tax so assessed within the portion of the district assigned to
him which is by this act vested in the collector himself; but each collector
shall, in every respect, be responsible both to the United States and to
individuals, as the case may be, for all moneys collected, and for every
act done as deputy collector by any of his deputies whilst acting as such;
Provided, That nothing herein contained shall prevent any collector from
collecting himself the whole or any part of the tax so assessed and pay-
able in his district.

Sec. 35. And be it further enacted, That each of the said collectors
shall, within ten days after receiving his collection list from the assessors,
respectively, as aforesaid, and annually, within ten days after he shall be so
required by the Secretary of the Treasury, advertise in one newspaper
printed in his collection district, if any there be, and by notifications, to be
posted up in at least four public places in his collection district, that the said
tax has become due and payable, and state the times and places at which he
or they will attend to receive the same, which shall be within twenty days
after such notification; and with respect to persons who shall not attend,
according to such notifications, it shall be the duty of each collector, in
person or by deputy, to apply once at their respective dwellings within
such district, and there demand the taxes payable by such persons, which
application shall be made within sixty days after the receipt of the collec-
tion lists, as aforesaid, or after the receipt of the requisition of the Secre-
tary of the Treasury, as aforesaid, by the collectors; and if the said taxes
shall not be then paid, or within twenty days thereafter, it shall be lawful
for such collector, or his deputies, to proceed to collect the said taxes by
distrain and sale of the goods, chattels, or effects of the persons delin-
quent as aforesaid. And in case of such distrain, it shall be the duty of
the officer charged with the collection to make, or cause to be made, an
account of the goods or chattels which may be distrained, a copy of which,
signed by the officer making such distrain, shall be left with the owner
or possessor of such goods, chattels, or effects, or at his or her dwelling,
with some person of suitable age and discretion, with a note of the sum
demanded, and the time and place of sale; and the said officer shall forth-
with cause a notification to be publicly posted up at two of the taverns
nearest to the residence of the person whose property shall be distrained,
or at the court-house of the same county, if not more than ten miles dis-
tant, which notice shall specify the articles distrained, and the time and
place for the sale thereof, which time shall not be less than ten days from

Provise.

Tax assessed
to be a lien for
two years.

Collector may
appoint deputies,
and revoke ap-
pointments, &c.

Authority of
deputy.

Collector re-
sponsible for
moneys collected.

Collector to ad-
vertise that tax is
due and payable,
&c.

to demand at
dwellings taxes
not paid.

to distrain, if
not paid within,
&c.

Duty of officer
in case of dis-
traint.
the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint: Provided, That in any case of distraint for the payment of the tax aforesaid, the goods, chattels, or effects so distraint shall and may be restored to the owner or possessor if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing and keeping the goods, chattels, or effects so distraint, as may be allowed in like cases by the laws or practice of the State wherein the distraint shall have been made; but in case of non-payment or tender, as aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain from the proceeds of such sale the amount demandable for the use of the United States, with the necessary and reasonable expenses of distraint and sale, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects shall have been distraint: Provided, That it shall not be lawful to make distraint of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

Sec. 36. And be it further enacted, That whenever goods, chattels, or effects sufficient to satisfy any tax upon buildings, dwelling-houses, or lands and their improvements, owned, occupied, or superintended by persons known or residing within the same collection district, cannot be found, the collector having first advertised the same for thirty days, in a newspaper printed within the collection district, if such there be, and having posted up, in at least ten public places within the same, a notification of the intended sale, thirty days previous thereto, shall proceed to sell at public sale so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum to the said taxes. But in all cases where the property liable to a direct tax under this act may not be divisible, so as to enable the collector by a sale of part thereof to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, charges, and commissions, shall be paid to the owner of the property, or his legal representatives, or if he or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the Treasury of the United States, to be there held for the use of the owner or his legal representatives, until he or they shall make application therefor to the Secretary of the Treasury, who, upon such application, shall, by warrant on the Treasury, cause the same to be paid to the applicant. And if the property advertised for sale as aforesaid cannot be sold for the amount of the tax due thereon, with the said additional twenty per centum thereto, the collector shall purchase the same in behalf of the United States for the amount aforesaid: Provided, That the owner or superintendent of the property aforesaid, after the same shall have been, as aforesaid, advertised for sale, and before it shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which the sale of the property shall not take place: Provided also, That the owners, their heirs, executors, or administrators, or any person on their behalf, shall have liberty to redeem the lands and other property sold, as aforesaid, within two years from the time of sale, upon payment to the collector for the use of the purchaser, his heirs or assigns, of the amount paid by said purchaser, with interest for the same, at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale until the time of redemption shall have expired. And the collector shall render a distinct account of the
charges incurred in offering and advertising for sale such property, and shall pay into the Treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the charges. And in every case of the sale of real estate which shall be made under the authority of this act by the collectors, respectively, or their lawful deputies, respectively, the deeds for the estate so sold shall be prepared, made, executed, and proved or acknowledged at the time and times prescribed in this act by the collectors, respectively, within whose collection district such real estate shall be situated, in such form of law as shall be authorized and required by the laws of the United States, or by the law of the State in which such real estate lies, for making, executing, proving, and acknowledging deeds of bargain and sale or other conveyances for the transfer and conveyance of real estate; and for every deed so prepared, made, executed, proved, and acknowledged, the purchaser or grantee shall pay to the collector the sum of two dollars, for the use of the collector or other person effecting the sale of the real estate thereby conveyed.

SEC. 37. And be it further enacted, That with respect to property lying within any collection district not owned or occupied, or superintended by some person residing in such collection district, and on which the tax shall not have been paid to the collector within ninety days after the day on which he shall have received the collection lists from the said assessors, respectively, as aforesaid, or the requisition of the Secretary of the Treasury as aforesaid, the collector shall transmit lists of the same to one of the collectors within the same State, to be designated for that purpose by the Secretary of the Treasury; and the collector, who shall have been thus designated by the Secretary of the Treasury, shall transmit receipts for all the lists received, as aforesaid, to the collector transmitting the same; and the collectors, thus designated in each State by the Secretary of the Treasury, shall cause notifications of the taxes due as aforesaid, and contained in the lists thus transmitted to them, to be published for sixty days in at least one of the newspapers published in the State; and the owners of the property, on which such taxes may be due, shall be permitted to pay to such collector the said tax, with an addition of ten per centum thereon; Provided, That such payment is made within one year after the day on which the collector of the district where such property lies had notified that the tax had become due on the same.

SEC. 38. And be it further enacted, That when any tax, as aforesaid, shall have remained unpaid for the term of one year, as aforesaid, the collector in the State where the property lies, and who shall have been designated by the Secretary of the Treasury, as aforesaid, having first advertised the same for sixty days in at least one newspaper in the State, shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum thereon; or if such property is not divisible, as aforesaid, the whole thereof shall be sold, and accounted for in the manner hereinbefore provided. If the property advertised for sale cannot be sold for the amount of the tax due thereon, with the said addition thereon, the collector shall purchase the same in behalf of the United States for such amount and addition. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and pay into the Treasury the surplus, if any, of the aforesaid addition of ten or twenty per centum, as the case may be, after defraying the said charges.

SEC. 39. And be it further enacted, That the collectors, designated as aforesaid by the Secretary of the Treasury, shall deposit with the clerks of the district court of the United States in the respective States, and within which district the property lies, correct lists of the tracts of land or other real property sold by virtue of this act for non-payment of tax.
of taxes, together with the names of owners or presumed owners, and of the purchasers of the same at the public sales aforesaid, and of the amount paid by said purchasers for the same; the owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands or other property sold, as aforesaid, within two years from the time of sale, upon payment to the clerk aforesaid, for the use of the purchaser, his heirs, or assigns, of the amount paid by such purchaser for the said land, or other real property, with interest for the same at the rate of twenty per centum per annum, and of a commission of five per centum on such payment for the use of the clerk aforesaid. The clerks shall, on application, pay to the purchasers the moneys thus paid for their use; and the collectors, respectively, shall give deeds for the lands or property aforesaid to the purchasers entitled to the same, in all cases where the same shall not have been redeemed within two years, as aforesaid, by the original owners thereof, or their legal representatives, or any person in their behalf, and deposit such deeds with such clerk. And the said clerk shall be entitled to receive from the purchaser, for his own use, the sum of one dollar, in addition to the sum hereinbefore made payable to the collector, for every such deed, to be paid on the delivery thereof to such purchasers. And in all cases where lands may be sold under this act for the payment of taxes, belonging to infants, persons of insane mind, married women, or persons beyond sea, such persons shall have the term of two years after their respective disabilities shall have been removed, or their return to the United States, to redeem lands thus sold, on their paying into the clerk's office aforesaid the amount paid by the purchaser, with fifty per centum addition thereto, together with ten per centum interest per annum, on the aggregate sum, and on their payment to the purchaser of the land aforesaid a compensation for all improvements he may have made on the premises, subsequent to his purchase, the value of which improvements to be ascertained by three or more neighboring freeholders, to be appointed by the clerk aforesaid, who, on actual view of the premises, shall assess the value of such improvements, on their oaths, and make return of such valuation to the clerk immediately. And the clerk of the court shall receive such compensation for his services herein, to be paid by and received from the parties, like costs of suit, as the judge of the district court shall, in that respect, tax and allow.

Sec. 40. *And be it further enacted,* That the several collectors shall, at the expiration of every month, after they shall, respectively, commence their collections in the next and every ensuing year, transmit to the Secretary of the Treasury a statement of the collections made by them, respectively, within the month, and pay over quarterly, or sooner, if required by the Secretary of the Treasury, the moneys by them respectively collected within the said term; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection, as aforesaid, shall pay over the same into the Treasury, and shall render his final account to the Treasury Department, within six months from and after the day when he shall have received the collection lists from the said board of assessors or the said requisition of the Secretary of the Treasury, as aforesaid: *Provided, however,* That the period of one year and three months from the said annual day shall be annually allowed to the collector designated in each State, as aforesaid, by the Secretary of the Treasury, with respect to the taxes contained in the list transmitted to him by the other collectors, as aforesaid.

Sec. 41. *And be it further enacted,* That each collector shall be charged with the whole amount of taxes by him received, whether contained in the lists delivered to him by the principal assessors, respectively, or transmitted to him by other collectors; and shall be allowed credit for the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them received as aforesaid; and also
for the taxes of such persons as may have absconded, or become insolvent, subsequent to the date of the assessment, and prior to the day when the tax ought, according to the provisions of this act, to have been collected: Provided, That it shall be proved to the satisfaction of the First Comptroller of the Treasury that due diligence was used by the collector, and that no property was left from which the tax could have been recovered; and each collector, designated in each State, as aforesaid, by the Secretary of the Treasury, shall receive credit for the taxes due for all tracts of land which, after being offered by him for sale in manner aforesaid, shall or may have been purchased by him in behalf of the United States.

Sec. 42. And be it further enacted, That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times hereinbefore provided, it shall be the duty of the First Comptroller of the Treasury, and he is hereby authorized and required, immediately after such delinquency, to report the same to the Solicitor of the Treasury, who shall issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects of the delinquent collector; and for want of goods, chattels, or effects aforesaid, sufficient to satisfy the said warrant, the same may be levied on the person of the collector, who may be committed to prison, there to remain until discharged in due course of law; and furthermore, notwithstanding the commitment of the collector to prison, as aforesaid, or if he abscond, and goods, chattels, and effects cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collector. And the amount of the sums due from any collector, as aforesaid, shall, and the same are hereby declared to be a lien upon the lands and real estate of such collector and his sureties, until the same shall be discharged according to law. And for want of goods and chattels, or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold by the marshal or his deputy; and for all lands and real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under delinquent collectors or their sureties aforesaid. And all moneys that may remain of the proceeds of such sale, after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

Sec. 43. And be it further enacted, That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or oppression, under color of this act, or shall demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding two thousand dollars, to be recovered by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector, or his deputies, shall give receipts for all sums by them collected and retained in pursuance of this act.

Sec. 44. And be it further enacted, That separate accounts shall be
Accounts, how to be kept at Treasury Department, of moneys received.

To be reported to Congress.

Assessors to make out lists of transfers and changes of real estate.

Duty of collectors.

Proceedings if any State fails to pay, &c., her quota of the tax.

Penalty for taking false oath or affirmation.

Pay of collectors and deputies.

Commissions.

kept at the Treasury of all moneys received from the direct tax, and from the internal duties, or income tax, in each of the respective States, Territories, and District of Columbia, and collection districts; and that separate accounts shall be kept of the amount of each species of duty that shall accrue, with the moneys paid to the collectors, assessors, and assistant assessors, and to the other officers employed in each of the respective States, Territories, and collection districts, which accounts it shall be the duty of the Secretary of the Treasury, annually, in the month of December, to lay before Congress.

SEC. 45. And be it further enacted, That the assessors, respectively, shall, yearly and in every year, after the expiration of one year from the second Tuesday of February next, inquire and ascertain, in the manner by the fourteenth section of this act provided, what transfers and changes of property in lands, lots of ground, buildings, and dwelling-houses have been made and effected in their respective districts, subsequent to the next preceding valuation, assessment, and apportionment of the direct tax by this act laid; and within twenty days thereafter they shall make out three lists of such transfers and changes, and transmit one list to the Secretary of the Treasury; another list to the commissioner of taxes, and the third shall be delivered to the collector of the collection district. And it shall yearly, and every year, after the said year one thousand eight hundred and sixty-two, be the duty of the Secretary of the Treasury to notify the collectors of the several collection districts the day on which it shall be the duty of the said collectors to commence laying and collecting the annual direct tax by this act laid and imposed, according to the assessment of the tax lists to them delivered by the said assessors, as aforesaid, subject only to such alterations therein as shall be just and proper, in the opinion of the Secretary of the Treasury, to conform to the transfers and changes aforesaid, ascertained by the assessors aforesaid; and the said collectors shall, annually, in all respects, proceed in and conclude the collection of the said direct tax in the same manner and within the time hereinbefore provided and prescribed.

SEC. 46. And be it further enacted, That in case any State, Territory, or the District of Columbia, after notice given of its intention to assume and pay, or to levy, collect, and pay said direct tax herein provided for and apportioned to said State, Territory, or District, shall, in any year after the taking effect of this act, fail to pay the amount of said direct tax or any part thereof, as provided in this act, in such cases it shall be lawful for the Secretary of the Treasury of the United States to appoint United States' assessors, assistant assessors, and collectors, as in this act provided, whose duty it shall be to proceed forthwith, under such regulations as the said Secretary of the Treasury shall prescribe, to collect all or any part of said direct tax the same as though said State, Territory, or District had not given notice, nor assumed to levy, collect, and pay said taxes, or any part thereof.

SEC. 47. And be it further enacted, That any person who shall be convicted of willfully taking a false oath or affirmation in any of the cases in which an oath or affirmation is required to be taken by this act, shall be liable to the pains and penalties to which persons are liable for willful and corrupt perjury, and shall, moreover, forfeit the sum of five hundred dollars.

SEC. 48. And be it further enacted, That there shall be allowed to the collectors appointed under this act, in full compensation for their services and that of their deputies in carrying this act into effect, a commission of four per centum upon the first hundred thousand dollars, one per centum upon the second one hundred thousand dollars, and one-half of one per centum upon all sums above two hundred thousand dollars; such commissions to be computed upon the amounts by them respectively paid.
over and accounted for under the instructions of the Treasury Department: Provided, That in no case shall such commissions exceed the sum of four thousand dollars for a principal officer and two thousand dollars for an assistant. And there shall be further allowed to each collector their necessary and reasonable charges for stationery and blank books used in the performance of their official duties, which, after being duly examined and certified by the commissioner of taxes, shall be paid out of the Treasury.

SEC. 49. And be it further enacted, That, from and after the first day of January next, there shall be levied, collected, and paid, upon the annual income of every person residing in the United States, whether such income is derived from any kind of property, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, or from any other source whatever, if such annual income exceeds the sum of eight hundred dollars, a tax of three per centum on the amount of such excess of such income above eight hundred dollars: Provided, That upon such portion of said income as shall be derived from interest upon treasury notes or other securities of the United States, there shall be levied, collected, and paid a tax of one and one half per centum. Upon the income, rents, or dividends accruing upon any property, securities, or stocks owned in the United States by any citizen of the United States residing abroad, there shall be levied, collected, and paid a tax of five per centum, excepting that portion of said income derived from interest on treasury notes and other securities of the Government of the United States, which shall pay one and one half per centum. The tax herein provided shall be assessed upon the annual income of the persons hereinafter named for the year next preceding the time for assessing said tax, to wit, the year next preceding the first of January, eighteen hundred and sixty-two; and the said taxes, when so assessed and made public, shall become a lien on the property or other sources of said income for the amount of the same, with the interest and other expenses of collection until paid: Provided, That, in estimating said income, all national, state, or local taxes assessed upon the property, from which the income is derived, shall be first deducted.

SEC. 50. And be it further enacted, That it shall be the duty of the President of the United States, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint one principal assessor and one principal collector in each of the States and Territories of the United States, and in the District of Columbia, to assess and collect the internal duties or income tax imposed by this act, with authority in each of said officers to appoint so many assistants as the public service may require, to be approved by the Secretary of the Treasury. The said taxes to be assessed and collected under such regulations as the Secretary of the Treasury may prescribe. The said collectors, herein authorized to be appointed, shall give bonds, to the satisfaction of the Secretary of the Treasury, in such sums as he may prescribe, for the faithful performance of their respective duties. And the Secretary of the Treasury shall prescribe such reasonable compensation for the assessment and collection of said internal duties or income tax as may appear to him just and proper; not, however, to exceed in any case the sum of two thousand five hundred dollars per annum for the principal officers herein referred to, and twelve hundred dollars per annum for an assistant. The assistant collectors herein provided shall give bonds to the satisfaction of the principal collector for the faithful performance of their duties. The Secretary of the Treasury is further authorized to select and appoint one or more depositaries in each State for the deposit and safe-keeping of the moneys arising from the taxes herein imposed when collected, and the receipt of the proper officer of such depositary to the collector for the moneys deposited by him shall be the proper voucher for such collector in
the settlement of his account at the Treasury Department. And he is further authorized and empowered to make such officer or depositary the disbursing agent of the Treasury for the payment of all interest due to the citizens of such State upon the treasury notes or other government securities issued by authority of law. And he shall also prescribe the forms of returns to be made to the department by all assessors and collectors appointed under the authority of this act. He shall also prescribe the form of oath or obligation to be taken by the several officers authorized or directed to be appointed and commissioned by the President under this act, before a competent magistrate duly authorized to administer oaths, and the form of the return to be made thereon to the Treasury Department.

SEC. 51. And be it further enacted, That the tax herein imposed by the forty-ninth section of this act shall be due and payable on or before the thirtieth day of June, in the year eighteen hundred and sixty-two, and all sums due and unpaid at that day shall draw interest thereafter at the rate of six per centum per annum; and if any person or persons shall neglect or refuse to pay after due notice said tax assessed against him, her, or them, for the space of more than thirty days after the same is due and payable, it shall be lawful for any collector or assistant collector charged with the duty of collecting such tax, and they are hereby authorized, to levy the same on the visible property of any such person, or so much thereof as may be sufficient to pay such tax, with the interest due thereon, and the expenses incident to such levy and sale, first giving thirty days' public notice of the time and place of the sale thereof; and in case of the failure of any person or persons authorized to act as agent or agents for the collection of the rents or other income of any person residing abroad shall neglect or refuse to pay the tax assessed thereon (having bad due notice) for more than thirty days after the thirtieth of June, eighteen hundred and sixty-two, the collector or his assistant, for the district where such property is located, or rents or income is payable, shall be and hereby is authorized to levy upon the property itself, and to sell the same, or so much thereof as may be necessary to pay the tax assessed, together with the interest and expenses incident to such levy and sale, first giving thirty days' public notice of the time and place of sale. And in all cases of the sale of property herein authorized, the conveyance by the officer authorized to make the sale, duly executed, shall give a valid title to the purchaser, whether the property sold be real or personal. And the several collectors and assistants appointed under the authority of this act may, if they find no property to satisfy the taxes assessed upon any person by authority of the forty-ninth section of this act, and which such person neglects to pay as hereinbefore provided, shall have power, and it shall be their duty, to examine under oath the person assessed under this act, or any other person, and may sell at public auction, after ten days' notice, any stock, bonds, or choses in action, belonging to said person, or so much thereof as will pay such tax and the expenses of such sale; and in case he refuses to testify, the said several collectors and assistants shall have power to arrest such person and commit him to prison, to be held in custody until the same shall be paid, with interest thereon, at the rate of six per centum per annum, from the time when the same was payable as aforesaid, and all fees and charges of such commitment and custody. And the place of custody shall in all cases be the same provided by law for the custody of persons committed for any cause by the authority of the United States, and the warrant of the collector, stating the cause of commitment, shall be sufficient authority to the proper officer for receiving and keeping such person in custody until the amount of said tax and interest, and all fees and the expense of such custody, shall have been fully paid and discharged; which fees and expenses shall be the same as are chargeable under the laws of the United States in
other cases of commitment and custody. And it shall be the duty of such collector to pay the expenses of such custody, and the same, with his fees, shall be allowed on settlement of his accounts. And the person so committed shall have the same right to be discharged from such custody as may be allowed by the laws of the State or Territory, or the District of Columbia, where he is so held in custody, to persons committed under the laws of such State or Territory, or District of Columbia, for the non-payment of taxes, and in the manner provided by such laws; or he may be discharged at any time by order of the Secretary of the Treasury.

SEC. 52. And be it further enacted, That should any of the people of any of the States or Territories of the United States, or the District of Columbia be in actual rebellion against the authority of the Government of the United States at the time this act goes into operation, so that the laws of the United States cannot be executed therein, it shall be the duty of the President, and he is hereby authorized, to proceed to execute the provisions of this act within the limits of such State or Territory, or District of Columbia, so soon as the authority of the United States therein is re-established, and to collect the sums which would have been due from the persons residing or holding property or stocks therein, with the interest due, at the rate of six per centum per annum thereon until paid in the manner and under the regulations prescribed in the foregoing in the foregoing sections of this act.

SEC. 53. And be it further enacted, That any State or Territory and the District of Columbia may lawfully assume, assess, collect, and pay into the Treasury of the United States the direct tax, or its quota thereof, imposed by this act upon the State, Territory, or the District of Columbia, in its own way and manner, by and through its own officers, assessors, and collectors; that it shall be lawful to use for this purpose the last or any subsequent valuation, list, or appraisal made by State or Territorial authority for the purpose of State or Territorial taxation therein, next preceding the date when this act takes effect, to make any laws or regulations for these purposes, to fix or change the compensation to officers, assessors, and collectors; and any such State, Territory or District, which shall give notice by the Governor, or other proper officer thereof, to the Secretary of the Treasury of the United States, on or before the second Tuesday of February next, and in each succeeding year thereafter, of its intention to assume and pay, or to assess, collect, and pay into the Treasury of the United States, the direct tax imposed by this act, shall be entitled, in lieu of the compensation, pay per diem and per centage herein prescribed and allowed to assessors, assistant assessors, and collectors of the United States, to a deduction of fifteen per centum on the quota of direct tax apportioned to such State, Territory or the District of Columbia levied and collected by said State, Territory, and District of Columbia through its said officers: Provided, however, That the deduction shall only be made to apply to such part or parts of the same as shall have been actually paid into the Treasury of the United States on or before the last day of June in the year to which such payment relates, and a deduction of ten per centum to such part or parts of the same as shall have been actually paid into the Treasury of the United States on or before the last day of September in the year to which such payment relates, such year being regarded as commencing on the first day of April: And provided further, That whenever notice of the intention to make such payment by the State, or Territory and the District of Columbia shall have been given to the Secretary of the Treasury, in accordance with the foregoing provisions, no assessors, assistant assessors, or collectors, in any State, Territory, or District, so giving notice, shall be appointed, unless said State, Territory, or District shall be in default: And provided further, That the amount of direct tax, apportioned to any State, Territory, or the
THIRTY-SEVENTH CONGRESS. Sess. I. Ch. 45. 1861.

State may pay its tax by releasing claim against the United States.


Duty of collectors to collect duties imposed by this act.

Fines and penalties, how recovered.

Debts due from collector to the United States to be a lien on his real estate and that of his sureties.

Office of commissioner of taxes created.

Authority, duty, salary.

Clerks.

If a collector is sick, deputy may act, &c.

If collector dies, resigns, &c., who is to act in his place.

District of Columbia, shall be liable to be paid and satisfied, in whole or in part, by the release of such State, Territory, or District, duly executed, to the United States, of any liquidated and determined claim of such State, Territory, or District, of equal amount against the United States: Provided, That, in case of such release, such State, Territory, or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of payment of the same in money.

SEC. 54. And be it further enacted, That it shall be the duty of the collectors aforesaid in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of such collector.

SEC. 55. And be it further enacted, That the amount of all debts due to the United States by any collector, under this act, whether secured by bond or otherwise, shall and are hereby declared to be a lien upon the lands and real estate of such collector, and of his sureties, if he shall have given bond, from the time when suit shall be instituted for recovering the same; and, for want of goods and chattels and other personal effects of such collector or his sureties to satisfy any judgment which shall or may be recovered against them, respectively, such lands and real estate may be sold at public auction, after being advertised for at least three weeks in not less than three public papers within the collection district, and in one newspaper printed in the county, if any there be, at least six weeks prior to the time of sale; and for all lands or real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such collector or his sureties, respectively.

SEC. 56. And be it further enacted, That, for superintending the collection of the direct tax and internal duties or income tax laid by this act, an officer is hereby authorized in the Treasury Department, to be called "Commissioner of Taxes," who shall be charged, under the direction of the Secretary, with preparing all the forms necessary for the assessment and collection of the tax and duties aforesaid, with preparing, signing, and distributing all such licenses as are required, and with the general superintendence of all the officers employed in assessing and collecting said tax and duties; said commissioner shall be appointed by the President, upon the nomination of the Secretary of the Treasury, and he shall receive an annual salary of three thousand dollars. The Secretary of the Treasury may assign the necessary clerks to the office of said commissioner, whose aggregate salaries shall not exceed six thousand dollars per annum, and the amount required to pay the salaries of said commissioner and clerks is hereby appropriated.

SEC. 57. And be it further enacted, That in case of the sickness or temporary disability of a collector to discharge such of his duties as cannot, under existing laws, be discharged by a deputy, they may be devolved by him upon a deputy: Provided, Information thereof be immediately communicated to the Secretary of the Treasury, and shall not be disapproved by him: And provided, That the responsibility of the collector or his sureties to the United States shall not be thereby affected or impaired.

SEC. 58. And be it further enacted, That in case a collector shall die, resign, or be removed, the deputy of such collector longest in service at the time immediately preceding, who shall have been longest employed by
him, may and shall, until a successor shall be appointed, discharge all the
duties of said collector, and for whose conduct, in case of the death of the
collector, his estate shall be responsible to the United States.

Approved, August 5, 1861.

CHAP. XLVI. — An Act supplementary to an Act entitled "An Act to authorize a Na-
tional Loan, and for other Purposes."

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Secretary of the Treas-
ury is hereby authorized to issue bonds of the United States, bearing in-
terest at six per centum per annum, and payable at the pleasure of the
United States after twenty years from date; and if any holder of Treas-
ury notes, bearing interest at the rate of seven and three-tenths per
centum, which may be issued under the authority of the act to authorize
a national loan and for other purposes, approved July seventeenth, eigh-
teen hundred and sixty-one, shall desire to exchange the same for said
bonds, the Secretary of the Treasury may, at any time before or at the
maturity of said Treasury notes, issue to said holder, in payment thereof,
an amount of said bonds equal to the amount which, at the time of such
payment or exchange, may be due on said Treasury notes; but no such
bonds shall be issued for a less sum than five hundred dollars, nor shall
the whole amount of such bonds exceed the whole amount of Treasury
notes bearing seven and three-tenths per centum interest, issued under
said act; and any part of the Treasury notes payable on demand, au-
thorized by said act, may be made payable by the Assistant Treasurer
at Saint Louis, or by the depository at Cincinnati.

Sec. 2. And be it further enacted, That the Treasury notes issued
under the provisions of the said act to authorize a national loan, and for
other purposes, or of any other act now in force authorizing the issue of
such notes, shall be signed by the Treasurer of the United States, or by
some officer of the Treasury Department, designated by the Secretary of
the Treasury, for said Treasurer, and countersigned by the Register of
the Treasury, or by some officer of the Treasury Department, designated
by the Secretary of the Treasury, for said Register, and no Treasury
notes, issued under any act, shall require the seal of the Treasury De-
partment.

Sec. 3. And be it further enacted, That so much of the act to which
this is supplementary as limits the denomination of a portion of the
Treasury notes authorized by said act at not less than ten dollars be and is
so modified as to authorize the Secretary of the Treasury to fix the
denomination of said notes at not less than five dollars.

Sec. 4. And be it further enacted, That, in addition to the amount
heretofore appropriated, the sum of one hundred thousand dollars, or so
much thereof as may be necessary, be, and the same is hereby, appro-
piated, out of any money in the Treasury not otherwise appropriated,
to pay such expenses, commissions, or compensation as may be necessary,
in the judgment of the Secretary of the Treasury, to carry into execution
the provisions of this act, and of the act to which this is supplementary.

Sec. 5. And be it further enacted, That the Treasury notes author-
ized by the act to which this is supplementary, of a less denomination
than fifty dollars, payable on demand without interest, and not exceed-
ing in amount the sum of fifty millions of dollars, shall be receivable in
payment of public dues.

Sec. 6. And be it further enacted, That the provisions of the act en-
titled "An Act to provide for the better organization of the Treasury,
and for the collection, safe-keeping, transfer, and disbursements of the
public revenue," passed August six, eighteen hundred and forty-six,
be and the same are hereby suspended, so far as to allow the Secre-
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August 5, 1861.

1861, ch. 6.
Ante, p. 239.
Post, p. 338.

Six per cent.
bonds may be is-
sued, redeemable
in twenty years,
and exchange-
able for certain
Treasury notes.

Denomination
and amount of
bonds.

Where Treasury
notes may be
made payable.

Treasury notes,
how executed.

Need not have
seal.

May be issued
for not less than
$5.

Ante, p. 259.
Post, p. 338.

Appropriation
for purposes of
this act, &c.

Notes on de-
mand, &c., under
$50, receivable
for public dues.

Portions of sub-
treasury act sus-
pended.

1848, ch. 90.
THIRTY-SEVENTH CONGRESS. Sess. I. Ch. 47, 48. 1861.

Chapter XLVI.

An Act supplementary to an Act entitled "An Act to increase the present Military Establishment of the United States," approved July twenty-ninth, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, during the existing insurrection and rebellion, upon the recommendation of the Lieutenant-General commanding the army of the United States, or of any Major-General of the regular army of the United States, commanding forces of the United States in the field, to appoint such number of aides-de-camp, in addition to those now authorized by law, as the exigencies of the service may, in the opinion of the President, require; such aides-de-camp to bear respectively the rank and authority of captains, majors, lieutenant-colonels, or colonels of the regular army as the President may direct, and to receive the same pay and allowances as are provided by existing laws for officers of cavalry of corresponding rank. The President shall cause all aides-de-camp appointed under this act to be discharged whenever they shall cease to be employed in active service, and he may reduce the number so employed whenever he may deem it expedient so to do. Any officers of the regular army appointed aides-de-camp under this act, and detached or assigned to duty for service as such, shall upon their discharge resume their positions in the regular army, and shall be entitled to the same rank and promotion as if they had continued to serve in their own regiments or corps.

Approved, August 5, 1861.

Chapter XLVIII.

An Act supplementary to an Act entitled "An Act to protect the Commerce of the United States, and Punish the Crime of Piracy."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any vessel or boat which shall be built, purchased, fitted out in whole or in part, or held for the purpose of being employed in the commission of any piratical aggression, search, restraint, depredation, or seizure, or in the commission of any other act of piracy, as defined by the law of nations, shall be liable to be captured and brought into any port of the United States if found upon the high seas, or to be seized if found in any port or place within the United States, whether the same shall have actually sailed upon any piratical expedition or not, and whether any act of piracy shall have been committed or attempted upon or from such vessel or boat or not; and any such vessel or boat may be adjudged and condemned, if captured by a vessel authorized as hereinafter mentioned, to the use of the United

Deposits in solvent specie-paying banks.

Six per cent. bonds due in 20 years may be issued for certain seven per cent. bonds.

August 5, 1861.

Additional aides-de-camp authorized.

When to be discharged.

Officers of regular army so appointed to retain rank, &c.
THIRTY-SEVENTH CONGRESS. SESS. I. CH. 49, 50, 51. 1861.

States and to that of the captors, and if seized by a collector, surveyor, or marshal, then to the use of the United States, after due process and trial, in like manner as is provided in section four of the act to which this act is supplementary, which section is hereby made in all respects applicable to cases arising under this act.

SEC. 2. And be it further enacted, That the President of the United States be, and hereby is, authorized to instruct the commanders of the public armed vessels of the United States, and to authorize the commanders of any other armed vessels sailing under the authority of any letters of marque and reprisal granted by the Congress of the United States, or the commanders of any other suitable vessels, to subdue, seize, take, and, if on the high seas, to send into any port of the United States any vessel or boat built, purchased, fitted out, or held, as in the first section of this act mentioned.

SEC. 3. And be it further enacted, That the collectors of the several ports of entry, the surveyors of the several ports of delivery, and the marshals of the several judicial districts within the United States be and are hereby authorized and required to seize any and all vessels or boats built, purchased, fitted out, or held as aforesaid, which may be found within their respective ports or districts, and to cause the same to be proceeded against and disposed of as hereinbefore provided.

APPROVED, August 5, 1861.

CHAP. XLIX. — An Act to reduce Consular Fees for Vessels running to or between Foreign Ports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That American vessels running regularly by weekly or monthly trips, or otherwise, to or between foreign ports, shall not be required to pay fees to consuls for more than four trips in a year, anything in the law or regulations respecting consular fees to the contrary notwithstanding.

APPROVED, August 5, 1861.

CHAP. L. — An Act authorizing additional Enlistments in the Navy of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to cause to be enlisted in the navy of the United States, for the term of three years, or during the war, such number of able seamen, ordinary seamen, and boys, as he may judge necessary and proper, to place the entire navy of the United States, and all vessels that may be added to it, in a state of the utmost efficiency for active service.

APPROVED, August 5, 1861.

CHAP. LII. — An Act making further Appropriation for the Support of the Naval Service for the Year ending June thirtieth, eighteen hundred and sixty-two, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars be, and the same is, hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the completion of the coal depot at Key West, Florida, and repairs of the wharf belonging to the same.

For the completion of the marine barracks at Charlestown, Massachusetts, twelve thousand dollars.

For the purchase of the right to manufacture and use Coston's night signals, twenty thousand dollars: Provided, That the full right to manu-
facture and use the same can be purchased at a price not exceeding that sum.

For the purchase of ordnance for the use of the navy, three hundred thousand dollars.

For repairing the quarters and outbuildings at Fort Abercrombie, seven thousand dollars.

For collecting, drilling, and organizing volunteers, under the acts authorizing the President to accept the services of five hundred thousand men, twenty millions of dollars.

**SEC. 2. And be it further enacted, That the Secretary of the Navy be, and he is hereby, authorized to change the names of any vessels purchased for the use of the Navy Department by authority of law, and they shall be thereafter known by the names so given them by virtue of this act.**

**SEC. 3. And be it further enacted, That there be, and hereby is, appropriated, in like manner, the sum of one hundred thousand dollars, for the construction and equipment of gunboats for service on the Western rivers.**

**APPROVED, August 5, 1861.**

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**August 5, 1861.**

**CHAP. LII. — An Act making Appropriation to pay the Expenses of the Investigating Committees of the House of Representatives and Senate appointed the first Session of the Thirty-seventh Congress, and of the Commission authorized to examine and report as to the Compensation of all Officers of the Government.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of ten thousand dollars, to pay the expenses of the investigating committees of the Senate and House of Representatives appointed at the first session of the Thirty-seventh Congress, and also the expenses of the commission authorized to examine and report as to the compensation of all officers of the Government; said sum of money to be drawn from the Treasury as part of the contingent expenses of the House of Representatives, and to be disbursed in the mode provided by law for such expenses.

**APPROVED, August 5, 1861.**

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**August 5, 1861.**

**CHAP. LIII. — An Act authorizing the Construction of twelve small Side-wheel Steamers.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy shall cause to be constructed, with the least possible delay, twelve small side-wheel steamers, for the use of the navy of the United States, of light draught and great speed; and that for the purpose aforesaid twelve hundred thousand dollars be, and the same hereby is, appropriated.

**APPROVED, August 5, 1861.**

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**August 6, 1861.**

**CHAP. LIV. — An Act making Appropriations for Fortifications and for other Purposes.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars for contingencies of fortifications, to be used and applied under the direction of the Secretary of War.

**SEC. 2. And be it further enacted, That any commissioned officer of the army, navy, or marine corps, who, having tendered his resignation, shall, prior to due notice of the acceptance of the same by the proper authority, and without leave, quit his post or proper duties with the intent to remain**
permanently absent therefrom, shall be registered as a deserter, and punished as such.

SEC. 3. And be it further enacted, That flogging as a punishment in the army is hereby abolished.

SEC. 4. And be it further enacted, That for removing stables and other obstructions from the grounds around the Washington Infirmary, used as an army hospital, and grading said grounds to secure proper drainage of the same, the sum of five thousand dollars be, and the same is hereby appropriated, to be expended under the direction of the surgeon-general of the United States army.

Approved, August 5, 1861.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the attorney of the United States for the southern district of New York, quarterly, a salary at the rate of six thousand dollars per annum, and such additional sum as shall be necessary, together with the costs and fees now allowed by law to pay such amount as shall be fixed by the Secretary of the Interior for the proper expenses of the office, including salaries of assistants and clerks.

SEC. 2. And be it further enacted, That the accounts of said attorney, from and after the fourth day of April last, shall be adjusted and settled in the same manner as the same would have been adjusted and settled had this act been in operation on and after that day.

Approved, August 6, 1861.

CHAP. LVI. — An Act to punish certain Crimes against the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall be guilty of the act of recruiting soldiers or sailors in any State or Territory of the United States to engage in armed hostility against the United States, or who shall open a recruiting station for the enlistment of such persons, either as regulars or volunteers, to serve as aforesaid, shall be guilty of a high misdemeanor, and upon conviction in any court of record having jurisdiction of the offence, shall be fined a sum not less than two hundred dollars nor more than one thousand dollars, and confined and imprisoned for a period not less than one year nor more than five years.

SEC. 2. And be it further enacted, That the person so enlisted, or engaged as regular or volunteer, shall be fined in a like manner a sum of one hundred dollars, and imprisoned not less than one nor more than three years.

Approved, August 6, 1861.

CHAP. LVII. — An Act to promote the Efficiency of the Engineer and Topographical Engineer Corps, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers, and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

SEC. 2. And be it further enacted, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organ-
SEC. 3. And be it further enacted, That vacancies hereafter occurring among the commissioned officers of the volunteer regiments shall be filled by the Governors of the States respectively in the same manner as original appointments. And so much of the tenth section of the act approved June twenty-second, eighteen hundred and sixty-one, as is inconsistent herewith be, and the same is hereby, repealed.

SEC. 4. And be it further enacted, That the President of the United States is hereby authorized to appoint two additional inspectors-general for the United States army; said inspectors-general to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

SEC. 5. And be it further enacted, That so much of the first section of the act approved August fifth, eighteen hundred and fifty-four, as authorizes the appointment of civilians to superintend the national armories be, and the same is hereby, repealed, and that the superintendents of these armories shall be appointed hereafter from officers of the Ordnance Department.

APPROVED, August 6, 1861.

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CHAP. LVIII. — An Act to authorize an Increase in the Corps of Engineers and Topographical Engineers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

SEC. 2. And be it further enacted, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners, and pontoniers, approved May sixteenth, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

SEC. 3. And be it further enacted, That the President of the United States is hereby authorized to appoint two additional inspectors-general of the United States army, to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

APPROVED, August 6, 1861.

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CHAP. LIX. — An Act to provide for holding the District and Circuit Courts in Judicial Districts during a temporary Vacancy of the Judgehip.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of a vacancy in the office of district judge of any judicial district of the United States in any State in which there are two judicial districts, it shall be lawful for the district judge of the other district in said State to hold the district court or circuit court in case of sickness or the absence of the circuit judge, and discharge all the judicial duties of the district judge of such vacant district so long as such vacancy shall continue; and all the acts and proceedings in said courts, or by or before the said district judge of
the adjoining district, shall have the same force, effect, and validity as if done and transacted by and before a judge appointed for such district.

APPROVED, August 6, 1861.

CHAP. LX. — An Act to confiscate Property used for Insurrectionary Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

SEC. 2. And be it further enacted, That such prizes and capture shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, or into which they may be taken and proceedings first instituted.

SEC. 3. And be it further enacted, That the Attorney-General, or any district attorney of the United States in which said property may at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

SEC. 4. And be it further enacted, That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States, or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any fort, navy yard, dock, armory, ship, entrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

APPROVED, August 6, 1861.

CHAP. LXI. — An Act relative to Appeals to the Supreme Court of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of appeal,
In appeals to the federal Supreme Court by both parties, a transcript of the record filed by either party may be used in both appeals.

Federal district attorneys in California may certify, &c., records in land cases.

Effect of such transcript of record.

Such attorneys may employ clerks.

Duty of clerks of courts in such cases.

Penalty.

Which have been or may hereafter be duly taken by both parties from the judgment or decree of any district or circuit court to the Supreme Court of the United States, a transcript of the record filed in the Supreme Court of the United States by either party on his appeal may be used on both appeals; and whenever in such cases one record shall have been, or may hereafter be, filed by either party in the said Supreme Court, both appeals shall be heard thereon by the court in the same manner as if records had been filed by the appellants in both cases.

Sec. 2. And be it further enacted, That the district attorney of the United States of any district in California may transcribe and certify to the Supreme Court of the United States the records of the district court of his proper district in all land cases wherein the United States is a party, upon which appeals have been or may be taken to the Supreme Court of the United States; and records so certified by such district attorney under his hand, and filed in the Supreme Court of the United States, shall be taken as true and valid transcripts, to the same intent and purpose as if certified by the clerk of the proper district court; and the said district attorneys for the districts of California shall be authorized to employ such clerks, not exceeding three in number, as may be necessary to transcribe such records, at a compensation, for each of such clerks, not exceeding one hundred and fifty dollars per month, which shall be paid out of the appropriation for special and other extraordinary expenses of California land claims; and it shall be the duty of the clerk of any district court in California, on request of the district attorney of that district, to deliver to him the records in the cases before-mentioned on which appeals have been or may be taken, for the purpose of having them transcribed; and upon refusal or failure to do so, such clerk shall forfeit and pay to the United States the sum of five thousand dollars for each offence, to be recovered in an action of debt in any court of competent jurisdiction; and such clerk shall, moreover, be incapable of holding his said office of clerk, or any office under the United States.

Approved, August 6, 1861.

Chap. LXXI. — An Act to create a Metropolitan Police District of the District of Columbia, and to establish a Police therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Corporations of Washington and Georgetown, and the county of Washington, outside of the limits of said corporations, are hereby constituted, for the purposes of this act, into one district, to be called "The Metropolitan Police District of the District of Columbia."

Sec. 2. And be it further enacted, That immediately upon the passage of this act, and thereafter from time to time, as required by this act, there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, five Commissioners of Police, who shall be the chief officers of the said "Metropolitan Police District," and who shall severally possess and perform therein the powers and duties authorized and enjoined by this act. The said commissioners, together with the mayors of the cities of Washington and Georgetown, ex officio, shall form the board of police for the said district, and a majority of them shall constitute a quorum of such board for the transaction of business.

Sec. 3. And be it further enacted, That three of said commissioners shall be appointed from the city of Washington, one from Georgetown and one from the county of Washington at large, for the term of three years, and until their successors are appointed and qualified, unless sooner removed by the President. The said commissioners shall meet at such time and place as may be designated by the President of the United States; and after being duly qualified, by taking and subscribing an oath

August 6, 1861.

1861, ch. 181. Post, p. 678.

Metropolitan Police District of the District of Columbia established.

Board of Police, who constitute and how appointed.

Quorum.

Appointment.

Term of office.

How qualified.
or affirmation before some person duly authorized to administer oaths in said District, to support the Constitution of the United States, and faithfully to discharge the duties of his office, shall proceed to discharge such duties as [are] prescribed by this act.

SEC. 4. And be it further enacted, That the officers of the board of police shall be a president and a treasurer, who shall each be selected from among said commissioners by themselves, who shall discharge such duties as the board may prescribe. The treasurer shall give a bond, with two sureties, to the satisfaction of said board, in the penal sum of ten thousand dollars, for the faithful discharge of the duties of his office. The board may also appoint a clerk, to hold his office during the pleasure of the board, and to receive a compensation to be fixed by the board, not to exceed the rate of one thousand dollars per annum, and who shall perform such duties as may be required by said board of police.

SEC. 5. And be it further enacted, That it shall be the duty of the board of police hereby constituted, at all times of the day and night, within the boundaries of the said police district, to preserve the public peace; to prevent crime, and arrest offenders; to protect the rights of persons and of property; to guard the public health; to preserve order at every public election; to remove nuisances existing in the public streets, roads, alleys, highways, and other places; to provide a proper police force at every fire, in order that thereby the firemen and property may be protected; to protect strangers and travellers at steamboat and ship landings and railway stations; to see that all laws relating to the observance of Sunday, and regarding pawnbrokers, mock auctions, elections, gambling, intemperance, lottery dealers, vagrants, disorderly persons, and the public health, are promptly enforced, and to enforce and obey all laws and ordinances of the city councils of the cities of Washington and Georgetown which are properly applicable to police or health, and not inconsistent with the provisions of this act.

SEC. 6. And be it further enacted, That the duties of the board of police shall be more especially executed under the direction and control of said board, and according to rules and regulations which it is hereby authorized to pass, from time to time, for the proper government and discipline of its subordinate officers, by a police force for the whole of said police district, and authorized to do duty in any part thereof, without regard to residence or corporation lines.

SEC. 7. And be it further enacted, That the said police force shall consist of a superintendent of police, ten sergeants of police, and such number of police patrolmen as the board may deem necessary, not exceeding, for the regular service, one hundred and fifty. The said officers hereby created for the said police force shall be severally filled by appointment from the board of police; and each person so appointed shall hold office only during such time as he shall faithfully observe and execute all the rules and regulations of the said board, the laws of the United States, and the laws or ordinances existing within the District, enacted by the city or county authorities within the same, and which laws or ordinances apply to such part of the District where the members of the police force may be on duty.

SEC. 8. And be it further enacted, That the qualifications, enumeration, and distribution of duties, mode of trial, and removal from office, of each officer of said police force shall be particularly defined and prescribed by rules and regulations of the board of police, in accordance with the Constitution and laws of the United States applicable thereto: Provided, however, That no person shall be so appointed to office, or hold office in the police force aforesaid, who cannot read and write the English language, or who is not a citizen of the United States, or who shall ever have been indicted and convicted of crime: And provided, That no person shall be removed therefrom except upon written charges preferred against him to
the board of police, and after an opportunity shall have been afforded him of being heard in his defence.

SEC. 9. And be it further enacted, That the members of the said police force shall possess, in every part of the District of Columbia, all the common law and statutory powers of constables, except for the service of civil process; and any warrant for search or arrest, issued by any magistrate of said District of Columbia, may be executed in any part of said district by any member of said police force, without any backing or indorsement of the said warrant, and according to the terms thereof; and all the provisions of law in relation to the giving and taking of bail in said district shall apply to this act. The superintendent of police and the sergeants of police, having just cause to suspect that any felony has been, or is being, or is about to be, committed within any building, or on board of any ship, boat or vessel within the said district, may enter upon the same at all hours of day or night, to take all necessary measures for the effectual prevention or detection of all felonies, and may take then and there into custody all persons suspected of being concerned in such felonies, and also may take charge of all property which he or they shall have then and there just cause to suspect has been stolen.

SEC. 10. And be it further enacted, That the board of police may divide the said district into precincts, not exceeding ten, and may assign one sergeant of police to each of said precincts. The board may, from time to time, establish a station or sub-station in each precinct for the accommodation of the police force on duty therein. It may, from time to time, detail and change, without regard to or limitation of residence, the sergeants or patrolmen to such parts of the district, or to such of the police or criminal courts, and to the public offices of the Government of the United States, or of the cities of Washington and Georgetown, as it may deem advisable. It shall promulgate all regulations and orders through the superintendent of police, who shall take the place of the Mayor of the city of Washington or Georgetown, as being the head of the police departments or force in the said cities, but always subject to the orders and regulations of the board of police; and it shall be the duty of the police force to respect and obey the said superintendent of police, as the head and chief of the same, subject to the rules and regulations and general orders of the board of police.

SEC. 11. And be it further enacted, That the board of police, whenever it shall see fit, shall, on the application of any person or persons, showing the necessity thereof, appoint and swear any additional number of patrolmen to duty at any place within the said district, at the charge and expense of the person or persons by whom the application shall be made, (but not to exceed the yearly sum provided for patrolmen of the force provided by this act as the general police force,) and the patrolmen so appointed shall be subject to the orders of the board of police, and shall o'ery the rules and regulations of the board, and conform to its general discipline and to such other special regulations as may be made, and shall wear such dress or emblem as the board may direct, and shall, during the term of their holding appointment, possess all the powers, privileges, and duties of the patrol force heretofore prescribed. The persons so employed may be removed at any time by the board of police, without assigning cause thereof, upon one month's notice of the intention so to do, given to the person or persons who applied for the appointment aforesaid.

SEC. 12. And be it further enacted, That the board of police may also, upon any emergency of riot, pestilence, invasion, insurrection, or during any day of public election, ceremony or celebration, appoint as many special patrolmen, without pay, from among the citizens as it may deem advisable, and for a specified time, and during the term of service of such special patrolmen, he shall possess all the powers and privileges, and per-
form all the duties of the patrolmen of the standing police force of the District. And such special patrol shall wear an emblem, to be presented by the police commissioners.

SEC. 13. And be it further enacted, That no member of the police force, under penalty of forfeiting the pay which may be due to him, shall withdraw or resign from the police force, unless he shall have given one month's notice thereof, in writing, to the superintendent of police; and no person who shall ever have been removed from the police force established by this act, for cause, shall be reappointed by the board of police to any office in the said police force.

SEC. 14. And be it further enacted, That all stolen property taken by the members of the police force shall be kept in a place and by a person to be designated by the board of police. Every such article of property shall be entered in a book kept for the purpose, together with the name of the owner, if ascertained, and the name of the place where found, and of the person from whom taken, with the general circumstances, and the date of its receipt, and the name of the officer recovering the same. The board of police shall also cause to be kept general complaint books, in which shall be entered every complaint preferred upon personal knowledge of the circumstances thereof, with the name and residence of the complainant. It shall also cause to be kept books of registry of lost, missing, or stolen property, for the general convenience of the public and of the police of the district. It shall also cause to be kept books of records of the police, wherein shall be entered the name of every member of the police force, with his time and place of nativity, and the time when he became a citizen if he was born out of the United States; his age; his former occupation; number and residence of family; the date of appointment or dismissal from office, with the cause of the latter. And in every such record sufficient space shall be left against all such entries, wherein to make record of the number of arrests made by such member of the police force, or of any special services deemed meritorious by the commissioner. It shall also cause to be kept in proper books the accounts of the treasurer of the board, and number of the several meetings thereof, and all receipts of moneys, or warrants or checks for moneys, shall be written in books kept for the purpose, and the said receipts signed by the person or persons in every case receiving money, warrants, or checks from the treasurer. All such books shall be, at all business hours, and when not in actual use, open to public inspection. The board of police shall also cause to be kept and bound all police returns and reports of the district.

SEC. 15. And be it further enacted, That it shall be the duty of the common councils of the cities of Washington and Georgetown to provide at the expense of said cities, respectively, all necessary accommodations within their respective limits, for the station-houses required by the board of police, for the accommodation of the police force, for the lodging of vagrants and disorderly persons, and for the temporary detention of persons arrested for offences, and the same suitably to warm and light. In case the said common councils, or either of them, neglect or refuse to do so, after having been thereto requested by the board of police, then the said board may make their own provisions in the premises, and the same, when made, shall become a proper charge and debt for the expenses and disbursements thereof against the said city or cities whose common councils have so neglected or refused to make provision as aforesaid.

SEC. 16. And be it further enacted, That in every case of arrest, the same shall be made known within six hours thereafter to the sergeant of police on duty in the precinct in which the arrest is made, by the person making the same; and it shall be the duty of the said sergeant of police, within twelve hours after such notice, to make written return thereof, according to the rules and regulations of the board of police.
together with the name of the party arrested, the offence, the place of arrest, and the place of detention. The board of police shall provide suitable accommodations within said district for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings, and such accommodations shall be in premises other than those employed for the confinement of those charged with crime, fraud, or disorderly conduct; and it shall be the duty of all magistrates, in committing witnesses, to have regard to the rules and regulations of the board of police in reference to their detention.

SEC. 17. And be it further enacted, That all telegraphic apparatus, public police property, books, records, and accouterments, now in the possession of the police departments of the cities of Washington and Georgetown, are hereby given for the use of the board of police herein authorized; but the ownership of the same, and the use thereof as aforesaid, shall be according to the laws or ordinances which the city councils of said cities, respectively, in which said property is situated have enacted or may hereafter enact.

SEC. 18. And be it further enacted, That the necessary expenses incurred in the execution of criminal processes within the said district shall be chargeable to the United States, as under existing laws.

SEC. 19. And be it further enacted, That the Board of Health, or proper health officer of the city of Washington or of Georgetown, shall have power to call upon any of the police force of the District to a number not exceeding six, to aid him, upon any necessary emergency, in enforcing the powers and duties conferred upon their office by law; and it shall be the duty of any such number of police so called upon to obey him; but such service shall not continue longer than twenty-four hours. The board of police shall at all times, cause the ordinances and laws of the cities of Washington and Georgetown to be properly enforced; and it shall be the duty of said board, at all times, when consistent with the rules and regulations of the board, and with the requirements of this act, to furnish all information desired and comply with all requests made by the city councils of said cities, or by the mayors thereof.

SEC. 20. And be it further enacted, That the board of police is hereby invested with all the powers now conferred by law upon the mayors of Washington or of Georgetown in respect to ordering military assistance in aid of the civil authorities to quell riots, suppress insurrection, protect the property, and preserve the public tranquility. The board of police shall have power to issue subpoenas, attested in the name of its president, to compel before it the attendance of witnesses upon any proceeding authorized by its rules and regulations. Each commissioner of police, the superintendent of police, and the clerk of the board of police, are hereby given power to administer, take, receive, and subscribe all affirmations and oaths to any witnesses summoned and appearing in any matter or proceeding authorized, as aforesaid, and to any depositions necessary by the rules and regulations of the board of police. Any willful and corrupt false swearing by any witness or person making deposition before any of the officers last mentioned, to any material fact in any necessary proceeding under the said rules and regulations, shall be deemed perjury, and punished in the manner now prescribed by law for such offence.

SEC. 21. And be it further enacted, That it shall be a misdemeanor, punishable by imprisonment in the county jail or penitentiary not exceeding two years, or by a fine not exceeding five hundred dollars, for any person without justifiable or excusable cause, to use personal violence upon any elector in said district, or upon any member of the police force thereof when in the discharge of his duty, or for any such member to neglect making any arrest for an offence against the law of the United States committed in his presence, or for any person, not a member of the police force, to falsely represent himself as being such member, with a fraudulent design.
SEC. 22. And be it further enacted, That the treasurer of the board of police shall receive a stated salary of six hundred dollars per annum, and each commissioner shall receive an allowance of five dollars per day for each day of actual attendance upon the meetings or business of the board, not to exceed, however, to each commissioner (the treasurer excepted) two hundred and fifty dollars per annum; and no other compensation shall be paid or allowed to the members of the board. The superintendent of police shall receive a salary of fifteen hundred dollars per annum, each sergeant of police six hundred dollars per annum, and each police patrolman forty dollars per month, as compensation for their services, respectively.

SEC. 23. And be it further enacted, That from and after the first meeting of the board of police, under the provisions of this act, it shall possess all the power and authority heretofore conferred by law upon the auxiliary guard of the city of Washington, established by an act entitled "An Act to establish an auxiliary watch for the protection of public and private property in the city of Washington," approved August twenty-three, eighteen hundred and forty-two, and all acts in amendment thereto, and said auxiliary guard or watch is hereby abolished; and said board of police shall also possess all the power and authority heretofore conferred by law upon the mayor or any other officer or officers of the cities of Washington and Georgetown respectively, as the heads therein of the respective police departments or organizations of those cities, which power or authority shall relate to or in any way be connected with the police government or police discipline within either of said cities; and from and after the said first meeting and due organization of said board of police, the duty and authority and power of each and all of the aforementioned officers in relation to the police government, appointment, and discipline, shall wholly cease and vest as aforesaid in the said board of police constituted by this act, except that the mayors of Washington and Georgetown shall be, with the commissioners, members ex-officio of the board of police, and entitled to one vote each at every session thereof when present at its meetings.

SEC. 24. And be it further enacted, That the superintendent of police shall make to the board of police quarterly reports in writing of the state of the police district, with such statistics and suggestions as he may deem advisable for the improvement of the police government and discipline of said district; and the board of police shall annually, or on before the first Monday in November, report in writing the condition of the police within said district to the Secretary of the Interior.

SEC. 25. And be it further enacted, That no member of the board of police, or of the police force, shall receive or share in, for his own benefit, under any pretence whatever, any present, fee, or emolument, for police services, other than the regular salary and pay provided by this act, except by consent of the board of police.

SEC. 26. And be it further enacted, That all rewards, fees, proceeds of gifts, and emoluments that may be allowed by the board of police to be paid and given for extraordinary services of any member of the police force, and all moneys arising from the sale of unclaimed goods, shall constitute the "policeman’s fund," of which the board of police shall be the trustee, and may invest as they shall see fit. And whenever any member of the police force, in the actual discharge of his duty, shall become bodily disabled, his necessary expenses, on the certificate of a competent surgeon, stating the manner, cause, and condition of the injury, and approved by the board of police, during the time of his disabling, as aforesaid, continues, may become a charge upon the said fund. But the board of police may discontinue said allowance for any satisfactory reason.

SEC. 27. And be it further enacted, That the board of police shall require and make suitable provisions respecting security to be entered into
security to be given by the superintendent, &c., and as to an oath of office.

Appropriation.

- 1861, ch. 44. Ante, p. 144.

- Repealing clause.

by the superintendent of police and by the sergeants of police, and for the taking by members of the police force of an oath of office, and the registry of the same, which oath of office may be taken before any commissioner of police, who is hereby empowered to administer the same.

SEC. 28. And be it further enacted, That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying this act into effect, including the payment of salaries and all other necessary charges and expenses of the “Metropolitan Police,” for the year ending June thirty, eighteen hundred and sixty-two, in addition to the balance of the appropriation made by the act approved February twenty, eighteen hundred and sixty [one], “for the compensation of the auxiliary guard, and one lieutenant, and for fuel, oil, and lamps, and for twenty policemen,” which balance is hereby directed to be applied to the purposes of this act, the sum of sixty thousand dollars.

SEC. 29. And be it further enacted, That all statutes, parts of statutes, and provisions of law inconsistent with the provisions of this act, are hereby repealed.

Approved, August 6, 1861.

- CHAP. LXII.—An Act to increase the Pay of the Privates in the Regular Army and in the Volunteers in the Service of the United States, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the pay of the privates in the regular army and volunteers in the service of the United States be thirteen dollars per month for three years from and after the passage of this act and until otherwise fixed by law.

SEC. 2. And be it further enacted, That the provisions of the act entitled “An Act for the Relief of the Ohio and other Volunteers,” approved July twenty-fourth, eighteen hundred and sixty one, be and the same are hereby extended to all volunteers mustered into the service of the United States, whether for one, two, or three years, or for and during the war.

SEC. 3. And be it further enacted, That all the acts, proclamations, and orders of the President of the United States after the fourth of March, eighteen hundred and sixty-one, respecting the army and navy of the United States, and calling out or relating to the militia or volunteers from the States, are hereby approved and in all respects legalized and made valid, to the same intent and with the same effect as if they had been issued and done under the previous express authority and direction of the Congress of the United States.

Approved, August 6, 1861.

- CHAP. LXIV.—An Act requiring an Oath of Allegiance, and to Support the Constitution of the United States, to be administered to certain Persons in the civil Service of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the heads of the several departments to cause to be administered to each and every officer, clerk, or employé, now in their respective departments, or in any way connected therewith, or who shall hereafter in any way become connected therewith, the following oath, viz.: “I do solemnly swear (or affirm, as the case may be) that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State Convention or Legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that
I will well and faithfully perform all the duties which may be required of me by law. So help me God." And that each and every such civil officer and employé, in the departments aforesaid, or in any way connected therewith, in the service or employment of the United States, who shall refuse to take the oath or affirmation herein provided, shall be immediately dismissed and discharged from such service or employment.

SEC. 2. And be it further enacted, That the oath or affirmation, herein provided for in the first section of this act, may be taken before any justice of the peace, or notary public, or other person who is legally authorized to administer an oath in the State or District where the same may be administered. And that any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of willful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof: And provided further, That such offender shall be forthwith discharged from such service or employment.

APPROVED, August 6, 1861.

CHAP. LXVI. — An Act to provide for the Repairs of the Long Bridge across the Potomac River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby, appropriated for the repair of the present Long Bridge across the Potomac River.

APPROVED, August 6, 1861.

CHAP. LXVII. — An Act authorizing the Secretary of War to pay the Volunteers, who, under the Command of Charles W. White, and by Order of Brigadier-General T. A. Morris, enlisted to protect the Railroad Bridges and other Property, in the Vicinity of Oakland, Allegany County, Maryland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the commissioned officers, non-commissioned officers, musicians, and privates who served as a Home Guard for the protection of the railroad bridge and other property, near Oakland, Allegany County, Maryland, under command of Captain Charles W. White, and were called into service by order of Brigadier-General T. A. Morris, and to make to them just and reasonable compensation for the failure of the officer of the Government of the United States to furnish to them rations, clothing, and other supplies during their service: Provided, the amount to be paid shall not exceed the amount to which, for similar service, and like rations, clothing, and supplies, volunteers, regularly mustered into service under the President's proclamation of May third, one thousand eight hundred and sixty-one, would be equitable entitled.

APPROVED, August 6, 1861.
THIRTY-SEVENTH CONGRESS. Sess. I. Res. 1, 2, 3, 5. 1861.

RESOLUTIONS.

July 24, 1861. [No. 1.] Joint Resolution authorizing the Appointment of Examiners to examine a Steam Floating Battery at Hoboken, New Jersey.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized to appoint a board of examiners to examine the iron steam battery now building at Hoboken, New Jersey, and ascertain what will be the cost of completing the same, how soon it can be completed, and the expediency thereof, and report thereon for the next meeting of Congress.

APPROVED, July 24, 1861.

July 27, 1861. [No. 2.] A Resolution relative to the Exhibition of the Industry of all Nations to be held in London in the year eighteen hundred and sixty-two.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, authorized to take such measures as shall to him seem best to facilitate a proper representation of the industrial interests of the United States at the exhibition of the industry of all nations to be held at London in the year eighteen hundred and sixty-two; and that the sum of two thousand dollars is hereby appropriated for the incidental expenses thereof.

APPROVED, July 27, 1861.

August 5, 1861. [No. 3.] A Resolution requesting the President of the United States to recommend a Day of Public Humiliation, Fasting, and Prayer.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint committee of both Houses wait on the President of the United States and request that he recommend a day of public humiliation, prayer, and fasting, to be observed by the people of the United States with religious solemnity, and the offering of fervent supplications to Almighty God for the safety and welfare of these States, His blessings on their arms, and a speedy restoration of peace.

APPROVED, August 5, 1861.

August 6, 1861. [No. 5.] A Resolution authorizing an Examination of James' Projectiles for rifled Cannon.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to allow Charles T. James, of Providence, Rhode Island, to rifle one of the large ordinary navy guns made for throwing round shot, and to have it tested sufficiently to settle the question of its capacity to use rifled projectiles without danger; and also to direct such experiments as may be sufficient to ascertain the relative and comparative value of said projectile and cannon thus rifled.

APPROVED, August 6, 1861.
PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS
OF THE
UNITED STATES,

Passed at the second session which was begun and held at the City of Washing-
ton, in the District of Columbia, on Monday, the second day of December, A. D. 1861, and ended on Thursday, the seventeenth day of July, A. D. 1862.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, pro tempore, on the thirty-first day of March, and so acted until the twenty-first day of May inclusive; he was again elected on the twentieth day of June, and continued so to act until the end of the session. GALUSH A. GROW, Speaker of the House of Representatives.

CHAP. I. — An Act to further promote the Efficiency of the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the name of any naval officer now in the service, or who may hereafter be in the service of the United States, shall have been borne on the Naval Register forty-five years, or shall be of the age of sixty-two years, he shall be retired from active service, and his name entered on the retired list of officers of the grade to which he belonged at the time of such retirement.

SEC. 2. And be it further enacted, That the President of the United States be, and he is hereby, authorized to assign any officer who may be retired under the preceding section of this act to shore duty, and such officer thus assigned shall receive the full shore pay of his grade while so employed.

SEC. 3. And be it further enacted, That the President of the United States, by, and with the advice and consent of the Senate, shall have the authority to detail from the retired list of the navy for the command of squadrons and single ships such officers as he may believe that the good of the service requires to be thus placed in command; and such officers may, if upon the recommendation of the President of the United States they shall receive a vote of thanks of Congress for their services and gallantry in action against an enemy, be restored to the active list and not otherwise.

SEC. 4. And be it further enacted, That the President of the United States shall have the authority to select any officer from the grades of captain or commander in the navy and assign him to the command of a squadron with the rank and title of a “flag officer;” and any officer thus assigned shall have the same authority and receive the same obedi
cence from the commanders of ships in his squadron holding commissions of an older date than his that he would be entitled to receive were his commission the oldest; and to receive, when so employed, the pay to which he would have been entitled if he were on the active list of the navy.

SEC. 5. And be it further enacted, That all officers retired under the provisions of this act shall receive the retired pay of their respective grades as fixed by law.

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Sec. 6. And be it further enacted, That promotions shall be made in place of the officers retired under the provisions of this bill as is now provided by law.

Appropriation.

Sec. 7. And be it further enacted, That the Secretary of the Navy be, and is hereby, authorized to cause two hundred "medals of honor" to be prepared, with suitable emblematic devices, which shall be bestowed upon such petty officers, seamen, landsmen, and marines as shall most distinguish themselves by their gallantry in action and other seamanlike qualities during the present war, and that the sum of one thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury, for the purpose of carrying this section into effect.

Sec. 8. And be it further enacted, That the hours of labor in the navy yards of the United States shall be the same as in the private ship yards at or nearest to the post where such navy yard is established, and the wages to be paid to all employes in such yards shall be, as near as may be, the average price paid to employes of the same grade in private ship yards or workshops in or nearest to the same vicinity, to be determined by the commandant of the navy yard.

Approved, December 21, 1861.

Dec. 24, 1861.

CHAP. II. — An Act to increase the Duties on Tea, Coffee, and Sugar.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this act, in lieu of the duties heretofore imposed by law on articles hereinafter mentioned, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say: First. On all teas, twenty cents per pound. Second. On coffee of all kinds, five cents per pound. Third. On raw sugar, commonly called Muscovado or brown sugar, and on sugars not advanced above number twelve, Dutch standard, by claying, boiling, clarifying, or other process, and on sirup of sugar or of sugar cane, and concentrated molasses or concentrated molado, two cents and a half per pound, and on white and clayed sugar, when advanced beyond the raw state, above number twelve, Dutch standard, by clarifying or other process, and not yet refined, three cents per pound; on refined sugars, whether loaf, lump, crushed, or pulverized, five cents per pound; on sugars after being refined, when they are tinctured, colored, or in any way adulterated, and on sugar candy, eight cents per pound; on molasses, six cents per gallon: Provided, That all sirups of sugar or of sugar cane, concentrated molasses or concentrated molado, entered under the name of molasses, or any other name than sirup of sugar or of sugar cane, concentrated molasses or concentrated molado, shall be liable to forfeiture to the United States, and the same shall be forfeited.

Approved, December 24, 1861.

Dec. 24, 1861.

CHAP. III. — An Act relative to Courts-Martial in the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in time of war the commander of a division or separate brigade may appoint general courts-martial, and confirm, execute, pardon, and mitigate their sentences, as allowed and restrained in the sixty-fifth and eighty-ninth articles of war to commanders of armies and departments: Provided, That sentences of such courts extending to loss of life or dismissal of a commissioned officer shall require the confirmation of the general commanding the army in the field to which the division or brigade belongs: And provided further
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That when the division or brigade commander shall be the accuser or prosecutor, the court shall be appointed by the next higher commander.

APPROVED, December 24, 1861.

Prosecutor not to appoint court.

Dec. 24, 1861.

CHAP. IV.—An Act to provide for Allotment Certificates among the Volunteer Forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall appoint, for each State having volunteers in the United States service, not exceeding three persons, who shall be authorized by the President’s commission to visit the several departments of the army in which volunteers from their respective States may be, and there procure from said volunteers from time to time their respective allotments of their pay to their families or friends, duly certified in writing, and by them, or by some commissioned officer of such department, attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the several paymasters shall, at each regular payment to troops, give drafts payable in the city of New York, to the order of such persons to whom said allotments were or may be made.

SEC. 2. And be it further enacted, That the persons appointed as commissioners to carry into effect the preceding section of this act shall receive no pay or emoluments whatever from the Treasury of the United States.

SEC. 3. And be it further enacted, That the fifth section of the act of twelfth June, eighteen hundred and fifty-eight, giving sutlers a lien upon the soldier’s pay, be and the same is hereby repealed; and all regulations giving sutlers rights and privileges beyond the rules and articles of war be, and the same are hereby, abrogated.

APPROVED, December 24, 1861.

CHAP. V.—An Act making an Appropriation for Gunboats on the Western Rivers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one million of dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for gunboats on the Western rivers.

APPROVED, December 24, 1861.

CHAP. VI.—An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June eighteen hundred and sixty-three:

For invalid pensions under various acts, six hundred and forty thousand dollars.

For pensions under acts of eighteenth March, eighteen hundred and eighteen, fifteenth May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, twenty-five thousand dollars.

For pensions to widows of those who served in the Revolutionary war, under the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventeenth June, eighteen hundred and forty-four, second February and twenty-ninth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, two hundred thousand dollars.

1818, ch. 19.
1829, ch. 53.
1832, ch. 126.
Pensions to widows.
1833, ch. 302.
1838, ch. 189.
1845, ch. 102.
1844, ch. 144.
1845, ch. 8 & 129.
1855, ch. 41.

Invalid pensions.

1818, ch. 19.
1829, ch. 53.
1832, ch. 126.
Pensions to widows.
1833, ch. 302.
1838, ch. 189.
1845, ch. 102.
1844, ch. 144.
1845, ch. 8 & 129.
1855, ch. 41.

Appropriation.
Widows and orphans.
1848, ch. 108. 1866, ch. 85.

Navy Invalid pensions.
Navy pensions. 1848, ch. 155.

Privateers.
Pensions not to be paid to those in rebellion, &c.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, and act third June, eighteen hundred and fifty-eight, three hundred and forty thousand dollars.

For navy invalid pensions, forty-five thousand dollars.

For navy pensions to widows and orphans, under act of eleventh August, eighteen hundred and forty-eight, two hundred thousand dollars.

For privateer invalid pensions, six hundred dollars: Provided, That no pension shall be paid under this act to any person who has been engaged in the present rebellion against the Government of the United States, or who has in any way given aid and comfort to those engaged in the rebellion.

APPROVED, January 8, 1862.

January 21, 1862.

CHAP. VIII. — An Act to promote the Efficiency of the Dead Letter Office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized to return all dead letters, except those containing circulars and other worthless matter, to their writers, whenever their names can be ascertained. All valuable letters to be charged twice, and all others double, the ordinary rate of postage, to be collected from the writers.

SEC. 2. And be it further enacted, That, to enable this to be done, the Postmaster-General is authorized to employ not exceeding twenty-five additional clerks, at salaries not exceeding an average of eight hundred dollars per year, and no one to receive over twelve hundred dollars per year: Provided, He is satisfied that the receipts for dead letter postage will amount to a sum sufficient to pay the aggregate compensation of the said clerks. And he shall report to the next session of Congress the additional income from this source, with its cost and statistical results.

APPROVED, January 21, 1862.

January 21, 1862.

CHAP. IX. — An Act in Relation to the Letters of Sailors and Marines in the Service of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of July twenty-second, eighteen hundred and sixty-one, authorizing soldiers to send letters through the mails of the United States without prepayment of postage, is hereby extended to the sailors and marines in the actual service of the United States, under such regulations as the Post Office Department shall provide, the postage thereon to be paid by the recipients.

APPROVED, January 21, 1862.

January 22, 1862.

CHAP. X. — An Act to authorize the President to appoint two additional Assistant Secretaries of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, two additional Assistant Secretaries of War, whose salary shall each be three thousand dollars per annum, who shall perform all such duties in the office of the Secretary of War belonging to that department as shall be prescribed by the Secretary of War, or as may be required by law. The offices of these additional Secretaries to continue for one year.

APPROVED, January 22, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 11, 12, 13. 1862.

CHAP. XI. — An Act amending the Provisions of the second Section of the Act of January twenty-fourth, eighteen hundred and fifty-seven, enforcing the Attendance of Witnesses before Committees of either House of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the second section of the act entitled “An act more effectually to enforce the attendance of witnesses on the summons of either House of Congress, and to compel them to discover testimony,” approved January twenty-fourth, eighteen hundred and fifty-seven, be amended, altered, and repealed, so as to read as follows: That the testimony of a witness examined and testifying before either House of Congress, or any committee of either House of Congress, shall not be used as evidence in any criminal proceeding against such witness in any court of justice: Provided, however, That no official paper or record, produced by such witness on such examination, shall be held or taken to be included within the privilege of said evidence so to protect such witness from any criminal proceeding as aforesaid; and no witness shall hereafter be allowed to refuse to testify to any fact, or to produce any paper touching which he shall be examined by either House of Congress, or any committee of either House, for the reason that his testimony touching such fact, or the production of such paper, may tend to disgrace him or otherwise render him infamous: Provided, That nothing in this act shall be construed to exempt any witness from prosecution and punishment for perjury committed by him in testifying as aforesaid.

Approved, January 24, 1862.

CHAP. XII. — An Act authorizing an Increase of the Clerical Force in the War and Navy Departments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the clerical and other force now authorized by law in the War Department and its bureaus, the Secretary of War is hereby authorized to appoint as follows: In the office of the Secretary of War, four clerks of class one; in the office of the Adjutant General, eighteen clerks of class one, and two messengers; in the office of the Quartermaster General, ten clerks of class one, and one messenger; in the office of the Surgeon General, two clerks of class one, and one laborer; in the office of the Paymaster General, eight clerks of class one, and one messenger; in the office of the Chief of Engineers, one clerk of class one; in the office of the Chief of Ordnance, three clerks of class one; in the office of the Commissary General, three clerks of class one, and one laborer. And the Adjutant General is authorized to employ in his office any number, not exceeding ten, of non-commissioned officers, to be selected by him from the army, in addition to his present clerical force.

Sec. 2. And be it further enacted, That the Secretary of the Navy be authorized to employ four additional clerks of class one for that Department.

Approved, January 27, 1862.

CHAP. XIII. — An Act to provide for the Protection of Overland Emigrants to California, Oregon, and Washington Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the protection of emigrants on the overland routes between the Atlantic States and California, Oregon, and Washington Territory, the sum of twenty-five thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, if, in his judgment, the same may be necessary.

Approved, January 27, 1862.
January 31, 1862.  

**CHAP. XIV.** — An Act to pay the Expenses of the special Committee of the House of Representatives, appointed July eighth, eighteen hundred and sixty-one, to ascertain and report in regard to Contracts with any Department of the Government for Provisions, Supplies, Transportation, &c.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That there be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be necessary, to pay the expenses of the special committee of the House of Representatives appointed on the eighth day of July, eighteen hundred and sixty-one, to ascertain and report in regard to contracts made with any Department of the Government for provisions, supplies, transportation, &c.; and said sum shall be drawn from the Treasury upon the order of the Sergeant-at-Arms of the House of Representatives, as the same shall be required from time to time by the committee having such investigation in charge.

**APPROVED, January 31, 1862.**

January 31, 1862.  

**CHAP. XV.** — An Act to authorize the President of the United States in certain Cases to take Possession of Railroad and Telegraph Lines, and for other Purposes.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That the President of the United States, when in his judgment the public safety may require it, be, and he is hereby authorized to take possession of any or all the telegraph lines in the United States, their offices and appurtenances; to take possession of any or all the railroad lines in the United States, their rolling-stock, their offices, shops, buildings, and all their appendages and appurtenances; to prescribe rules and regulations for the holding, using, and maintaining of the aforesaid telegraph and railroad lines, and to extend, repair, and complete the same, in the manner most conducive to the safety and interest of the Government; to place under military control all the officers, agents, and employees belonging to the telegraph and railroad lines thus taken possession of by the President, so that they shall be considered as a post road and a part of the military establishment of the United States, subject to all the restrictions imposed by the rules and articles of war.

**Sec. 2. And be it further enacted,** That any attempt by any party or parties whomsoever, in any State or District in which the laws of the United States are opposed, or the execution thereof obstructed by insurgents and rebels against the United States, too powerful to be suppressed by the ordinary course of judicial proceedings, to resist or interfere with the unrestrained use by Government of the property described in the preceding section, or any attempt to injure or destroy the property aforesaid, shall be punished as a military offence, by death, or such other penalty as a court-martial may impose.

**Sec. 3. And be it further enacted,** That three commissioners shall be appointed by the President of the United States, by and with the advice and consent of the Senate, to assess and determine the damages suffered, or the compensation to which any railroad or telegraph company may be entitled by reason of the railroad or telegraph line being seized and used under the authority conferred by this act, and their award shall be submitted to Congress for their action.

**Sec. 4. And be it further enacted,** That the transportation of troops, munitions of war, equipments, military property and stores, throughout the United States, shall be under the immediate control and supervision of the Secretary of War and such agents as he may appoint; and all rules, regulations, articles, usages, and laws in conflict with this provision are hereby annulled.

**Sec. 5. And be it further enacted,** That the compensation of each of the commissioners aforesaid shall be eight dollars per day while in actual service; and that the provisions of this act, so far as it relates to the
operating and using said railroads and telegraphs, shall not be in force any longer than is necessary for the suppression of this rebellion.

Approved, January 31, 1862.

Chap. XVII.—An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, namely:

For salaries of Envoys Extraordinary, Ministers, and Commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, and Japan, three hundred and one thousand dollars.

For salaries of Secretaries of Legation, forty-three thousand three hundred and fifty dollars.

For salaries of Assistant Secretaries of Legation at London and Paris, three thousand dollars.

For salary of the Interpreter to the Legation to China, five thousand dollars.

For salary of the Secretary of Legation to Turkey, acting as Interpreter, three thousand dollars.

For salary of the Interpreter to the Legation to Japan, two thousand five hundred dollars.

For compensation to an Interpreter to the Consulate at Kanagawa, fifteen hundred dollars.

For contingent expenses of all the missions abroad, fifty thousand dollars.

For contingent expenses of foreign intercourse, one hundred thousand dollars.

For expenses of intercourse with the Barbary Powers, three thousand dollars.

For expenses of the Consulates in the Turkish dominions, namely, interpreters, guards, and other expenses of the Consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

For the relief and protection of American seamen in foreign countries, Relief, &c. of Seamen.

two hundred thousand dollars.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, seven thousand five hundred dollars.

For the purchase of blank books, stationery, arms of the United States, blank books, &c., seals, presses, flags, postages, and for the payment of miscellaneous expenses of the Consuls of the United States, including the preservation of the archives of the Consulates, forty-five thousand dollars.

For office rent for those Consuls General, Consuls, and Commercial Agents, who are not allowed to trade, including loss by exchange thereon, twenty-seven thousand three hundred and seventy dollars.

For salaries of Consuls General at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; Consuls at Kanagawa and Nagasaki, in Japan, Liverpool, London, Melbourne, Hong Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax,
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Kingston (Jamaica), Leeds, Manchester, Nassau (New Providence), Southampton, Turk's Island, Prince Edward's Island, Havre, Paris, Marseille, Bordeaux, La Rochelle, Lyons, Moscow, Odessa, Revel, St. Petersburg, Matanzas, Trinidad de Cuba, Santiago de Cuba, San Juan (Porto Rico), Cadiz, Malaga, Ponce (Porto Rico), Trieste, Vienna, Aix-la-Chapelle, Canton, Shanghai, Pouchou, Amoy, Ningpo, Beijing, Smyrna, Jerusalem, Rotterdam, Amsterdam, Antwerp, Funchal, Oporto, Saint Thomas, Elsinore, Genoa, Basle, Geneve, Messina, Naples, Palermo, Leipzig, Munich, Leghorn, Stuttgart, Bremen, Hamburg, Tangiers, Tripoli, Tunis, Rio de Janeiro, Fernambuco, Vera Cruz, Acapulco, Callao, Valparaiso, Buenos Ayres, San Juan del Sur, Aspinwall, Panama, Lagoa, Honolulu, Lahaina, Capetown, Falkland Islands, Venice, Sestien, Candia, Cyprus, Batavia, Fayal, Santiago (Cape de Verdes), Saint Croix, Spezzia, Athens, Zanzibar, Bahia, Maranham Island, Porto Rico, Grande, Matamoros, Mexico (city), Tampico, Paso del Norte, Tabasco, Paita, Tumbez, Talcahuano, Carthagena, Sabanillo, Omoa, Guayaquil, Cobija, Montevideo, Tahiti, Bay of Islands, Apia, Lanthala, Bristol, Cardiff, Malta, St. John (Newfoundland), St. John (New Brunswick), Picton (Nova Scotia), La Union, Barbadoes, Bermuda, Antigua, Nantes, Napoleon Vendee, Nice, Lisbon, Gottenburg, Tuenantepec, Santos, St. Catherine, Balize, Gaspe Basin, Valencia, Port Mahon, Martinique, Taranto, Santander, Galatz, Bilbao, Scio, Paramaribo, Macao, Stockholm, Ancona, Otranto, Swatow, La Paz, Bergen, Trinidad, Barcelona, Quebec, Maricaba, Algiers, Port au Prince, San Domingo (city), Monterey, Cape Haytien, Aux Cayes, and New Castle-upon-Tyne; Commercial Agents at San Juan del Norte, St. Paul de Loanda (Angola), Gaboon, St. Marc, Curacoa, and Amoor River, three hundred and fifty-one thousand five hundred and fifty dollars. And the salary of the Consul at Bremen shall be three thousand dollars, to commence on the first day of January, eighteen hundred and sixty-two; and the Consul at Picton (Nova Scotia) shall receive a salary of fifteen hundred dollars, to commence on the first day of January, eighteen hundred and sixty-two; and the salary of the Consul at Swatow shall be thirty-five hundred dollars, to commence on the twenty-first day of September, eighteen hundred and sixty; and the Consul at Port Mahon shall receive a salary of fifteen hundred dollars: Provided, That all consular officers whose respective salaries exceed one thousand dollars per annum shall be subject to the provisions of the fifth section of the act to regulate the diplomatic and consular systems of the United States, approved August eighteen, eighteen hundred and fifty-six; and their respective Consulates shall be included in schedule B, of the list of salaried Consulates: And provided further, That no appointments of Consuls shall hereafter be made, nor the compensation of Consuls raised, under the act of August two, eighteen hundred and sixty-one, except to the places herein mentioned. And the Consul at New Castle-upon-Tyne, shall receive a salary of fifteen hundred dollars per annum, commencing on the first day of January, eighteen hundred and sixty-two.

For Interpreters to the Consulates in China, four thousand five hundred dollars.

For salaries of the marshals for the Consular Courts in Japan, China, Siam, and Turkey, seven thousand dollars.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

Sec. 2. And be it further enacted, That the following sums be and the same are hereby appropriated for the service of the year ending the thirtieth June, eighteen hundred and sixty-two, namely:

For compensation and increased salaries to sundry Consuls, under the act of second August, eighteen hundred and sixty-one, fifty-four thousand one hundred and eleven dollars and ninety-seven cents.
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To meet an extraordinary emergency which has arisen in bringing from Sidney, New South Wales, eight seamen, belonging to the ship "Junior," charged with the crimes of mutiny and murder, a guard of seven men, and also eleven of the crew as witnesses, fifteen thousand and seven dollars and ninety-two cents, or so much thereof as may be just and fair; said sum to be expended under the direction of the Secretary of State.

APPROVED, February 4, 1862.

CHAP. XVIII. — An Act authorizing the Secretary of the Interior to strike from the Pension Rolls the Names of such Persons as have taken up Arms against the Government, or who may have in any Manner encouraged the Rebels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to strike from the pension rolls the names of all such persons as have or may hereafter take up arms against the Government of the United States, or who have in any manner encouraged the rebels or manifested a sympathy with their cause.

APPROVED, February 4, 1862.

CHAP. XIX. — An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-three:

For pay of officers, instructors, cadets, and musicians, one hundred thousand dollars.

For commutation of subsistence, four thousand one hundred and sixty-one dollars.

For forage for officers' horses, one thousand four hundred and forty dollars.

For pay in lieu of clothing to officers' servants, sixty dollars.

For current and ordinary expenses, as follows: repairs and improvements, fuel and apparatus, forage, postage, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-five thousand dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, one thousand five hundred dollars.

For forage of artillery and cavalry horses, five thousand dollars.

For supplying horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, one thousand five hundred dollars.

For targets and batteries for artillery exercise, one hundred and fifty dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas pipes and retorts, three hundred dollars.

For warming apparatus for academic and other buildings, three thousand dollars.

For kitchen of cadets' mess hall, one thousand dollars.

For latrines at cadets' camp ground, one thousand dollars.

APPROVED, February 10, 1862.

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February 12, 1862.  

Chap. XX. — An Act to authorize an additional Issue of United States Notes. 

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, in addition to the fifty millions of notes payable on demand of denominations not less than five dollars, heretofore authorized by the acts of July seventeenth and August fifth, eighteen hundred and sixty-one, be, and he is hereby, authorized to issue like notes, and for like purposes, to the amount of ten millions of dollars, and said notes shall be deemed part of the loan of two hundred and fifty millions of dollars authorized by said acts. 

Approved, February 12, 1862.

February 12, 1862.  

Chap. XXI. — An Act authorizing the Detail of Naval Officers for the Service of the War Department. 

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to temporarily detail three competent naval officers for the service of the War Department in the inspection of transport vessels, and for such other services as may be designated by the Secretary of War.  

Approved, February 12, 1862.

February 13, 1862.  

Chap. XXII. — An Act making an Appropriation for the Purchase of Cotton and Tobacco Seed for General Distribution. 

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of three thousand dollars, for the purchase of cotton seed, and one thousand dollars for the purchase of tobacco seed, under the superintendence of the Secretary of the Interior, for general distribution: Provided, That the said cotton seed shall be purchased from places where cotton is grown as far north as practicable. 

Approved, February 13, 1862.

February 13, 1862.  


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and empowered to cause to be constructed, by contract or otherwise, as he shall deem best for the public interest, not exceeding twenty iron-clad steam gunboats for the use of the navy of the United States. 

Sec. 2. And be it further enacted, That the sum of ten million dollars be, and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the purpose of this act. 

Approved, February 13, 1862.

February 13, 1862.  

Chap. XXIV. — An Act to amend an Act entitled "An Act to regulate Trade and Intercourse with the Indian Tribes, and to preserve Peace on the Frontiers," approved June thirtieth, eighteen hundred and thirty-four. 

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the twentieth section of the "Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved June thirtieth, eighteen hundred and thirty-four, be, and the same is hereby, amended so as to read as follows, to wit: —
"Sec. 20. And be it further enacted, That if any person shall sell, exchange, give, barter, or dispose of any spirituous liquor or wine to any Indian under the charge of any Indian superintendent or Indian agent appointed by the United States, or shall introduce or attempt to introduce any spirituous liquor or wine into the Indian country, such person, on conviction thereof before the proper district court of the United States, shall be imprisoned for a period not exceeding two years, and shall be fined not more than three hundred dollars: Provided, however, That it shall be a sufficient defence to any charge of introducing or attempting to introduce liquor into the Indian country if it be proved to be done by order of the War Department, or of any officer duly authorized thereto by the War Department. And if any superintendent of Indian affairs, Indian agent or sub-agent, or commanding officer of a military post, has reason to suspect or is informed that any white person or Indian is about to introduce or has introduced any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, agent, sub-agent, or commanding officer, to cause the boats, stores, packages, wagons, sleds, and places of deposit of such person to be searched; and if any such liquor is found therein, the same, together with the boats, teams, wagons, and sleds used in conveying the same, and also the goods, packages, and peltries of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one half to the informer and the other half to the use of the United States; and if such person be a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except such as may be introduced therein by the War Department: And in all cases arising under this act Indians shall be competent witnesses."

Approved, February 13, 1862.

Chap. XXV. — An Act making an Appropriation for completing the Defences of Washington, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for completing the defences of Washington: Provided, That all arrearages of debts already incurred for the objects of this act shall be first paid out of this sum: And provided, further, That no part of the sum hereby appropriated shall be expended in any work hereafter to be commenced.

Sec. 2. And be it further enacted, That the fifth section of the act of twenty-eighth September, eighteen hundred and fifty, providing for the discharge from the service of minors enlisted without the consent of their parents or guardians, be, and the same hereby is repealed: Provided, That hereafter no person under the age of eighteen shall be mustered into the United States service, and the oath of enlistment taken by the recruit shall be conclusive as to his age.

Sec. 3. And be it further enacted, That no volunteers or militia from any State or Territory shall be mustered into the service of the United States on any terms or conditions confining their service to the limits of said State or Territory, or their vicinities, beyond the number of ten thousand in the State of Missouri, and four thousand five hundred in the State of Maryland, heretofore authorized by the President of the United States, or Secretary of War, to be raised in said States.

Sec. 4. And be it further enacted, That the second section of the act
of the tenth of April, eighteen hundred and six, shall be, and the same is hereby, so amended as to read as follows:

"SEC. 2. And be it further enacted, That, in time of war or rebellion against the supreme authority of the United States, all persons who shall be found lurking as spies, or acting as such, in or about the fortifications, encampments, posts, quarters, or headquarters of the armies of the United States, or any of them, within any part of the United States which has been or may be declared to be in a state of insurrection by proclamation of the President of the United States, shall suffer death by sentence of a general court-martial."

SEC. 5. And be it further enacted, That the fifty-fifth article of the first section of act of tenth April, eighteen hundred and six, chapter twenty, be, and the same is hereby so amended as to read as follows:

"Article Fifty-five. Whoever, belonging to the armies of the United States in foreign parts, or at any place within the United States, or their Territories, during rebellion against the supreme authority of the United States, shall force a safeguard, shall suffer death."

Approved, February 13, 1862.

February 13, 1862.

CHAP. XXVII—An Act to prohibit the "Coolie Trade" by American Citizens in American Vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen or citizens of the United States, or foreigner coming into or residing within the same, shall, for himself or for any other person whatsoever, either as master, factor, owner, or otherwise, build, equip, load, or otherwise prepare, any ship or vessel, or any steamship or steam-vessel, registered, enrolled, or licensed, in the United States, or any port within the same, for the purpose of procuring from China, or from any port or place therein, or from any other port or place the inhabitants or subjects of China, known as "coolies," to be transported to any foreign country, port, or place whatever, to be disposed of, or sold, or transferred, for any term of years or for any time whatever, as servants or apprentices, or to be held to service or labor. And if any ship or vessel, steamship, or steam-vessel, belonging in whole or in part to citizens of the United States, and registered, enrolled, or otherwise licensed as aforesaid, shall be employed for the said purposes, or in the "coolie trade," so called, or shall be caused to procure or carry from China or elsewhere, as aforesaid, any subjects of the Government of China for the purpose of transporting or disposing of them as aforesaid, every such ship or vessel, steamship, or steam-vessel, her tackle, apparel, furniture, and other appurtenances, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district courts of the United States for the district where the said ship or vessel, steamship, or steam-vessel, may be found, seized, or carried.

SEC. 2. And be it further enacted, That every person who shall so build, fit out, equip, load, or otherwise prepare, or who shall send to sea, or navigate, as owner, master, factor, agent, or otherwise, any ship or vessel, steamship, or steam-vessel, belonging in whole or in part to citizens of the United States, or registered, enrolled, or licensed within the same, or at any port thereof, knowing or intending that the same shall be employed in that trade or business aforesaid, contrary to the true intent and meaning of this act, or in anywise aiding or abetting therein, shall be severely liable to be indicted therefor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

SEC. 3. And be it further enacted, That if any citizen or citizens of the United States shall, contrary to the true intent and meaning of this
act, take on board of any vessel, or receive or transport any such persons as are above described in this act, for the purpose of disposing of them as aforesaid, he or they shall be liable to be indicted therefore, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

SEC. 4. And be it further enacted, That nothing in this act hereinafter contained shall be deemed or construed to apply to or affect any free and voluntary emigration of any Chinese subject, or to any vessel carrying such person as passenger on board the same: Provided, however, That a permit or certificate shall be prepared and signed by the consul or consular agent of the United States residing at the port from which such vessel may take her departure, containing the name of such person, and setting forth the fact of his voluntary emigration from such port or place, which certificate shall be given to the master of such vessel; but the same shall not be given until such consul or consular agent shall be first personally satisfied by evidence produced of the truth of the facts therein contained.

SEC. 5. And be it further enacted, That all the provisions of the act of Congress approved February twenty-second, eighteen hundred and forty-seven, entitled "An act to regulate the carriage of passengers in merchant vessels," and all the provisions of the act of Congress approved March third, eighteen hundred and forty-nine, entitled "An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels and the regulation thereof," shall be extended and shall apply to all vessels owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed within the United States, propelled by wind or by steam, and to all masters thereof, carrying passengers or intending to carry passengers from any foreign port or place without the United States to any other foreign port or place without the United States; and that all penalties and forfeitures provided for in said act shall apply to vessels and masters last aforesaid.

SEC. 6. And be it further enacted, That the President of the United States shall be, and he is hereby, authorized and empowered, in such way and at such time as he shall judge proper to the end that the provisions of this act may be enforced according to the true intent and meaning thereof, to direct and order the vessels of the United States, and the masters and commanders thereof, to examine all vessels navigated or owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed under the laws of the United States, wherever they may be, whenever, in the judgment of such master or commanding officer thereof, reasonable cause shall exist to believe that such vessel has on board, in violation of the provisions of this act, any subjects of China known as "coolies," for the purpose of transportation; and upon sufficient proof that such vessel is employed in violation of the provisions of this act, to cause such vessel to be carried, with her officers and crew, into any port or district within the United States, and delivered to the marshal of such district, to be held and disposed of according to the provisions of this act.

SEC. 7. And be it further enacted, That this act shall take effect from and after six months from the day of its passage.

APPROVED, February 19, 1862.

CHAP. XXVIII.—An Act making Appropriations for the Construction, Preservation, and Repair of certain Fortifications and other Works of Defence for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be,
and they are hereby appropriated, out of any money in the Treasury, not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-three:

For Fort Montgomery, at outlet of Lake Champlain, New York, one hundred thousand dollars.

For Fort Knox, at narrows of Penobscot River, Maine, one hundred thousand dollars.

For fort on Hog Island Ledge, Portland harbor, Maine, one hundred thousand dollars.

For continuation of works at Fort Scammel, Portland harbor, Maine, seventy-five thousand dollars.

For Fort Warren, Boston harbor, Massachusetts, seventy-five thousand dollars.

For Fort Winthrop, Boston harbor, Massachusetts, fifty thousand dollars.

For fort at New Bedford harbor, Massachusetts, one hundred thousand dollars.

For fort at Willet’s Point, opposite Fort Schuyler, New York, two hundred thousand dollars.

For fort on site of Fort Tompkins, Staten Island, New York, two hundred thousand dollars.

For fort at Sandy Hook, New Jersey, three hundred thousand dollars.

For Fort Delaware, Delaware River, sixty thousand dollars.

For Fort Carroll, Baltimore harbor, Maryland, two hundred thousand dollars.

For Fort Calhoun, Hampton Roads, Virginia, two hundred thousand dollars.

For Fort Taylor, Key West, Florida, two hundred thousand dollars.

For Fort Jefferson, Garden Key, Florida, two hundred thousand dollars.

For fort at Fort Point, San Francisco bay, California, two hundred thousand dollars.

For fort at Alcatraz Island, San Francisco bay, California, one hundred and fifty thousand dollars.

For contingencies of fortifications, including field works, five hundred thousand dollars.

For bridge trains and equipage for armies in the field, two hundred and fifty thousand dollars.

For tool and siege trains for armies in the field, two hundred and fifty thousand dollars.

Sec. 2. And be it further enacted, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the year ending thirtieth June, eighteen hundred and sixty-two:

For fortifications on the northern frontier, including fortifications at Ogdensburg, Oswego, at the mouth of Genesee River, Niagara, Buffalo, Detroit, Fort Gratiot, Mackinaw, and the Sault Sainte Marie, seven hundred and fifty thousand dollars.

For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars.

For Fort Knox, Penobscot River, Maine, fifty thousand dollars.

For fort on Hog Island Ledge, Portland harbor, Maine, fifty thousand dollars.

For Fort Winthrop and exterior batteries, Boston harbor, Massachusetts, fifty thousand dollars.

For fort at New Bedford harbor, Massachusetts, fifty thousand dollars.
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For Fort Adams, Newport harbor, Rhode Island, fifty thousand dollars.
For Fort Schuyler, East River, New York, twenty-five thousand dollars.
For fort at Willet's Point, opposite Fort Schuyler, New York, fifty thousand dollars.
For Fort Richmond, Staten Island, New York, twenty-five thousand dollars.
For fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.
For commencement of casemate at battery on Staten Island, New York, one hundred thousand dollars.
For new battery at Fort Hamilton, at the Narrows, New York, one hundred thousand dollars.
For Fort Mifflin, near Philadelphia, Pennsylvania, twenty-five thousand dollars.
For new fort opposite Fort Delaware, on Delaware shore, two hundred thousand dollars.
For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars.
For Fort Taylor, Key West, Florida, one hundred thousand dollars.
For Fort Jefferson, Garden Key, Florida, one hundred thousand dollars.
For additional fort at the Tortugas, Florida, two hundred thousand dollars.
For fort at Ship Island, coast of Mississippi, one hundred thousand dollars.
For contingencies of fortifications, one hundred thousand dollars.
For bridge trains and equipage, two hundred and fifty thousand dollars.
For defence in Oregon and Washington Territory, at or near the mouth of Columbia River, one hundred thousand dollars; if, in the judgment of the President, the same, or any part thereof, should be advisable.

SEC. 3. And be it further enacted, That the following sum be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal years ending June thirty, eighteen hundred and sixty-two, and June thirty, eighteen hundred and sixty-three:

For the erection of temporary works in Maine, and in the harbor at Portsmouth, New Hampshire, when, in the judgment of the President, the expenditure of the same, or any part thereof, shall be advisable, five hundred and fifty thousand dollars.
For the erection of temporary works in Narragansett Bay, when, in the judgment of the President, the expenditure of the same, or any part thereof, shall be advisable, two hundred thousand dollars.

APPROVED, February 20, 1862.

CHAP. XXIX.—An Act making an Appropriation to illuminate the Public Buildings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, payable out of any money in the Treasury not otherwise appropriated, to enable the Commissioner of Public Buildings to carry out the order of Congress for the illumination of the Public Buildings on the twenty-second of February, eighteen hundred and sixty-two.

APPROVED, February 20, 1862.
February 22, 1862. **CHAP. XXX.**— *An Act to authorize a Change of Appropriations for the Payment of necessary Expenditures in the Service of the United States for Indian Affairs.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby authorized to pay to Benjamin Davis, late Superintendent of Indian Affairs for the Territory of Utah, such sums as may be found due to him on the settlement of his accounts as superintendent, said payment not to exceed the sum of nine thousand seven hundred and thirty dollars and ten cents, and which shall be paid out of the unexpended balance of the appropriation made by the act entitled “An act to supply deficiencies in the appropriation for the service of the fiscal year ending thirtieth June, eighteen hundred and sixty,” approved May twenty-fourth, eighteen hundred and sixty, for the payment of the Indian agents in Utah.

APPROVED, February 22, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers temporarily serving as signal officers shall receive, for the time they are so serving, the pay and emoluments of cavalry officers of their respective grades.

§ 2. And be it further enacted, That the following sums be, and they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, viz:

For the manufacture or purchase of signal equipments and signal stores, to equip and supply the forces now in the field, twenty thousand dollars.

For contingent expenses of the signal department, one thousand dollars.

For the manufacture or purchase of signal equipments and signal stores, for countersign signals, to prevent the collision of friendly regiments, thirty-four thousand nine hundred and fifty dollars.

APPROVED, February 22, 1862.

February 23, 1862. **CHAP. XXXII.**— *An Act making additional Appropriations for the Support of the Army for the Year ending thirtieth June, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the year ending thirtieth June, eighteen hundred and sixty-two:

- **Pay.**
  - For pay of two and three years volunteers, fifty million dollars.
  - For payments to discharged soldiers for clothing not drawn, fifty thousand dollars.

- **Subsistence.**
  - For subsistence in kind for two and three years volunteers, twenty-six million six hundred and sixty-eight thousand nine hundred and two dollars.

- **Transportation.**
  - For transportation of the army and its supplies, fourteen million eight hundred and eighty-one thousand dollars.

- **Cavalry, &c., horses.**
  - For the purchase of cavalry and artillery horses, one million six hundred and sixty-one thousand and forty dollars.

- **Clothing, camp equipage, &c.**
  - For clothing, camp and garrison equipage, twelve million one hundred and seventy-three thousand five hundred and forty-six dollars and seventy-seven cents.

- **Quartermaster’s department.**
  - For regular supplies, incidental expenses, transportation, barracks and quarters, clothing, camp and garrison equipage, keeping, transporting, and
supplying prisoners, and other supplies and services of the Quartermaster’s department, to thirtieth June, eighteen hundred and sixty-two, and to be divided among the said several heads of appropriation herein named, as the exigencies of the service may require, seventy-six millions five hundred thousand dollars.

For the armament of fortifications, eight hundred and thirty-four thousand dollars.

For the current expenses of the ordnance service, two hundred thousand dollars.

For ordnance, ordnance stores and supplies, including horse equipments for all the mounted troops, one million nine hundred and twenty-four thousand dollars.

For purchase of arms for volunteers and regulars, and ordnance and ordnance stores, seven millions five hundred thousand dollars.

For the medical and hospital department, one million dollars.

For amount required to refund to the States expenses incurred on account of volunteers called into the field, fifteen million dollars.

Approved, February 25, 1862.

CHAP. XXXIII. — An Act to authorize the Issue of United States Notes, and for the Redemption or Funding thereof, and for Funding the Floating Debt of the United States.

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 is hereby authorized to issue, on the credit of the United States, one hundred and fifty millions of dollars of United States notes, not bearing interest, payable to bearer, at the Treasury of the United States, and of such denominations as he may deem expedient, not less than five dollars each: Provided, however, That fifty millions of said notes shall be in lieu of the demand Treasury notes authorized to be issued by the act of July seventeen, eighteen hundred and sixty-one; which said demand notes shall be taken up as rapidly as practicable, and the notes herein provided for substituted for them: And provided further, That the amount of the two kinds of notes together shall at no time exceed the sum of one hundred and fifty millions of dollars, and such notes herein authorized shall be receivable in payment of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports, and of all claims and demands against the United States of every kind whatsoever, except for interest upon bonds and notes, which shall be paid in coin, and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest as aforesaid. And any holders of said United States notes depositing any sum not less than fifty dollars, or some multiple of fifty dollars, with the Treasurer of the United States, or either of the Assistant Treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may be said holder desire, bearing interest at the rate of six per cent per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof. And such United States notes shall be received the same as coin, at their par value, in payment for any loans that may be hereafter sold or negotiated by the Secretary of the Treasury, and may be re-issued from time to time as the exigencies of the public interests shall require.

SEC. 2. And be it further enacted, That to enable the Secretary of the Treasury to fund the Treasury notes and floating debt of the United States, he is hereby authorized to issue, on the credit of the United States, coupon bonds, or registered bonds, to an amount not exceeding five millions.
hundred millions of dollars, redeemable at the pleasure of the United States after five years, and payable twenty years from date, and bearing interest at the rate of six per centum per annum, payable semi-annually. And the bonds herein authorized shall be of such denominations, not less than fifty dollars, as may be determined upon by the Secretary of the Treasury. And the Secretary of the Treasury may dispose of such bonds at any time, at the market value thereof, for the coin of the United States, or for any of the Treasury notes that have been or may hereafter be issued under any former act of Congress, or for United States notes that may be issued under the provisions of this act; and all stocks, bonds, and other securities of the United States held by individuals, corporations, or associations, within the United States, shall be exempt from taxation by or under State authority.

SEC. 3. And be it further enacted, That the United States notes and the coupon or registered bonds authorized by this act shall be in such form as the Secretary of the Treasury may direct, and shall bear the written or engraved signatures of the Treasurer of the United States and the Register of the Treasury, and also, as evidence of lawful issue, the imprint of a copy of the seal of the Treasury Department, which imprint shall be made under the direction of the Secretary, after the said notes or bonds shall be received from the engravers and before they are issued; or the said notes and bonds shall be signed by the Treasurer of the United States, or for the Treasurer by such persons as may be specially appointed by the Secretary of the Treasury for that purpose, and shall be countersigned by the Register of the Treasury, or for the Register by such persons as the Secretary of the Treasury may specially appoint for that purpose; and all the provisions of the act entitled "An act to authorize the issue of Treasury notes," approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as they can be applied to this act, and not inconsistent therewith, are hereby revived and reenacted; and the sum of three hundred thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry this act into effect.

SEC. 4. And be it further enacted, That the Secretary of the Treasury may receive from any person or persons, or any corporation, United States notes on deposit for not less than thirty days, in sums of not less than one hundred dollars, with any of the Assistant Treasurers or designated depositaries of the United States authorized by the Secretary of the Treasury to receive them, who shall issue therefor certificates of deposit, made in such form as the Secretary of the Treasury shall prescribe, and said certificates of deposit shall bear interest at the rate of five per centum per annum; and any amount of United States notes so deposited may be withdrawn from deposit at any time after ten days' notice on the return of said certificates: Provided, That the interest on all such deposits shall cease and determine at the pleasure of the Secretary of the Treasury: And provided further, That the aggregate of such deposit shall at no time exceed the amount of twenty-five millions of dollars.

SEC. 5. And be it further enacted, That all duties on imported goods shall be paid in coin, or in notes payable on demand heretofore authorized to be issued and by law receivable in payment of public dues, and the coin so paid shall be set apart as a special fund, and shall be applied as follows:

First. To the payment in coin of the interest on the bonds and notes of the United States.

Second. To the purchase or payment of one per centum of the entire debt of the United States, to be made within each fiscal year after the first day of July, eighteen hundred and sixty-two, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt as the Secretary of the Treasury shall from time to time direct.
Third. The residue thereof to be paid into the Treasury of the United States.

SEC. 6. And be it further enacted, That if any person or persons shall falsely make, forge, counterfeit, or alter, or cause or procure to be falsely made, forged, counterfeited, or altered, or shall willingly aid or assist in falsely making, forging, counterfeiting, or altering, any note, bond, coupon, or other security issued under the authority of this act, or heretofore issued under acts to authorize the issue of Treasury notes or bonds; or shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States from any foreign place with intent to pass, utter, publish, or sell, or shall have or keep in possession or conceal, with intent to utter, publish, or sell, any such false, forged, counterfeited, or altered note, bond, coupon, or other security, with intent to defraud any body corporate or politic, or any other person or persons whatsoever, every person so offending shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine not exceeding five thousand dollars, and by imprisonment and confinement to hard labor not exceeding fifteen years, according to the aggravation of the offence.

SEC. 7. And be it further enacted, That if any person, having the custody of any plate or plates from which any notes, bonds, coupons, or other securities mentioned in this act, or any part thereof, shall have been printed, or which shall have been prepared for the purpose of printing any such notes, bonds, coupons, or other securities, or any part thereof, shall use such plate or plates, or knowingly permit the same to be used for the purpose of printing any notes, bonds, coupons, or other securities, or any part thereof, except such as shall be printed for the use of the United States by order of the proper officer thereof; or if any person shall engrave, or cause or procure to be engraved, or shall aid in engraving, any plate or plates in the likeness or similitude of any plate or plates designed for the printing of any such notes, bonds, coupons, or other securities, or any part thereof, or shall vend or sell any such plate or plates, or shall bring into the United States from any foreign place any such plate or plates, with any other intent or for any purpose, in either case, than that such plate or plates shall be used for printing of such notes, bonds, coupons, or other securities, or some part or parts thereof, for the use of the United States, or shall have in his custody or possession any metallic plate engraved after the similitude of any plate from which any such notes, bonds, coupons, or other securities, or any part or parts thereof, shall have been printed, with intent to use such plate or plates, or cause or suffer the same to be used, in forging or counterfeiting any such notes, bonds, coupons, or other securities, or any part or parts thereof, issued as aforesaid, or shall have in his custody or possession any blank note or notes, bond or bonds, coupon or coupons, or other security or securities, engraved and printed after the similitude of any notes, bonds, coupons, or other securities, issued as aforesaid, with intent to sell or otherwise use the same; or if any person shall print, photograph, or in any other manner execute or cause to be printed, photographed, or in any manner executed, or shall aid in printing, photographing, or executing any engraving, photograph, or other print, or impression, in the likeness or similitude of any such notes, bonds, coupons, or other securities, or any part or parts thereof, except for the use of the United States and by order of the proper officer thereof, or shall vend or sell any such engraving, photograph, print, or other impression, except to the United States, or shall bring into the United States from any foreign place any such engraving, photograph, print, or other impression for the purpose of vending or selling the same, except by the direction of some proper officer of the United States, or shall have in his custody or possession any paper adapted to the making of such notes, bonds, coupons, or other securities, and similar to the paper upon which any such notes, bonds, coupons, or other securi-
ties shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes, bonds, coupons, or other securities, issued as aforesaid, every such person so offending shall be deemed guilty of a felony, and shall, on conviction thereof, be punished by fine not exceeding five thousand dollars, and by imprisonment and confinement to hard labor not exceeding fifteen years, according to the aggravation of the offence.

Approved, February 25, 1862.

March 1, 1862

CHAP. XXXIV. — An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending the thirtieth of June, eighteen hundred and sixty-four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-three, viz:

Survey of the Coast. For the survey of the Atlantic and Gulf coasts of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) one hundred and seventy-eight thousand dollars.

For continuing the survey of the western coast of the United States, (including compensation of civilians engaged in the work,) one hundred thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) eleven thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, (including compensation of civilians employed in the work,) five thousand dollars.

For repairs of steamers and surveying schooners used in the coast survey, five thousand dollars.

To supply deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars: Provided, That the Secretary of the Treasury is hereby authorized to rent either of the several marine hospitals to the proper authorities of the cities, towns, or counties in which said hospitals are located, and contract with such authorities for the relief of the sick and disabled seamen entitled to relief under the act of third of May, eighteen hundred and two, and in cases of infectious diseases to make such regulations for their relief as he deems expedient.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, five thousand dollars.

Lighthouse Establishment. — For the Atlantic, Gulf, and Lake coasts, viz:

For supplying the lighthouses and beacon-lights with oil, glass chimneys, wicks, and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and fifty-four thousand six hundred and ninety-eight dollars and eighty cents.

For repairs and incidental expenses, refitting and improving all the lighthouses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of lighthouses
and light-beacons and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-five light-vessels, one hundred and seventy thousand nine hundred and sixty-seven dollars and seventy cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the coasts of California, Oregon, and Washington. — For supplying nineteen lighthouses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, publishing notices to mariners of changes of aids to navigation, seventeen thousand two hundred and seventy dollars.

For repairs and incidental expenses of nineteen lighthouses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant keepers of lighthouses, at an average not exceeding eight hundred dollars per annum, twenty-five thousand eight hundred dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For maintenance of the vessel provided for by the act of eighteenth August, eighteen hundred and fifty-six, for transportation of supplies and materials, and for repairs of lighthouses, and buoys service, and for inspecting purposes, thirty thousand dollars.

For commutation of fuel and quarters for officers of the army serving on lighthouse duty, the payment of which is no longer provided for by the quartermaster's department, five thousand two hundred and thirty-nine dollars and seventy-nine cents.

For compensation of two inspectors of customs acting as superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

For contingent expenses of the life-saving stations on the coasts of Long Island and New Jersey, twenty thousand dollars.

For hire of carts on the public grounds, one thousand and ninety-five dollars.

For purchase and repair of tools used in the public grounds, two hundred dollars.

For purchase of trees and tree-boxes, to replace, where necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, six thousand dollars.

For annual repairs of the President's house and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, five thousand dollars.

For fuel, in part, of the President's house, two thousand four hundred dollars.
For lighting the Capitol and President's house, the public grounds around them, and around the Executive offices, and Pennsylvania avenue, Bridge and High streets in Georgetown, Four-and-a-half street, Seventh, and Twelfth streets across the mall, fifty thousand dollars.

For additional fixtures and lighting and repairing the building and footways of the custom house and post office in Georgetown, in the District of Columbia, two hundred and fifty dollars, or so much thereof as may be necessary.

For purchase of books for library at the Executive Mansion, to be expended under the direction of the President of the United States, two hundred and fifty dollars.

For repairs of the Potomac, Navy Yard, and Upper bridges, and the roads appurtenant thereto, six thousand dollars.

For repairs of Pennsylvania avenue, and watering the same, ten thousand dollars.

For public reservation number two and Lafayette square, two thousand dollars.

For taking care of the grounds south of the President's house, and keeping them in order, one thousand dollars.

For repairs of water-pipes, five hundred dollars.

For cleaning out the sewer traps on Pennsylvania avenue, and repairing the same, three hundred dollars.

For repairs of all the furnaces under the Capitol, five hundred dollars.

For repairing Delaware avenue, north of C. street north, one thousand dollars.

For paying one-half of the expenses of sewer traps at the intersection of Fourth street west with E street north, two hundred dollars.

*Government Hospital for the Insane.* — For the support, clothing, and medical treatment of the insane of the army and navy and of the revenue service, and of the District of Columbia, at the asylum in said District, forty thousand five hundred dollars.

For finishing, furnishing, heating, and lighting of additional accommodations in the east wing, five thousand dollars.

For improvements of the grounds about the hospital and farms, two thousand dollars.

*Patent Office.* — For collection of agricultural statistics, investigations for promoting agriculture and rural economy, and the procurement, propagation, and distribution of cuttings and seeds, of new and useful varieties, and for the introduction and protection of insectivorous birds, and for investigations to test the practicability of preparing flax and hemp as a substitute for cotton, sixty thousand dollars: *Provided, however,* That in the expenditure of this appropriation, and especially in the selection of cuttings and seeds for distribution, due regard shall be had to the purposes of general cultivation and the encouragement of the agricultural and rural interests of all parts of the United States.

For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand six hundred dollars.

*Exploring Expeditions.* — For preservation of the collections of the exploring and surveying expeditions of the Government, four thousand dollars.

*Botanic Garden.* — For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs for Botanic Garden, to be expended under the direction of the Library Committee of Congress, three thousand three hundred dollars.

For pay of horticulturist and assistants in the Botanic Garden and green-houses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.
Survey of the Public Lands.—For surveying the public lands, (exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, Utah, Dakota, Colorado, and Nevada,) including incidental expenses and island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several surveying districts according to the exigencies of the public service, including expenses of selecting swamp lands, in addition to the unexpended balances of all former appropriations for the same object, which will be absorbed by work under contract, ten thousand dollars.

For surveying the public lands and private land claims in California, to be disbursed at the rates prescribed by law for the different kinds of work, ten thousand dollars.

For surveying the public lands and private land claims in New Mexico, five thousand dollars.

For surveying the public lands in Kansas and Nebraska, also outlines of Indian reservations, ten thousand dollars.

For salary of the clerk detailed for the special service in the General Land Office to attend to the unfinished surveys in the States, where the offices of the surveyors general have been closed, two thousand dollars.

For surveying the public lands in Oregon, to be disbursed at the rates authorized by law, five thousand dollars.

For surveying the public lands in Washington Territory, at the rates authorized by law, five thousand dollars.

For surveying the public lands in Dakota Territory, five thousand dollars.

For surveying the public lands and private land claims confirmed in Colorado Territory, five thousand dollars.

For surveying the public lands and private land claims confirmed in Nevada Territory, five thousand dollars.

For the necessary expenses in carrying into effect the act of seventeenth July, eighteen hundred and sixty-one, and the act of fifth August, eighteen hundred and sixty-one, in addition to the appropriations made by those acts, one hundred and fifty thousand dollars.

For support, care, and medical treatment of forty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, six thousand dollars.

To supply a deficiency of appropriation for repairs of the Capitol made by W. S. Wood, late Commissioner of Public Buildings, nine hundred and thirty-four dollars and seventy-eight cents.

To enable the Commissioner of Public Buildings to pay for the purchase and repair of plate, and repair of gas-fittings for the President’s house, two thousand six hundred and thirteen dollars.

Sec. 2. And be it further enacted, That the following sums be and the same are hereby in like manner appropriated for the service of the year ending the thirtieth of June, eighteen hundred and sixty-two:

For the necessary expenses in carrying into effect the act of seven-teen of July, eighteen hundred and sixty-one, and the act of fifth of August, eighteen hundred and sixty-one, in addition to the appropriations made by those acts for those objects, one hundred thousand dollars.

For amount required for clerks and messenger in the office of the assistant treasurer at Boston, from first January to thirtieth June, eighteen hundred and sixty-two, one thousand five hundred dollars.

For amount required for clerks, messenger, and watchmen, in the office of the assistant treasurer at New York, from first January to thirtieth June, eighteen hundred and sixty-two, five thousand two hundred dollars.

For amount required for clerks and messenger in the office of the as-
sistant treasurer at St. Louis, from first January to the thirtieth June, eighteen hundred and sixty-two, eighteen hundred dollars.

To enable the Commissioner of Public Buildings to pay for painting in the interior of the Capitol, and for general repairs, three thousand two hundred dollars.

To enable the Commissioner of Public Buildings to have the old furnace under the Library of Congress removed, and a new one erected in its place, three hundred and twenty-five dollars.

For a deficiency on account of papering and painting the President’s house in the autumn of eighteen hundred and sixty-one, four thousand five hundred dollars.

To enable the Commissioner of Public Buildings to pay the bill of William H. Carryl and Brother for furniture for the President’s house, six thousand eight hundred and fifty-eight dollars and eighty cents.

To enable the Commissioner to pay a bill of P. & T. Berry for granite work and materials for the north front of the Patent Office building, seven thousand ninety-three dollars and thirteen cents.

To enable the Commissioner to pay five per cent. on eight thousand seven hundred and fifty-eight dollars and ten cents, retained on that sum due P. and T. Berry on granite work on the west wing of the Patent Office building in eighteen hundred and fifty, four hundred and thirty-seven dollars and ninety-four cents.

For support of patients in the Government hospital, five thousand dollars.

To pay J. B. Blake for work done by him when Commissioner of Public Buildings, twenty-two dollars and eighteen cents.

For expenses attending the removal to and occupation of building at corner of F and Fifteenth streets, for the Surgeon General’s and Paymaster General’s offices, for the six months ending thirtieth of June, eighteen hundred and sixty-two, seven thousand eight hundred dollars.

SEC. 3. And be it further enacted, That the following sum be, and the same is hereby appropriated for the service of the year ending thirtieth of June, eighteen hundred and sixty-three: For expenses of building corner of F and Fifteenth streets, occupied by the Surgeon General’s and Paymaster General’s offices, eight thousand eight hundred dollars.

SEC. 4. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized and empowered to lease the property of the United States in the city of Burlington, Iowa, upon which is the United States marine hospital, first giving thirty days’ notice thereof; or if he shall deem it more expedient for the Government to retain the title to said property, that he be authorized to use it for the sick and wounded soldiers of the United States, or to discharge all officers and servants of the Government connected therewith, and to close the hospital.

APPROVED, March 1, 1862.

March 1, 1862.

CHAP. XXXV.—An Act to authorize the Secretary of the Treasury to issue Certificates of Indebtedness to Public Creditors.

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, to cause to be issued to any public creditor who may be desirous to receive the same, upon requisition of the Head of the proper Department in satisfaction of audited and settled demands against the United States, certificates for the whole amount due or parts thereof not less than one thousand dollars, signed by the Treasurer of the United States, and countersigned as may be directed by the Secretary of the Treasury; which certificate shall be payable in one
year from date or earlier, at the option of the Government, and shall bear interest at the rate of six per centum per annum.

Approved, March 1, 1862.

CHAP. XXXVI. — An Act fixing the Number of the House of Representatives from and after the third March, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of March, eighteen hundred and sixty-three, the number of members of the House of Representatives of the Congress of the United States shall be two hundred and forty-one; and the eight additional members shall be assigned one each to Pennsylvania, Ohio, Kentucky, Illinois, Iowa, Minnesota, Vermont, and Rhode Island.

Approved, March 4, 1862.

CHAP. XXXVII. — An Act to provide for the Appointment of additional Clerks in the Office of the Assistant Treasurer at New York, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Assistant Treasurer of the United States at New York be, and he hereby is, authorized to appoint, from time to time, by and with the consent and approbation of the Secretary of the Treasury, such other clerks, messengers, and watchmen, in addition to those already employed by him, as the exigencies of the public business may require, at rates of compensation to be fixed by the Secretary of the Treasury: Provided, That such rates shall in no case exceed those now allowed by law for the several persons similarly employed in the office of the said Assistant Treasurer.

The compensation for such additional clerks, messengers, and watchmen, for the current and next fiscal year, shall be paid out of any moneys in the Treasury not otherwise appropriated. Estimates for compensation for such additional clerks, messengers, and watchmen, after the next fiscal year, shall be submitted by the Secretary of the Treasury with his annual estimates.

SEC. 2. And be it further enacted, That the said Assistant Treasurer of the United States at New York be, and he hereby is, further authorized to appoint, with the approbation of the Secretary of the Treasury, a competent person from among his clerks who shall be called the Deputy Assistant Treasurer of the United States. The said Deputy Assistant Treasurer, in addition to the duties performed by him and any others which he may be required to perform by the said Assistant Treasurer, is hereby authorized to witness the execution of any and all transfers of Government stock and powers of attorney, and sign all receipts for patent fees and bullion receipts, with like effect as if the same were witnessed and signed, respectively, by the said Assistant Treasurer in person. The said Deputy Assistant Treasurer shall receive an additional compensation of one thousand dollars per annum, to be paid out of any money in the Treasury not otherwise appropriated: Provided, That the total compensation received by him shall not exceed three thousand dollars per annum.

SEC. 3. And be it further enacted, That the sum of two thousand five hundred dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of blank checks for the use of the Sub-treasury.

Approved, March 6, 1862.

VOL. XII. PUB.—45
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Oath of allegiance to be taken by certain masters of American vessels.

1861, ch. 64. Ante, p. 526.

Who to administer.

Penalty for violation.

March 13, 1862.

Chap. XXXVIII. — An Act requiring an Oath of Allegiance and to support the Constitution of the United States to be administered to Masters of American Vessels clearing for foreign or other Ports during the present Rebellion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the several collectors of the customs at the ports of entry within the United States, during the continuance of the present rebellion, to cause to be administered to each and every master of any American ship or vessel, steamship or steam vessel, which shall be about to clear for any foreign port or place, or for any port or place within the United States, the oath of allegiance required by chapter sixty-four of the acts of the year eighteen hundred and sixty-one; which oath shall be duly taken by such masters before such vessels shall be permitted to clear as aforesaid.

Sec. 2. And be it further enacted, That the oath or affirmation aforesaid may be taken before the collector of customs at the port from which such vessel is about to clear, or before any justice of the peace or notary public or other person who is legally authorized to administer an oath in the State or district where the same may be administered. And that any violation of such oath shall subject the offender to all the pains and penalties of willful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.

Approved, March 6, 1862.

March 13, 1862.

Chap. XXXIX. — An Act to fulfil Treaty Stipulations with Hanover.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the President to fulfil the stipulations contained in the third and fourth articles of the treaty between the United States and Hanover, of the sixth of November, eighteen hundred and sixty-one, viz: To carry out the stipulation contained in the third article of said treaty, forty-three thousand four hundred and fifty-four dollars and sixteen cents. To carry out the stipulation contained in the fourth article of said treaty, ten hundred and forty-two dollars and ninety cents, or so much thereof as may be necessary to pay the interest provided for in said article.

Approved, March 13, 1862.

March 13, 1862.

Chap. XL. — An Act to make an additional Article of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such:

Article —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor, who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

Sec. 2. And be it further enacted, That this act shall take effect from and after its passage.

Approved, March 13, 1862.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two:

Legislative. For compensation and mileage of Senators, two hundred and forty thousand four hundred and thirty dollars: Provided, That the second mileage due by law shall be paid at the present session as soon as certified by the presiding officers of the Senate and House: And provided, further, That the foregoing proviso shall not be construed to include more than two mileages for the present Congress.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail-carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; seventeen messengers, at one thousand two hundred dollars each; superintendent in charge of Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee of Claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; Chaplain to the Senate, seven hundred and fifty dollars; making seventy-nine thousand and fourteen dollars.

For contingent expenses of the Senate, viz:

For stationery, twelve thousand dollars.
For newspapers, three thousand dollars.

To pay John C. Rives for printing five hundred copies of the Diplomatic Correspondence of the United States, from seventeen hundred and seventy-six to seventeen hundred and eighty-three, for the State Department, fifteen thousand dollars.

For printing the Congressional Globe and Appendix, which are hereafter to be bound under the supervision of the Superintendent of Public Printing, according to the provisions of section five of the "Joint Resolution in relation to the public printing," approved thirtieth of June, eighteen hundred and sixty, eighteen thousand dollars.
For reporting proceedings in the Daily Globe for the second regular session of the Thirty-seventh Congress, thirteen thousand dollars.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the second regular session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.

For clerks to committees, pages, horses, and carryalls, fifteen thousand five hundred dollars.

For Capitol police, ten thousand two hundred and twenty-four dollars.

For expenses of heating and ventilating apparatus, fourteen thousand dollars.

For miscellaneous items, twenty thousand dollars.

For compensation and mileage of members of the House of Representatives and delegates from Territories, six hundred and twenty thousand dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, one thousand seven hundred and fifty-two dollars; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee of Claims, one thousand eight hundred dollars; Capitol police, ten thousand six hundred and twenty dollars; Sergeant-at-Arms, two thousand one hundred and sixty dollars; clerk to the Sergeant-at-Arms, one thousand eight hundred dollars; messenger to the Sergeant-at-Arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-two dollars each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; eleven messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; Chaplain to the House of Representatives, seven hundred and fifty dollars; making ninety-three thousand six hundred and eighteen dollars.

For contingent expenses of the House of Representatives, viz:

For cartage, two thousand dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second regular session of the Thirty-seventh Congress, and one hundred copies of the same for the House Library, fourteen thousand dollars.

For the compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, fourteen thousand four hundred dollars.

For folding documents, including materials, thirty thousand dollars.

For fuel and lights, including pay of engineers, firemen, and laborers, repairs, and materials for engine room, twelve thousand dollars.

For furniture, repairs, and packing boxes for members, ten thousand dollars.

For stationery, twelve thousand dollars.

For horses, carriages, and saddle horses, seven thousand five hundred dollars.

For laborers, seven thousand dollars.
For miscellaneous items, thirty thousand dollars.
For newspapers, twelve thousand five hundred dollars.
For pages and temporary mail boys, four thousand eight hundred dollars.
For reporting proceedings in the Daily Globe for the second regular session of the Thirty-seventh Congress, at seven dollars and fifty cents per column, eight thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second regular session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.

Library of Congress. — For compensation of librarian, three assistant librarians, messenger, and laborers, ten thousand dollars.
For contingent expenses of said library, one thousand dollars.
For purchase of books for said library, five thousand dollars.
For purchase of law books for said library, two thousand dollars.

Public Printing. — For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and fourteen dollars.
For contingent expenses of his office, viz.: For blank-books, stationery, postage, advertising for proposals for paper, furniture, travelling expenses, cartage and labor in storing and transportation of paper, and miscellaneous items, two thousand seven hundred dollars.
For the public printing, one hundred and twenty-five thousand four hundred and eighty-four dollars and fifty-two cents.
For paper for the public printing, one hundred and eighty-three thousand four hundred and sixty-nine dollars.
For lithographing and engraving, viz.: Senate, forty thousand dollars; House of Representatives, fifty thousand dollars; making ninety thousand dollars.

For the public binding, two hundred and twenty-six thousand eight hundred and forty dollars and seventy-five cents.

Court of Claims. — For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars.

Executive. — For compensation of the President of the United States, twenty-five thousand dollars.
For compensation of the Vice-President of the United States, eight thousand dollars.
For compensation of secretary to sign patents for lands, one thousand five hundred dollars.
For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.
For contingent expenses of the Executive office, including stationery therefor, one thousand dollars.

Department of State. — For compensation of the Secretary of State and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars.

For the Incidental and Contingent Expenses of said Department. — For losses on drafts of consuls, marshals of the United States, consular courts, and interpreters, for the period ending June thirtieth, eighteen hundred and sixty-three, ten thousand dollars.
For rent of prison, wages of keepers of the same, and care of offenders at Amoy, from July first, eighteen hundred and sixty, to June thirtieth, eighteen hundred and sixty-one, in pursuance of the provisions of the 1860, ch. 179, § 25.

For publishing the laws in pamphlet form, and in newspapers of the laws.
States and Territories, and in the city of Washington, seventeen thousand one hundred and twenty-five dollars.

For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, five thousand dollars.

For stationery, blank books, binding, furniture, fixtures, and repairs, ten thousand dollars.

For miscellaneous items, two thousand five hundred dollars.

For copper-plate printing, books, and maps, two thousand dollars.

For extra clerk hire and copying, five thousand dollars.

**Northeast Executive Building.** — For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.

For contingent expenses of said building, viz: for fuel, light, repairs, and miscellaneous expenses, four thousand five hundred dollars.

**Treasury Department.** — For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand eight hundred dollars.

For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars.

For compensation of the Second Comptroller, and the clerks, messenger, and laborer in his office, twenty-eight thousand two hundred and forty dollars.

For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, forty-two thousand nine hundred and forty dollars.

For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-eight thousand one hundred and forty dollars.

For compensation of the Third Auditor, and the clerks, messenger, assistant messenger, and laborers in his office, ninety-three thousand four hundred and forty dollars.

For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, thirty-one thousand nine hundred and forty dollars.

For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand eight hundred and forty dollars.

For compensation of the Auditor of the Treasury for the Post-Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and eighty-two thousand seven hundred and forty dollars.

For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-eight thousand seven hundred and forty dollars.

For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand three hundred and forty dollars.

For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, eighteen thousand five hundred and forty dollars.

For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty thousand four hundred and forty dollars.

For compensation of the clerks, messenger, and laborer of the Light house Board, nine thousand two hundred and forty dollars.
Contingent Expenses of the Treasury Department.

In the office of the Secretary of the Treasury:

For copying, labor, blank books, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, twenty thousand dollars.

For compensation of additional clerks who may be employed by the Secretary, according to the exigencies of the public service, fifty thousand dollars.

In the office of the First Comptroller:

For furniture, blank books, binding, stationery, public documents, State and Territorial statutes, and miscellaneous items, one thousand eight hundred dollars.

In the office of the Second Comptroller:

For blank books, binding, stationery, and miscellaneous items, including subscription to the National Intelligencer, to be bound and preserved for the use of the office, one thousand two hundred dollars.

In the office of the First Auditor:

For blank books, binding, stationery, and miscellaneous items, subscription to the National Intelligencer, including one thousand five hundred dollars for furnishing rooms in the Treasury building for the office, and expenses of removing the office from its present location, three thousand dollars.

In the office of the Second Auditor:

For blank books, binding, stationery, office furniture, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved, for the use of the office, and for additional office furniture for the contemplated increase of the clerical force of the office, two thousand dollars.

In the office of the Third Auditor:

For blank books, binding, stationery, office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items, two thousand two hundred dollars.

In the office of the Fourth Auditor:

For contingent expenses of the office, one thousand five hundred dollars.

In the office of the Fifth Auditor:

For blank books, binding, office furniture, and miscellaneous expenses, in which are included two daily newspapers, one thousand dollars.

In the office of the Auditor of the Treasury for the Post Office Department:

For blank books, binding and ruling, furniture, carpeting, stationery, horse and carriage for the use of the office, labor, lights, and miscellaneous items, ten thousand one hundred and fifty dollars.

In the office of the Treasurer:

For contingent expenses of the office, one thousand five hundred dollars.

In the office of the Register:

For ruling and full-binding books for recording collectors' quarterly abstracts of commerce and navigation, and blank abstracts for their use, blank books, binding, and stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, six thousand dollars.

Office of the Solicitor of the Treasury:

For blank books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, two thousand two hundred dollars.

Office of the Commissioner of Customs:

For blank books, stationery, and miscellaneous items, two thousand dollars.
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Light-house Board:

For stationery, miscellaneous expenses, and postage, six hundred dollars. 

For the General Purposes of the Southeast Executive Building, including the Extension. — For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, fuel, light, labor, and miscellaneous items, twenty thousand dollars.

Department of the Interior.— For compensation of the Secretary of the Interior, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-one thousand seven hundred dollars.

For compensation of the Commissioner of the General Land Office, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

For additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars: Provided, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

For compensation of the Commissioner of Pensions, and the clerks, messenger, assistant messengers, watchman, and laborers in his office, one hundred and ten thousand five hundred and forty dollars.

Contingent Expenses — Department of the Interior.

Office of the Secretary of the Interior:

For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, seven thousand dollars.

For casual repairs of the Patent-Office building, fifteen hundred dollars.

For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars: Provided, That the said journals and documents shall be sent to such libraries and public institutions only as shall signify a willingness to pay the cost of the transportation of the same.

Office of Indian Affairs:

For blank books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.

General Land Office:

For cash system and military patents, under laws prior to thirtieth September, eighteen hundred and fifty; patent and other records; tract books and blank books for this and the district land-offices; binding plats and field-notes; stationery, furniture, and repairs of same, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office; also, for contingent expenses, in addition, under swamp land act of twenty-eighth September, eighteen hundred and fifty, military bounty land acts of twenty-eighth September, eighteen hundred and fifty, and twenty-second March, eighteen hundred and fifty-two, and act thirty-first August, eighteen hundred and fifty-two, for the satisfaction of Virginia land-warrants, and for contingent expenses under act of third March, eighteen hundred and fifty-five,
granting bounty lands, patent, and other records, stationery, and miscellaneous items, on account of bounty land under said act, thirty thousand dollars.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keeper, two thousand dollars.

Pension Office:

For stationery, binding books, furniture, and repairing the same; miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office; and for engraving and retouching plates for bounty land warrants, printing and binding the same, ten thousand dollars.

For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

For stationery, blank books, plans, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, five hundred dollars.

Surveyors General and their Clerks.—For compensation of the surveyor general of Wisconsin and Iowa, and the clerks in his office, eight thousand three hundred dollars.

For compensation of the surveyor general of Oregon, and the clerks in his office, seven thousand five hundred dollars.

For compensation of the surveyor general of California, and the clerks in his office, fifteen thousand five hundred dollars.

For compensation of the surveyor general of Washington Territory, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor general of New Mexico, and the clerks in his office, seven thousand dollars.

For compensation of translator in the office of the surveyor general of New Mexico, one thousand eight hundred and twenty-six dollars and nine cents.

For compensation of the surveyor general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.

For compensation of the surveyor general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

For compensation of the surveyor general of the Territory of Colorado, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor general of the Territory of Dakota, and the clerks in his office, eight thousand three hundred dollars.

For rent of surveyor general’s office in Oregon, fuel, books, stationery, and other incidental expenses, one thousand four hundred dollars.

For rent of surveyor general’s office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, four thousand dollars.

For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of the surveyor general’s office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand nine hundred and fourteen dollars and thirty-six cents.

For office rent of the surveyor general of Kansas and Nebraska, fuel, books, and incidental expenses, two thousand dollars.

For rent of the surveyor general’s office in the Territory of Colorado, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of the surveyor general’s office in the Territory of Dakota, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For salary of the recorder of land titles in Missouri, five hundred dollars.

War Department.—For compensation of the Secretary of War, and War department the clerks, messenger, assistant messenger, and laborer in his office, twenty-five thousand dollars.
For compensation of the temporary clerks and messengers in the office of the Secretary of War, ten thousand six hundred and eighty dollars.

For compensation of additional clerks, messengers, and laborers in the offices of the Secretary of War, Adjutant General, Surgeon General, Quartermaster General, Paymaster General, Chief Engineer, Chief of Ordnance, and Commissary General, appointed under authority of act of January twenty-seventh, eighteen hundred and sixty-two, sixty-three thousand three hundred and sixty dollars.

For compensation of the clerks and messenger in the office of the Adjutant General, thirteen thousand six hundred and forty dollars.

For compensation of the clerks and messenger in the office of the Quartermaster General, sixteen thousand four hundred and forty dollars.

For compensation of the temporary clerks and messengers in the Quartermaster General's office, fifteen thousand four hundred and eighty dollars.

For compensation of the clerks and messenger in the office of the Paymaster General, twelve thousand four hundred and forty dollars.

For compensation of the temporary clerks in the office of the Paymaster General, nine thousand dollars.

For compensation of the clerks, messenger, and laborer in the office of the Commissary General, ten thousand and forty dollars.

For compensation of the temporary clerks in the office of the Commissary General, six thousand four hundred dollars.

For compensation of the clerks and messenger in the office of the Surgeon General, five thousand two hundred and forty dollars.

For compensation of the temporary clerk in the office of the Surgeon General, one thousand six hundred dollars.

For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, ten thousand six hundred and forty dollars.

For compensation of temporary clerks in the office of Topographical Engineers, three thousand two hundred dollars.

For compensation of the clerks and messenger in the office of the Chief Engineer, eight thousand two hundred and forty dollars.

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, twelve thousand two hundred and forty dollars.

For compensation of the temporary clerks in the Office of the Colonel of Ordnance, two thousand four hundred dollars.

Contingent Expenses of the War Department.

Office of the Secretary of War:

For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, eight thousand dollars.

Office of the Adjutant General:

For blank books, binding, stationery, and miscellaneous items, three thousand two hundred dollars.

Office of the Quartermaster General:

For blank books, binding, stationery, and miscellaneous items, four thousand dollars.

Office of the Paymaster General:

For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.

Office of the Chief Engineer:

For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.

Office of the Surgeon General:

For blank books, binding, stationery, and miscellaneous items, one thousand dollars.

Office of the Colonel of Ordnance:

For blank books, binding, stationery, and miscellaneous items, two thousand dollars.
Office of the Colonel of Topographical Engineers:

For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

For the General Purposes of the Northwest Executive Building. — For compensation of superintendent, four watchmen, and two laborers of the Northwest Executive Building, three thousand eight hundred and fifty dollars.

For labor, fuel, light, and miscellaneous items, five thousand dollars.

For the General Purposes of the building corner of F and Seventeenth Streets. — For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of firemen, and miscellaneous items, five thousand five hundred dollars.

Navy Department. — For compensation of the Secretary of the Navy, Assistant Secretary of the Navy, and the clerks, messenger, assistant messenger, and laborer in his office, forty-three thousand two hundred dollars.

For compensation of additional clerks in the office of the Secretary of the Navy, appointed under authority of act of the twenty-seventh of January, eighteen hundred and sixty-two, four thousand eight hundred dollars.

For compensation of the Chief of the Bureau of Navy Yards and Docks, and the clerks, messenger, and laborer in his office, fourteen thousand one hundred and forty dollars.

For compensation of the Chief of the Bureau of Ordnance and Hydrography, and the clerks, messenger, and laborer in his office, twelve thousand three hundred and forty dollars.

For compensation of the Chief of the Bureau of Construction, Equipment, and Repairs, and of the Engineer-in-Chief, and the clerks, messenger, and laborers in his office, twenty-one thousand three hundred and forty dollars.

For compensation of the clerks, messenger, and laborer in the Bureau of Provisions and Clothing, eight thousand eight hundred and forty dollars.

For compensation of the Chief of the Bureau of Medicine and Surgery, and the clerks, messenger, and laborer in his office, nine thousand five hundred and forty dollars.

Contingent Expenses of the Navy Department. —

Office Secretary of the Navy:

For blank books, binding, stationery, labor, plans, drawings, maps, newspapers, books, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars.

Bureau of Yards and Docks:

For stationery, books, plans, drawings, and miscellaneous items, eight hundred dollars.

Bureau of Ordnance and Hydrography:

For blank books, stationery, and miscellaneous items, seven hundred and fifty dollars.

Bureau of Construction, Equipment, and Repairs:

For blank books, binding, stationery, printing, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing:

For blank books, stationery, and miscellaneous items, seven hundred dollars.

Bureau of Medicine and Surgery:

For blank books, stationery, and miscellaneous items, four hundred and fifty dollars.

For the General Purposes of the Southwest Executive Building. — For compensation of five watchmen of the Southwest Executive Building, three thousand dollars.
For contingent expenses of said building, viz.:

For labor, fuel, lights, and miscellaneous items, four thousand four hundred dollars.

Post Office Department.—For compensation of the Postmaster General, three Assistant Postmasters General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and fifty-eight thousand two hundred and twenty dollars.

For compensation of twenty-five additional clerks, to be appointed by the Postmaster General under the second section of the act entitled "An act to promote the efficiency of the dead letter office," approved January twenty-first, eighteen hundred and sixty-two, twenty thousand dollars.

Contingent Expenses of the Post Office Department.—For blank books, binding, and stationery, fuel for the General Post Office building, including the Auditor's office, oil, gas, and candles, printing; repairs of the General Post Office building, office furniture, glazing, painting, white-washing, and for keeping the fireplaces and furnaces in order, for watchmen, engineer, (for steam engine,) laborers, repairs of furniture, and for miscellaneous items, thirty thousand dollars.

Mint of the United States at Philadelphia.—For salaries of the director, treasurer, assayer, melter, and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-seven thousand nine hundred dollars.

For wages of workmen and adjusters, one hundred and eleven thousand eight hundred dollars.

For incidental and contingent expenses, including repairs and wastage, fifty thousand dollars.

For specimens of ores and coins to be preserved in the cabinet at the mint, three hundred dollars.

For transportation of bullion from New York assay office to the United States mint for coinage, twenty thousand dollars.

At San Francisco, California.—For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and five thousand dollars.

For incidental and contingent expenses, forty-five thousand and forty dollars.

Assay Office, New York.—For salaries of officers and clerks, twenty-four thousand nine hundred dollars.

For wages of workmen, forty thousand dollars.

For incidental and contingent expenses, in addition to other available means, thirty-five thousand dollars.

GOVERNMENTS IN TERRITORIES.

Territory of New Mexico.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars: Provided, That five thousand dollars, or so much thereof as may be necessary, shall be used to revise and print the laws of New Mexico.

Territory of Utah.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative as-
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Assemble, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Washington. — For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Nebraska. — For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Colorado. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Nevada. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Dakota. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Judiciary. — For salaries of the Chief Justice of the Supreme Court, and eight associate justices, fifty-four thousand five hundred dollars.

For salaries of the district judges, one hundred and fifteen thousand seven hundred and fifty dollars.

For salary of the circuit judge of California, six thousand dollars.

For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.

Office of the Attorney General. — For salaries of the Attorney General, Assistant Attorney General, and the clerks and messenger in his office, twenty thousand three hundred dollars.

Contingent expenses of the office of the Attorney General, namely:

For fuel, labor, furniture, stationery, and miscellaneous items, three thousand dollars.

For purchase of law and necessary books for the office of the Attorney General, two hundred and fifty dollars.

For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars.

For special and other extraordinary expenses of California land claims, twenty thousand dollars.

For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.

For compensation of the district attorneys, eighteen thousand five hundred and fifty dollars.

For compensation of the marshals, eleven thousand dollars.

For defraying the expenses of the Supreme, circuit, and district courts
of the United States, including the District of Columbia; also for jurors
and witnesses, in aid of the funds arising from fines, penalties, and forfeit-
ures incurred in the fiscal year ending June thirtieth, eighteen hundred
and sixty-three, and previous years; and likewise for defrauding the ex-
penses of suits in which the United States are concerned, and of prosecu-
tions for offences committed against the United States, and for the safe-
keeping of prisoners, one million dollars.

Independent Treasury. — For salaries of the assistant treasurers of the
United States at New York, Boston, Charleston, and Saint Louis, sixteen
thousand five hundred dollars.

For additional salaries of the treasurer of the mint at Philadelphia of
one thousand dollars, and of the treasurer of the branch mint at New
Orleans of five hundred dollars, one thousand five hundred dollars.

For salaries of five additional clerks authorized by the acts of sixth
August, eighteen hundred and fourty-six, and paid under acts of twelfth
August, eighteen hundred and forty-eight, third March, eighteen hundred
and fifty-one, third March, eighteen hundred and fifty-five, and twenty-
seventh July, eighteen hundred and sixty-one, six thousand dollars.

For salary of additional clerks, messengers, and watchmen in office of
assistant treasurer at Boston, five thousand nine hundred dollars.

For salaries of clerks, messengers, and watchmen in the office of the
assistant treasurer at New York, twenty-one thousand one hundred dol-
ars.

For additional amount for clerks, messenger, and watchmen in office of
assistant treasurer at New York, ten thousand four hundred dollars.

For salaries of clerks, messengers, and laborers in the office of the
assistant treasurer at St. Louis, four thousand five hundred dollars.

For salaries of nine supervising and fifty local inspectors, appointed
under act of thirtieth August, eighteen hundred and fifty-two, for the bet-
ter protection of the lives of passengers, by steamboats, with travelling
and other expenses incurred by them, eighty thousand dollars.

For contingent expenses, under the act sixth August, eighteen hundred
and forty-six, for the safe-keeping, collection, transfer, and disbursement
of the public revenue, in addition to premium which has been or may be
received on transfer drafts: Provided, That no part of said sum shall be
expended for clerical services, five thousand dollars.

For compensation to the laborer in charge of the water-closets in the
Capitol, four hundred and thirty-eight dollars.

For compensation to the public gardener, one thousand four hundred
and forty dollars.

For compensation of a foreman and twenty-one laborers employed in
the public grounds, thirteen thousand four hundred dollars.

For compensation of the keeper of the western gate, Capitol square,
eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol square,
one thousand two hundred dollars.

For compensation of two night watchmen employed at the President's
House, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's House, six hun-
dred dollars.

For compensation of the assistant doorkeeper at the President's House,
six hundred dollars.

For compensation of one night watchman employed for the better pro-	ection of the buildings lying south of the Capitol, and used as public sta-
bles and carpenters' shops, six hundred dollars.

For compensation of watchmen employed on reservation number two,
six hundred dollars.

For compensation of four draw-keepers at the Potomac bridge, and for
fuel, oil, and lamps, three thousand two hundred and sixty-six dollars.
For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For salary and other necessary expenses of the Metropolitan police for the District of Columbia, one hundred thousand dollars.

For furnace-keeper at the President's House, six hundred dollars.

To enable the Commissioner of Public Buildings to employ a keeper of the three furnaces under the old hall of the House of Representatives, six hundred dollars.

For a deficiency for the present fiscal year for keeping said furnaces nine months, four hundred dollars.

Expenses of the Collection of Revenue from Lands.

To meet the expenses of collecting the revenue from the sale of public lands in the several States and Territories:

For salaries and commissions of registers of land offices and receivers of public moneys, two hundred and fifteen thousand two hundred dollars.

For expenses of depositing public moneys by receivers of public moneys, twenty-seven thousand five hundred and fifty dollars.

For incidental expenses of the several land offices, forty thousand dollars.

Penitentiary. — For compensation of the warden, clerk, physician, chaplain, assistant keepers, guards, and matron of the penitentiary of the District of Columbia, sixteen thousand and eighty dollars.

For compensation of three inspectors of said penitentiary, seven hundred and fifty dollars.

For the support and maintenance of said penitentiary, thirteen thousand two hundred and ninety-three dollars and seventy-five cents.

Sec. 2. And be it further enacted, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending thirtieth of June, eighteen hundred and sixty-two, viz.:

For keeping in repair and partially finishing and furnishing the Post Office building, to be expended under the direction of the Postmaster General, twenty thousand dollars.

For paper and printing blanks for the Executive Departments, thirty thousand dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the employ of the House of Representatives, three thousand seven hundred and sixty-seven dollars and twenty-four cents.

For compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, eight hundred and twelve dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate in the first regular session of the thirty-seventh Congress, four thousand seven hundred and seventy-eight dollars and forty cents.

For folding documents, ten thousand dollars.

For furniture and repairs, and boxes for members, seven thousand dollars.

For newspapers, nine thousand three hundred dollars.

For stationery, eight thousand three hundred and seventy dollars.

For contingent expenses of the Senate, namely:

For compensation of three messengers appointed under authority of a resolution of the Senate of July nineteenth, eighteen hundred and sixty-one, three thousand six hundred dollars.

For binding, twenty thousand dollars.

For lithographing and engraving, thirty thousand dollars.

For stationery, twelve thousand dollars.
For reporting proceedings, three thousand dollars.
For Congressional Globe and Appendix, at the first session of the thirty-seventh Congress, six thousand one hundred and eighty-four dollars and twenty cents.
For clerks to committees, pages, horses, and carryalls, seven thousand dollars.
For miscellaneous items, thirty thousand dollars.
For compensation of the surveyor general of Illinois and Missouri, two thousand dollars.
For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses, nine hundred and fourteen dollars and thirty-six cents.
For contingent expenses of the office of the Fourth Auditor, seven hundred dollars.
For the payment of the salaries of two clerks in the Attorney General's office, appointed under authority of act of second August, eighteen hundred and sixty-one, one thousand four hundred dollars.
For compensation of additional clerks, messengers, and laborers in the offices of the Secretary of War, Adjutant General, Surgeon General, Quartermaster General, Paymaster General, Chief Engineer, Chief of Ordnance, and Commissary General, appointed under authority of act of January twenty-seventh, eighteen hundred and sixty-two, twenty-six thousand four hundred dollars.
For compensation of two Assistant Secretaries of War, appointed under act of January twenty-two, eighteen hundred and sixty-two, one year from the date of their appointment, six thousand dollars.
For compensation of additional clerks in the office of the Secretary of the Navy, authorized by act of January twenty-seven, eighteen hundred and sixty-two, two thousand dollars.
For necessary expenses for supply of water-pipes, hydrants, hose, apparatus, and employment of firemen for the protection of the public stores and hospitals in the city of Washington, the sum of ten thousand dollars, or so much thereof as may be necessary for that purpose, to be expended under the direction of the Secretary of War: Provided, That no more than one fireman shall be employed at each store or hospital, and at a compensation not exceeding five hundred dollars per annum.
To enable the Commissioner of Public Buildings to replace the thin glass in the roof of the Library of Congress with glass of a proper thickness, and to ventilate the Library, nine hundred dollars.
For putting the plates of the Exploring Expedition in order for preservation, and transporting them and the other effects of the expedition to Washington, to be preserved in some of the public buildings or at the Smithsonian Institution, two thousand dollars; to be expended under the Joint Committee on the Library of Congress; and if any part of this appropriation shall remain unexpended for these purposes, the same may be applied, if necessary, to the completion of volume twenty-three of the works of said Exploring Expedition, or to the payment of any arrears of rent, or claims for service due on account of any of said works.
For completing the work on the Patent Office Building, so far as to preserve the materials already prepared, fifteen thousand dollars.
To pay the mileage and salaries of John Kline, Joseph Segar, and John M. Butler, while contesting seats in the House of Representatives, per resolution of the House of Representatives of March fourth, eighteen hundred and sixty-two, nine thousand dollars; but only so much salary or mileage shall be paid to either as he would have been entitled to up to the time of his rejection, if he had been duly elected.

And be it further enacted, That the President of the United States is hereby authorized to expend during the fiscal year ending the
thirtieth of June, eighteen hundred and sixty-three, so much of the appropriation of second of March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to the United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the slave trade, for any services they may render, and for which no allowance is otherwise provided for by law.

Sec. 4. And be it further enacted, That, from and after the first day of July next, and until otherwise ordered by the President, the Territories of Utah and Colorado shall constitute one surveying district; and the duties of surveyor general in said district shall be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former shall be performed by the surveyor general of California; and the transfer of the effects and archives of the said offices shall be made under the instruction of the Commissioner of the General Land Office.

Sec. 5. And be it further enacted, That the Postmaster General be, and he is hereby, authorized and empowered to carry into effect the provisions heretofore made by law for refitting and repairing in the city of Philadelphia the building now owned by the United States, on Chestnut street, for the use of a post office and the holding of the United States courts in said city: Provided, nevertheless, That the whole expense of said alterations and improvements shall not exceed in cost the unexpended balance heretofore appropriated by law for that purpose.

Sec. 6. And be it further enacted, That the President shall appoint in the Department of the Interior, by and with the advice and consent of the Senate, a competent person, who shall be called the Assistant Secretary of the Interior, whose salary shall be three thousand dollars, payable in the same manner as the salary of the Secretary of the Interior, who shall perform such duties in the Department of the Interior as shall be prescribed by the Secretary, or may be required by law, and who shall act as the Secretary of the Interior in the absence of that officer.

Approved, March 14, 1862.

Chap. XLIII. — An Act for a joint Commission for the Preservation of the Atlantic Fisheries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to appoint a commissioner, to meet such commissioner as may be appointed on the part of Great Britain, and also on the part of France, together to form a joint commission to frame measures to protect the fisheries off the coast of Newfoundland and North America against deterioration and destruction by means of set lines on the spawn banks, and like destructive practices.

Sec. 2. And be it further enacted, That, to enable the President to carry into effect this act, the sum of three thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Approved, March 15, 1862.

Chap. XLIV. — An Act to amend “An Act to incorporate the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind,” and to make Appropriations for the Benefit thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four thousand four hundred dollars per annum, payable quarterly, shall be allowed for the payment of salaries and incidental expenses of said institution; and

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1861, ch. 84, § 1. Ante, p. 219.

Colorado and Utah to make one surveying district.

Nevada district united to California.

Post Office and Court House in Philadelphia.

Assistant Secretary of the Interior.

Salary and duties.

Approved, March 15, 1862.

Commission to preserve Atlantic fisheries.

Appropriation.

that four thousand four hundred dollars be, and is hereby appropriated, for that purpose, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June thirty, eighteen hundred and sixty-three.

SEC. 2. And be it further enacted, That the sum of nine thousand dollars be, and the same is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the erection, furnishing, and fitting up of two additions to the buildings of said institution.

SEC. 3. And be it further enacted, That all receipts and disbursements under this act shall be reported to the Secretary of the Interior, as required in the sixth section of the act to which this is an amendment.

APPROVED, March 15, 1862.

March 17, 1862.

Secretary of Treasury may purchase coin, may issue certificates of indebtedness, &c.

1862, ch. 35. Ante, p. 392.

Demand notes made a legal tender.


Temporary deposits of not over $50,000,000 of United States notes may be made with Assistant Treasurer at not over 5 per cent interest. 1862, ch. 33, § 4. Ante, p. 346.

Secretary of Treasury in reissuing notes may replace mutilated ones.

CHAP. XLV.—An Act to authorize the Purchase of Coin, and for other Purposes.

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 may purchase coin with any of the bonds or notes of the United States, authorized by law, at such rates and upon such terms as he may deem most advantageous to the public interest; and may issue, under such rules and regulations as he may prescribe, certificates of indebtedness, such as are authorized by an act entitled "An act to authorize the Secretary of the Treasury to issue certificates of indebtedness to public creditors," approved March first, eighteen hundred and sixty-two, to such creditors as may desire to receive the same, in discharge of checks drawn by disbursing officers upon sums placed to their credit on the books of the Treasurer, upon requisitions of the proper departments, as well as in discharge of audited and settled accounts, as provided by said act.

SEC. 2. And be it further enacted, That the demand notes authorized by the act of July seventeenth, eighteen hundred and sixty-one, and by the act of February twelfth, eighteen hundred and sixty-two, shall, in addition to being receivable in payment of duties on imports, be receivable, and shall be lawful money and a legal tender, in like manner, and for the same purposes, and to the same extent, as the notes authorized by an act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-fifth, eighteen hundred and sixty-two.

SEC. 3. And be it further enacted, That the limitation upon temporary deposits of United States notes with any assistant treasurers or designated depositaries, authorized by the Secretary of the Treasury to receive such deposits, at five per cent interest, to twenty-five millions of dollars, shall be so far modified as to authorize the Secretary of the Treasury to receive such deposits to an amount not exceeding fifty millions of dollars, and that the rates of interest shall be prescribed by the Secretary of the Treasury not exceeding the annual rate of five per centum.

SEC. 4. And be it further enacted, That, in all cases where the Secretary of the Treasury is authorized by law to re-issue notes, he may replace such as are so mutilated or otherwise injured as to be unfit for use with others of the same character and amount; and such mutilated notes, and all others which by law are required to be taken up and not reissued, shall, when so replaced, or taken up, be destroyed in such manner and under such regulations as the Secretary of the Treasury may prescribe.

APPROVED, March 17, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 46, 47. 1862.

CHAP. XLVI.—An Act authorizing Floats to issue in Satisfaction of Claims against the United States for Lands sold by them within the Las Ormigas and La Nana Grants, in the State of Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Commissioner of the General Land Office to issue and deliver to the respective owner or owners of the Las Ormigas and La Nana tracts of land, formerly situate in the parish of Natchitoches, now parishes of Sabine and De Soto, in the State of Louisiana, or to his or their assigns or other legal representatives, certificates or floats, in the usual form, for so much land as may have been at any time heretofore sold, donated, granted, or reserved by the United States within said tracts of land or either of them; and which certificates or floats may be located by the owner or holder thereof on any lands belonging to the United States, and subject to private entry at a price not exceeding one dollar and twenty-five cents per acre, and which certificates or floats shall be in full satisfaction of all claims against the United States for lands so sold, donated, granted, or reserved: Provided, That as a condition precedent to the issuing of the floats hereinbefore authorized, the claimant, or claimants, shall present to the Commissioner of the General Land Office satisfactory evidence of title thereto, and that such claimants have been and continue to be loyal to the Government of the United States: And provided further, That such certificates and floats shall not exceed in gross seventeen thousand four hundred and seventy-seven and sixty-two hundredths acres.

SEC. 2. And be it further enacted, That this act shall take effect immediately.

APPROVED, March 17, 1862.

March 17, 1862.

CHAP. XLVII.—An Act to provide for the Appointment of Sutlers in the Volunteer Service, and to define their Duties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inspector-generals of the army shall constitute a board of officers, whose duty it shall be to prepare, immediately after the passage of this act, a list or schedule of the following articles which may be sold by sutlers to the officers and soldiers of the volunteer service, to wit: Apples, dried apples, oranges, figs, lemons, butter, cheese, milk, sirup, molasses, raisins, candles, crackers, wallets, brooms, comforters, boots, pocket looking-glasses, pins, gloves, leather, tin washbasins, shirt buttons, horn and brass buttons, newspapers, books, tobacco, cigars, pipes, matches, blacking, blacking brushes, clothes brushes, tooth brushes, hair brushes, coarse and fine combs, emery, crocus, pocket handkerchiefs, stationery, armor oil, sweet oil, rotten stone, razor strops, razors, shaving soap, soap, suspenders, scissors, shoestrings, needles, thread, knives, pencils, and Bristol brick. Said list or schedule shall be subject, from time to time, to such revision and change as, in the judgment of the said board, the good of the service may require: Provided, always, That no intoxicating liquors shall at any time be contained therein, or the sale of such liquors be in any way authorized by said board. A copy of said list or schedule, and of any subsequent change therein, together with a copy of this act, shall be, without delay, furnished by said board to the commanding officer of each brigade and of each regiment not attached to any brigade in the volunteer service, and also to the adjutant-general of the army.

SEC. 2. And be it further enacted, That immediately upon the receipt from said board of said list or schedule and copy of this act by the commanding officer of any such brigade, the acting brigadier-general, surgeon, quartermaster, and commissary of said brigade shall constitute

March 19, 1862.

Board to prepare list of articles for sutlers to sell.

List.

Subject to revision.

No intoxicating liquors.

Copy of list, &c., to be furnished.

Another board to affix price to each article in the list, and make report, &c.
a board of officers whose duty it shall be to affix to each article in said list or schedule a price for said brigade, which shall be by them forthwith reported to the commanding officer of the division, if any, to which said brigade is attached, for his approval, with or without modification, and who shall, after such approval, report the same to the inspector-generals, and the same, if not disapproved by them, shall be the price, not exceeding which said articles may be sold to the officers and soldiers in said brigade. Whenever any brigade shall not be attached to a division said prices shall then be reported directly to the inspector-generals, and if approved by them, shall be the price fixed for such brigade as aforesaid; and whenever any regiment shall be unattached to any brigade the acting colonel, lieutenant-colonel, major, and captains thereof shall constitute the board of officers by whom the price of said articles shall be fixed for said regiment in the same manner as is herein provided for an unattached brigade. The prices so fixed may be changed by said boards respectively from time to time, not oftener than once in thirty days, but all changes therein shall be reported in like manner and for the same purpose as when originally fixed.

SEC. 3. And be it further enacted, That it shall be the duty of the commanding officer of each brigade, immediately upon receipt of a copy of said list or schedule and copy of this act, as herein provided, to cause one sutler for each regiment in his brigade to be selected by the commissioned officers of such regiment, which selection shall be by him reported to the adjutant-general of the army; the person so selected shall be sole sutler of said regiment. And the commanding officer of each unattached regiment shall, in like manner, cause a selection of a sutler to be made for said regiment, who shall be sole sutler of said regiment. Any vacancy in the office of sutler from any cause shall be filled in the same way as an official appointment.

SEC. 4. And be it further enacted, That the sutlers chosen in the manner provided in the preceding section shall be allowed a lien only upon the pay of the officers, non-commissioned officers, and privates of the regiment for which he has been chosen, or those stationed at the post to which he has been appointed, and for no greater sum than one sixth of the monthly pay of each officer, non-commissioned officer, or private for articles sold during each month; and the amount of one sixth or less than one sixth of the pay of such officer, non-commissioned officer, or private, so sold to him by the sutler, shall be charged on the payrolls of such officer, non-commissioned officer, or private, and deducted from his pay, and paid over by the paymaster to the sutler of the regiment or military post, as the case may be: Provided, That if any paymaster in the service of the United States shall allow or pay any greater sum to any sutler than that hereby authorized to be retained from the pay of the officers, non-commissioned officers, musicians, and privates, for articles sold by any sutler during any one month, then the amount so allowed or paid by the paymaster shall be charged against the said paymaster and deducted from his pay and returned to the officer, non-commissioned officer, musician, or private, against whom the amount was originally charged. And any captain or lieutenant commanding a company who may certify any pay-roll bearing a charge in favor of the sutler against any officer, non-commissioned officer, musician, or private, larger or greater than one sixth of the monthly pay of such officer, non-commissioned officer, musician, or private, shall be punished at the discretion of a court-martial: Provided, however, That sutlers shall be allowed to sell only the articles designated in the list or schedule provided in this act, and none others, and at prices not exceeding those affixed to said articles, as herein provided: And provided further, That the sutlers shall have no legal claim upon any officer, non-commissioned officer, musician, or private, to an amount ex-
ceeding one sixth of his pay for articles sold during any month. He shall keep said list or schedule, together with a copy of this act, fairly written or printed, posted up in some conspicuous part of the place where he makes said sales, and where the same can be easily read by any person to whom he makes said sales.

Sec. 5. And be it further enacted, That it shall be the duty of the inspector-generals to cause the place of sale and articles kept for that purpose, by said sutlers, to be inspected from time to time, once in fifteen days at least, by some competent officer, specially detailed for that duty, and such changes in said place, or in the quality and character of the articles mentioned in said list or schedule, so kept as shall be required by said officer, shall be conformed to by each sutler. And such officer shall report each inspection to the inspector-generals.

Sec. 6. And be it further enacted, That no person shall be permitted to act as sutler unless appointed according to the provisions of this act; nor shall any person be sutler for more than one regiment; nor shall any sutler farm out or underlet the business of sutling or the privileges granted to him by his appointment; nor shall any officer of the army receive from any sutler any money or other presents; nor be interested in any way in the stock, trade, or business of any sutler; and any officer receiving such presents, or being thus interested, directly or indirectly, shall be punished at the discretion of a court-martial. No sutler shall sell to an enlisted man on credit to a sum exceeding one fourth of his monthly pay within the same month; nor shall the regimental quartermasters allow the use of army wagons for sutlers' purposes; nor shall the quartermasters' conveyances be used for the transportation of sutlers' supplies.

Sec. 7. And be it further enacted, That any sutler who shall violate any of the provisions of this act shall, by the colonel, with consent of the council of administration, be dismissed from the service, and be ineligible to a reappointment as sutler in the service of the United States.

APPROVED, March 19, 1862.

CHAP. XLVIII.—An Act to provide for the Appointment of Clerks in the Office of the Assistant Treasurer at Boston, to fix their Salaries, and provide for the Absence of the Assistant Treasurer, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, eighteen hundred and sixty-two, in lieu of the clerks heretofore authorized and provided, the Assistant Treasurer at Boston be, and he is hereby, authorized to appoint, with the approbation of the Secretary of the Treasury, one chief clerk at a salary of fifteen hundred dollars per annum, and one disbursing clerk at a salary of fifteen hundred dollars per annum, and one other clerk at a salary of twelve hundred dollars per annum, and one messenger at a salary of seven hundred dollars per annum; and the compensation for such clerks for the current and next fiscal year be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Sec. 2. And be it further enacted, That, in case of the sickness or unavoidable absence of the Assistant Treasurer, he may, in his discretion, authorize the chief clerk to act in his place, and to discharge all the duties required by law of the Assistant Treasurer.

APPROVED, March 19, 1862.
March 25, 1862.

**CHAP. XLIX.**—An Act to secure to the Officers and Men actually employed in the Western Department, or Department of Missouri, their Pay, Bounty, and Pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to allow and pay to the officers, non-commissioned officers, musicians, and privates who have been heretofore actually employed in the military service of the United States, whether mustered into actual service or not, where their services were accepted and actually employed by the generals who have been in command of the department of the West, or the department of the Missouri, the pay and bounty as in cases of regular enlistment.

SEC. 2. And be it further enacted, That the officers, non-commissioned officers, musicians, and privates so employed, who may have been wounded or incapacitated for service, shall be entitled to and receive the pension allowed for such disability: Provided, That the length and character of their enlistment and service be such as to entitle them under existing laws to such pension.

SEC. 3. And be it further enacted, That the heirs of those killed in battle, or of those who may have died from wounds received while so in service, shall be entitled to receive the bounty and pay to which they would have been entitled had they been regularly mustered into service: Provided, That the bounty and pay referred to in this act shall not be payable unless their term of enlistment and service be of such duration as to entitle them to receive the same, according to existing laws.

**APPROVED, March 25, 1862.**

March 25, 1862.

**CHAP. L.**—An Act to facilitate Judicial Proceedings in Adjudications upon Captured Property, and for the better Administration of the Law of Prize.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any property captured as prize shall be brought into any district of the United States for adjudication, it shall be the duty of the prize commissioners for such district forthwith to receive, seal, and safely keep the same, until process shall be issued out of the court, under which the same shall be placed in the custody of the marshal of such district. It shall be the further duty of said prize commissioners, at the time of taking such possession, and from time to time pending the adjudication, to examine into the condition of said property, and report to the court if the same, or any part thereof, be perishable or has been deteriorating in value; and if the same be so found by the court, upon said report or other evidence, the court may thereupon order an interlocutory sale thereof by the United States marshal, and the deposit of the gross proceeds of such sale in the registry of the court to abide the further order of the court, whether a claim to said property has or has not been interposed. It shall be the further duty of the said prize commissioners to receive from the prize master all the papers and documents, and forthwith to proceed to take the testimony of the witnesses prescribed by law, pursuant to the rules and under the interrogatories adopted by the court, and separately from each other and unattended by counsel, and the said papers, documents, and testimony, securely to seal with their seals, and as soon as practicable deposit in the registry of the court; and thereafter, promptly and without unnecessary delay, the court shall proceed to hearing and adjudication.

SEC. 2. And be it further enacted, That all reasonable and proper claims and charges for pilotage, towage, wharfage, storage, insurance, and other expenses incident to the bringing in and safe custody and sale of the property captured as prize, shall be a charge upon the same, and having been audited and allowed by the court, shall, in event of a decree of condemnation or of restitution on payment of costs, be paid out of the
proceeds of any sale of the property, final or interlocutory, in the custody of the court. In case of a decree of restitution upon payment of costs, where no sale has been made, such charges and expenses shall constitute part of said costs to be paid by the claimant.

SEC. 3. And be it further enacted, That the prize commissioners, and also the district attorney, acting for the United States, and the counsel for the captors, shall be entitled to receive a just and suitable compensation for their several and respective services in each prize case or proceeding; and the same shall be adjusted and determined by the court upon due consideration of the facts and circumstances of each case and of the services actually rendered therein; and the same, when so adjusted, shall, in case of final condemnation or restitution on payment of costs, be paid out of the proceeds of the prize property in the custody of the court, or when no sale has been made, in whole or in part, as the court may direct by the claimant.

SEC. 4. And be it further enacted, That whensoever a final decree of condemnation of property captured as prize shall have been made, unless an interlocutory sale has been made as hereinbefore provided for, the property shall be sold by the United States marshal pursuant to the practice and proceedings in admiralty, and the gross proceeds of such sale shall be forthwith deposited in court; and thereupon the prize commissioners shall proceed, under the direction of the court, to take the requisite evidence, and report the same to the court, to the end that a final decree shall be made determining what public ships of the United States are entitled to share in the prize, and whether the prize was of superior, equal, or inferior force to the vessel or vessels making the capture, and within thirty days after the entry of the same the clerk of the court shall transmit to the Treasury of the United States the moneys so deposited in court, together with a certified copy of the said decree, after deducting from said moneys the costs of court and the charges and expenses hereinbefore provided for.

SEC. 5. And be it further enacted, That the provisions of this act shall apply as well to cases now pending as to all future cases of maritime captures, and to captures and seizures made under the laws for the abolition of the slave trade; and all laws and parts of laws inconsistent herewith are hereby repealed.

Approved, March 25, 1862.

CHAP. LI. — An Act in Addition to an Act to refund and remit the Duties on Arms imported by States, approved July ten, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority given to the Secretary of the Treasury to refund and remit the duties and import duties on arms imported into the United States by or for the account of any State as provided in the act to which this is an addition, shall extend to arms for which orders or contracts were made prior to the first day of January, eighteen hundred and sixty-two: Provided, That said Secretary shall have satisfactory proofs exhibited to him that the said arms were actually purchased in a foreign country for account of a State, and that the price paid for the same by the State was only the first cost, and the usual and customary charges attending the purchase and importation of the same, exclusive of duty.

Approved, April 2, 1862.

CHAP. LII. — An Act to provide for the equitable Settlement of the Accounts of the Officers and Crews of the Frigate Congress and other Vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers
Accounts of officers, &c., of the Treasury be, and they hereby are, authorized and directed to settle, upon the principles of justice and equity, the accounts of the officers, sailors, marines, and crew of the United States frigate Congress, the sloop Cumberland, and of any other vessel or vessels-of-war, the books of which were lost or destroyed in consequence of the naval engagements at Hampton Roads on the eighth and ninth of March, anno Domini one thousand eight hundred and sixty-two.

Post, p. 518.

April 2, 1862.

Certain sailors, &c., to receive not over $60 each for loss of clothing, &c.

SEC. 2. And be it further enacted, That the Secretary of the Navy be, and he is hereby, authorized to furnish to the sailors, marines, and crew of any of the vessels engaged in the naval actions in the foregoing section mentioned, whose bedding, clothing, or other property was lost or destroyed therein, with an amount sufficient to cover their losses, and not exceeding sixty dollars to each man, to be paid in kind or in money, at the discretion of the flag officer of the North Atlantic Squadron.

APPROVED, April 2, 1862.

Chap. LIII. — An Act to prohibit the Allowance or Payment of Pensions to the Children of Officers and Soldiers of the War of the Revolution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act no claim for a pension, or for an increase of pension, shall be allowed in favor of the children or other descendants of any person who served in the war of the Revolution, or of the widow of such person, when such person or his widow died without having established a claim to a pension.

APPROVED, April 2, 1862.

April 16, 1862.

1862, ch. 155.

Post, p. 538.

Slavery in the District of Columbia abolished.

Chap. LIV. — An Act for the Release of certain Persons held to Service or Labor in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.

SEC. 2. And be it further enacted, That all persons loyal to the United States, holding claims to service or labor against persons discharged therefrom by this act, may, within ninety days from the passage thereof, but not thereafter, present to the commissioners hereinafter mentioned their respective statements or petitions in writing, verified by oath or affirmation, setting forth the names, ages, and personal description of such persons, the manner in which said petitioners acquired such claim, and any facts touching the value thereof, and declaring his allegiance to the Government of the United States, and that he has not borne arms against the United States during the present rebellion, nor in any way given aid or comfort thereto: Provided, That the oath of the party to the petition shall not be evidence of the facts therein stated.

SEC. 3. And be it further enacted, That the President of the United States, with the advice and consent of the Senate, shall appoint three commissioners, residents of the District of Columbia, any two of whom shall have power to act, who shall receive the petitions above mentioned, and who shall investigate and determine the validity and value of the claims therein presented, as aforesaid, and appraise and apportion, under the provisions hereof annexed, the value in money of the several claims by them found to be valid: Provided, however, That the entire sum so appraised and apportioned shall not exceed in the aggregate an amount equal to...
three hundred dollars for each person shown to have been so held by lawful claim: And provided, further, That no claim shall be allowed for any slave or slaves brought into said District after the passage of this act, nor for any slave claimed by any person who has borne arms against the Government of the United States in the present rebellion, or in any way given aid or comfort thereto, or which originates in or by virtue of any transfer heretofore made, or which shall hereafter be made by any person who has in any manner aided or sustained the rebellion against the Government of the United States.

Sec. 4. And be it further enacted, That said commissioners shall, within nine months from the passage of this act, make a full and final report of their proceedings, findings, and appraisement, and shall deliver the same to the Secretary of the Treasury, which report shall be deemed and taken to be conclusive in all respects, except as hereinafter provided; and the Secretary of the Treasury shall, with like exception, cause the amounts so apportioned to said claims to be paid from the Treasury of the United States to the parties found by said report to be entitled thereto as aforesaid, and the same shall be received in full and complete compensation: Provided, That in cases where petitions may be filed presenting conflicting claims, or setting up liens, said commissioners shall so specify in said report, and payment shall not be made according to the award of said commissioners until a period of sixty days shall have elapsed, during which time any petitioner claiming an interest in the particular amount may file a bill in equity in the Circuit Court of the District of Columbia, making all other claimants defendants thereto, setting forth the proceedings in such case before said commissioners and their action therein, and praying that the party to whom payment has been awarded may be enjoined from receiving the same; and if said court shall grant such provisional order, a copy thereof may, on motion of said complainant, be served upon the Secretary of the Treasury, who shall thereupon cause the said amount of money to be paid into said court, subject to its orders and final decree, which payment shall be in full and complete compensation, as in other cases.

Sec. 5. And be it further enacted, That said commissioners shall hold their sessions in the city of Washington, at such place and times as the President of the United States may direct, of which they shall give due and public notice. They shall have power to subpoena and compel the attendance of witnesses, and to receive testimony and enforce its production, as in civil cases before courts of justice, without the exclusion of any witness on account of color; and they may summon before them the persons making claim to service or labor, and examine them under oath; and they may also, for purposes of identification and appraisement, call before them the persons so claimed. Said commissioners shall appoint a clerk, who shall keep files and [a] complete record of all proceedings before them, who shall have power to administer oaths and affirmations in said proceedings, and who shall issue all lawful process by them ordered. The Marshal of the District of Columbia shall personally, or by deputy, attend upon the sessions of said commissioners, and shall execute the process issued by said clerk.

Sec. 6. And be it further enacted, That said commissioners shall receive in compensation for their services the sum of two thousand dollars each, to be paid upon the filing of their report; that said clerk shall receive for his services the sum of two hundred dollars per month; that said marshal shall receive such fees as are allowed by law for similar services performed by him in the Circuit Court of the District of Columbia; that the Secretary of the Treasury shall cause all other reasonable expenses of said commission to be audited and allowed, and that said compensation, fees, and expenses shall be paid from the Treasury of the United States.
SEC. 7. And be it further enacted, That for the purpose of carrying this act into effect there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding one million of dollars.

SEC. 8. And be it further enacted, That any person or persons who shall kidnap, or in any manner transport or procure to be taken out of said District, any person or persons discharged and freed by the provisions of this act, or any free person or persons with intent to re-enslave or sell such person or persons into slavery, or shall re-enslave any of said freed persons, the person or persons so offending shall be deemed guilty of a felony, and on conviction thereof in any court of competent jurisdiction in said District, shall be imprisoned in the penitentiary not less than five nor more than twenty years.

SEC. 9. And be it further enacted, That within twenty days, or within such further time as the commissioners herein provided for shall limit, after the passage of this act, a statement in writing or schedule shall be filed with the clerk of the Circuit Court for the District of Columbia, by the several owners or claimants to the services of the persons made free or manumitted by this act, setting forth the names, ages, sex, and particular description of such persons, severally; and the said clerk shall receive and record, in a book by him to be provided and kept for that purpose, the said statements or schedules on receiving fifty cents each therefor, and no claim shall be allowed to any claimant or owner who shall neglect this requirement.

SEC. 10. And be it further enacted, That the said clerk and his successors in office shall, from time to time, on demand, and on receiving twenty-five cents therefor, prepare, sign, and deliver to each person made free or manumitted by this act, a certificate under the seal of said court, setting out the name, age, and description of such person, and stating that such person was duly manumitted and set free by this act.

SEC. 11. And be it further enacted, That the sum of one hundred thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated, to be expended under the direction of the President of the United States, to aid in the colonization and settlement of such free persons of African descent now residing in said District, including those to be liberated by this act, as may desire to emigrate to the Republics of Hayti or Liberia, or such other country beyond the limits of the United States as the President may determine: Provided, The expenditure for this purpose shall not exceed one hundred dollars for each emigrant.

SEC. 12. And be it further enacted, That all acts of Congress and all laws of the State of Maryland in force in said District, and all ordinances of the cities of Washington and Georgetown, inconsistent with the provisions of this act, are hereby repealed.

APPROVED, April 16, 1862.

April 16, 1862. CHAP. LV. — An Act to reorganize and increase the Efficiency of the Medical Department of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the present medical corps of the army ten surgeons and ten assistant surgeons, to be promoted and appointed under existing laws; twenty medical cadets, and as many hospital stewards as the surgeon general may consider necessary for the public service, and that their pay and that of all hospital stewards in the volunteer as well as the regular service shall be thirty dollars per month, to be computed from the passage of this act. And all medical cadets in the service shall, in addition to their pay, receive one ration per day either in kind or commutation.
SEC. 2. And be it further enacted, That the surgeon general to be appointed under this act shall have the rank, pay, and emoluments of a brigadier general. There shall be one assistant surgeon general and one medical inspector general of hospitals, each with the rank, pay, and emoluments of a colonel of cavalry, and the medical inspector general shall have, under the direction of the surgeon general, the supervision of all that relates to the sanitary condition of the army, whether in transports, quarters, or camps, and of the hygiene, police, discipline, and efficiency of field and general hospitals, under such regulations as may hereafter be established.

SEC. 3. And be it further enacted, That there shall be eight medical inspectors, with the rank, pay, and emoluments each of a lieutenant colonel of cavalry, and who shall be charged with the duty of inspecting the sanitary condition of transports, quarters, and camps, of field and general hospitals, and who shall report to the medical inspector general, under such regulations as may be hereafter established, all circumstances relating to the sanitary condition and wants of troops and of hospitals, and to the skill, efficiency, and good conduct of the officers and attendants connected with the medical department.

SEC. 4. And be it further enacted, That the surgeon general, the assistant surgeon general, medical inspector general, and medical inspectors, shall immediately after the passage of this act be appointed by the President, by and with the advice and consent of the Senate, by selection from the medical corps of the army, or from the surgeons in the volunteer service, without regard to their rank when so selected, but with sole regard to qualifications.

SEC. 5. And be it further enacted, That medical purveyors shall be charged, under the direction of the surgeon general, with the selection and purchase of all medical supplies, including new standard preparations, and of all books, instruments, hospital stores, furniture, and other articles required for the sick and wounded of the army. In all cases of emergency they may provide such additional accommodations for the sick and wounded of the army, and may transport such medical supplies as circumstances may render necessary, under such regulations as may hereafter be established, and shall make prompt and immediate issues upon all special requisitions made upon them under such circumstances by medical officers; and the special requisitions shall consist simply of a list of the articles required, the quantities required, dated and signed by the medical officers requiring them.

SEC. 6. And be it further enacted, That whenever the inspector general, or any one of the medical inspectors, shall report an officer of the medical corps as disqualified, by age or otherwise, for promotion to a higher grade, or unfit for the performance of his professional duties, he shall be reported by the surgeon general for examination to a medical board, as provided by the seventeenth section of the act approved August third, eighteen hundred and sixty-one.

SEC. 7. And be it further enacted, That the provisions of this act shall continue and be in force during the existence of the present rebellion and no longer: Provided, however, That, when this act shall expire, all officers who shall have been promoted from the medical staff of the army under this act shall retain their respective rank in the army, with such promotion as they would have been entitled to.

APPROVED, April 16, 1862.

CHAP. LVI. — An Act to authorize the Postmaster General to establish Branch Post Offices in Cities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster Gen-

Rank and pay of surgeon general, assistant surgeon general, medical inspector general, his power and duty.

Medical inspectors, rank, pay, duty, &c.

Mode of appointment.

Medical purveyors to purchase medical supplies, &c.

Their power in emergencies.

Proceedings when any officer of the medical corps is disqualified for promotion.

1861, ch. 42. Ante, p. 299.

This act to last during this rebellion. Proviso as to officers promoted from medical staff.

Branch post offices may be established in cities, &c.

Postmaster General to establish rules and regulations.

One cent additional postage on each letter deposited and delivered—prepayment required.

Branch service to pay for itself.

Repeal of act of 1847, ch. 63, § 10.

Vol. ix. p. 201.

eral be authorized and directed, when in his judgment the public interest or convenience may require it, to establish one or more branch post offices, to facilitate the operation of the post office in any city or place which, in the opinion of the Postmaster General, may require such additional accommodations for the convenience of the inhabitants; and it shall be the duty of the Postmaster General to prescribe the rules and regulations for the branch post office which may be established by virtue of this act. And the Postmaster General is hereby authorized to charge one cent, in addition to the regular postage, for every letter deposited in any branch post office to be forwarded by mail from the principal office, and which shall be prepaid by stamp, and one cent for every letter delivered at such branch office, to be paid on delivery: Provided, That no letter shall be sent from the principal office to such branch office for delivery contrary to the request of the party to whom the same may be addressed: And provided, The expense of such branch service shall not exceed the receipts on account thereof.

SEC. 2. And be it further enacted, That the tenth section of an act entitled "An act to establish certain post-routes, and for other purposes," approved March third, eighteen hundred and forty-seven, be and hereby is repealed.

APPROVED, April 16, 1862.

April 17, 1862.

CHAP. LVII. — An Act making additional Appropriations for the Naval Service for the Year ending June thirty, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the service of the year eighteen hundred and sixty-two:

For the purchase of vessels and necessary alterations incurred in fitting them for service, two million five hundred and thirty thousand dollars.

For the purchase of additional vessels, two millions of dollars.

For the purchase of nautical instruments, books, maps, and charts, twenty thousand dollars.

For repairs at Observatory, freight, and transportation, three thousand dollars.

For the ordnance foundery at the Washington navy yard, fifty thousand dollars.

For ordnance, one million dollars.

SEC. 2. And be it further enacted, That the sum of seven hundred and eighty-three thousand two hundred and ninety-four dollars, being the amount necessary to be provided, as estimated by a board appointed for that purpose, to pay for and finish the Stevens’ battery now partially constructed at Hoboken, New Jersey, be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated for the immediate completion of said battery: Provided, That in the contract for the completion of said vessel it shall be stipulated that no part of the money claimed by Edwin A. Stevens to have been heretofore expended by him upon said vessel shall be refunded until the amount of said claim shall be established to the satisfaction of the Secretary of the Navy, and the payment of said sum shall be contingent upon the success of said vessel as an iron-clad, sea-going, war steamer, to be determined by the President, and such contract shall stipulate the time within which the vessel shall be completed: Provided nevertheless, That said money shall not be expended unless the Secretary of the Navy is of opinion that the same will secure to the public service an efficient steam battery.

SEC. 3. And be it further enacted, That the sum of thirteen millions of
dollars be appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Navy to construct iron-clad steam-vessels of war.

SEC. 4. And be it further enacted, That the Secretary of the Navy be authorized to commute the navy ration of coffee and sugar for the extract of coffee combined with milk and sugar, to be procured in the same manner and under like restrictions and guarantees as are preserved meats, pickles, butter, and desiccated vegetables, if he shall believe it will be conducive to the health and comfort of the navy, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

APPROVED, April 17, 1862.

CHAP. LVIII. — An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated for the service of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-three, out of any moneys in the Treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six:

For transportation of the mails, (inland,) six million nine hundred and sixty-one thousand dollars.

For compensation to postmasters, two million two hundred and thirty-four thousand dollars.

For clerks in the offices of postmasters, eight hundred and forty-six thousand dollars.

For ship, steamboat, and way letters, twelve thousand dollars.

For office furniture in the post offices, two thousand dollars.

For advertising, thirty-six thousand dollars.

For mail bags, seventy-five thousand dollars.

For wrapping paper, forty-five thousand dollars.

For mail locks, keys, and stamps, fifty-six thousand dollars.

For mail depredations and special agents, seventy-five thousand dollars.

For miscellaneous payments, one hundred and eighty-seven thousand dollars.

For postage stamps and stamped envelopes, ninety thousand dollars.

For payments of balances due to foreign countries, two hundred and thirty thousand dollars.

For payments to letter carriers, one hundred and fifty-two thousand dollars.

For transportation of foreign mails, four hundred and sixty-five thousand dollars.

For compensation of twenty-five additional clerks in the Post Office Department, authorized by the "Act to promote the efficiency of the Dead Letter Office," approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two, eight thousand eight hundred dollars.

SEC. 2. And be it further enacted, That if the revenues of the Post Office Department shall be insufficient to meet the appropriations of this act, then the sum of two million one hundred and twenty thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth June, eighteen hundred and sixty-three.
SEC. 3. And be it further enacted, That the sum of one million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the California central route.

SEC. 4. And be it further enacted, That all acts and parts of acts herebefore passed requiring that the Postmaster General in causing the transportation of mails by steamships between the United States and any foreign port or ports, or between any ports of the United States, touching at a foreign port, shall give preference to American over foreign steamships, when departing from the same port for the same destination within three days of each other, be and the same are hereby repealed.

SEC. 5. And be it further enacted, That the Postmaster General be and he is hereby authorized to establish a coast mail, not less than semi-monthly, by steam vessels, between San Francisco and Crescent City, in the State of California, including service at the intermediate ports:

Provided, That the sum to be paid for such service shall not exceed the sum of twenty thousand dollars per annum.

Approved, April 17, 1862.

April 21, 1862.
Post, p. 327.

Branch mint at Denver to coin gold.

Officers of mint.

Pay.

Oath and bond of officers.

Branch to be under control of director of mint, &c.

Director to prescribe regulations, &c.

CHAP. LIX. An Act to establish a Branch Mint of the United States at Denver, in the Territory of Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a branch of the mint of the United States be located and established at Denver, in the Territory of Colorado, for the coinage of gold.

SEC. 2. And be it further enacted, That, for carrying on the business of said branch, the following officers shall be appointed as soon as the public interest shall require their service, upon the nomination of the President, by and with the advice and consent of the Senate, namely: one superintendent, one assayer, one melter and refiner, and one coiner; and the said superintendent shall employ as many clerks, subordinate workmen, and laborers, under the direction of the Secretary of the Treasury, as may be required. The salaries of the said officers shall be as follows: To the superintendent, the sum of two thousand dollars; to the assayer, the sum of eighteen hundred dollars; to the melter and refiner, eighteen hundred dollars; to the coiner, eighteen hundred dollars; to the clerks, subordinate workmen, and laborers, such wages and allowances as are customary according to their respective stations and occupations.

SEC. 3. And be it further enacted, That the officers and clerks to be appointed under this act, before entering upon the execution of their offices, shall take an oath or affirmation, before some judge of the United States or of the supreme court of said Territory, faithfully and diligently to perform the duties of their offices, and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint or the secretary of the Territory of Colorado and of the Secretary of the Treasury, with the condition of the faithful performance of the duties of their offices.

SEC. 4. And be it further enacted, That the general direction of the business of said branch of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose it shall be the duty of the said director to prescribe such regulations and require such returns periodically and occasionally, and to establish such charges for parting, assaying, refining, and coining, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing said branch; also for the purpose of preserving uniformity of weight, form, and finish in the coin stamped at said branch.
SEC. 5. And be it further enacted, That said branch mint shall be a place of deposit for such public moneys as the Secretary of the Treasury may direct. And the superintendent of said branch mint, who shall perform the duties of treasurer thereof, shall have the custody of the same, and also perform the duties of assistant treasurer; and for that purpose shall be subject to all the provisions contained in an act entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August six, eighteen hundred and forty-six, which relates to the treasury of the branch mint at New Orleans.

SEC. 6. And be it further enacted, That the superintendent of said branch mint be authorized, under the direction of the Secretary of the Treasury, and on terms to be prescribed by him, to issue in payment of the gold dust and bullion deposited for assay and coinage or bars, drafts, or certificates of deposit, payable at the Treasury or any Sub-treasury of the United States, to any depositor electing to receive payment in that form.

SEC. 7. And be it further enacted, That all the laws and parts of laws now in force for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be and they are hereby declared to be in full force in relation to the branch of the mint by this act established, as far as the same may be applicable thereto.

SEC. 8. And be it further enacted, That the sum of seventy-five thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this act, and to meet the expenses of the current year and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three.

Approved, April 21, 1862.

CHAP. LXIII. — An Act relating to Highways in the County of Washington and District of Columbia.

1863, ch. 51. Post, p. 682.

May 3, 1862.

Levy court may alter, &c.

What shall be deemed public highways.

Penalty for obstructing.

Public highways to be surveyed, &c.

SEC. 2. And be it further enacted, That all roads within said county of Washington which have been used by the public for a period of twenty-five years or more as a highway, and have been recognized by the said levy court as public county roads, and for the repairs of which the said levy court has appropriated and expended money, are declared public highways, whether the same have been recorded or not; and any person who shall obstruct the free use of said highways, or any one of them, without authority from said levy court, shall be subject to a fine for each and every offence of not less than one hundred or more than two hundred and fifty dollars, to be imprisoned till the said fine and the costs of suit and collection of the same are paid; said fines to be collected in the name of the United States, for the use of the levy court.

SEC. 3. And be it further enacted, That within one year from the passage of this act the levy court shall cause the surveyor of the said county of Washington to survey and plat all such roads as are named in the last preceding section, and have the same recorded among the records of said county now used for recording surveys and plats of other public county roads; and, in making said survey, the county surveyor shall follow, as
nearly as possible, the lines and boundaries heretofore used and known as a highway, and he shall cause the lines and boundaries of the same to be permanently marked and fixed by the erection of stones or posts at the different angles thereof.

SEC. 4. And be it further enacted, That all such roads as are named in the second section of this act as have been obstructed by any person or persons in any manner within the last six years shall be re-opened by the levy court, if, in the judgment of said court, the public convenience requires it; and the expenses thereby incurred shall be paid by the person or persons who shall have obstructed the same, which expenses shall be collected as fines are required to be collected under the second section of this act.

SEC. 5. And be it further enacted, That hereafter, in laying out new roads in said county of Washington, the levy court shall cause such roads to be of a width of not less than fifty nor more than one hundred feet, and it may also cause the width of any of the existing roads in said county to be increased to not more than one hundred feet, and change the location of any of them, as the said levy court may deem best for the public interest; and, for the purpose of opening or widening such roads, the said levy court is hereby empowered to cause to be condemned any land or lands necessary for the same, as other lands are now condemned by law.

SEC. 6. And be it further enacted, That in any case where materials shall be necessary for making or repairing a public road, if the levy court cannot agree with the owner as to their purchase, the said court may proceed in the same manner for condemning said materials as in cases of condemnation of land for the purposes of a public road.

SEC. 7. And be it further enacted, That no field or garden or yard, in actual cultivation, shall be laid open or used as a public highway until after the usual time of taking off the crops growing thereon.

SEC. 8. And be it further enacted, That the requirement in the existing laws, that members of the levy court shall be appointed from amongst the justices of the peace in the county of Washington, is hereby repealed.

Approved, May 3, 1862.

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May 13, 1862.

1861, ch. 45, § 53. Ante, pp. 311, 312.

Provision of former act, that State may pay its tax by release of its claims upon the United States — to apply to claims for expenses of volunteers filed before July 30, 1862.

Abatement in such case.

CHAP. LXVI. — An Act to amend an Act entitled "An Act to provide increased Revenue from Imports, to pay Interest on the Public Debt, and for other Purposes, approved August five, eighteen hundred and sixty-one."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision in the fifty-third section of the act "to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August five, eighteen hundred and sixty-one, allowing such portion of the tax as may be assessed by any State, Territory, or the District of Columbia "to be paid and satisfied, in whole or in part, by the release of such State, Territory, or District, duly executed, to the United States, of any liquidated and determined claim of such State, Territory, or District of equal amount against the United States: Provided, That in case of such release, such State, Territory, or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of the payment of the same in money," shall be construed as applying to such claims of States for reimbursement of expenses incurred by them in enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, as shall be filed with the proper officers of the United States before the thirtieth of July next. And in such cases the abatement of fifteen per centum shall be made on such portion
of said tax as may be paid by the allowance of such claims, in whole or
in part, the same as if the final settlement and liquidation thereof had
been made before the thirtieth of June.

APPROVED, May 13, 1862.

CHAP. LXVII. — An Act to establish a Port of Entry in the Collection District of Beaufort, South Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a port of entry and delivery shall be and is hereby established in the collection district of Beaufort, in the State of South Carolina, at or near Hilton Head, to be called the port of Port Royal, which shall be subject to the same regulations and restrictions as other ports of entry and delivery in the United States; and there shall be appointed a collector of the customs, to reside at said port, who shall receive a salary of fifteen hundred dollars per annum. And the Secretary of the Treasury shall have power to appoint, on the nomination of the collector, such inspectors, weighers, gaugers, measurers, and other officers as may be necessary for the collection of the revenue at said port, whose compensation shall not exceed the rates allowed to similar officers at other ports of entry and delivery in the United States.

APPROVED, May 13, 1862.

CHAP. LXIX. — An Act to provide for the Deficiency in the Appropriation for the Pay of the two and three Years Volunteers, and the Officers and Men actually employed in the Western Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of thirty millions of dollars, or so much thereof as may be necessary, to enable the Government to pay the two and three years volunteers called into the service of the United States, being an additional amount required for the fiscal year ending June thirtieth, eighteen hundred and sixty-two.

SEC. 2. And be it further enacted, That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry into effect the act approved March twenty-fifth, eighteen hundred and sixty-two, to secure pay, bounty, and pensions to officers and men actually employed in the Western Department, or Department of Missouri.

APPROVED, May 14, 1862.

CHAP. LXX. — An Act to facilitate the Discharge of enlisted Men for physical Disability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the medical inspector general, or any medical inspector is hereby authorized and empowered to discharge from the service of the United States any soldier, or enlisted man, with the consent of such soldier or enlisted man, in the permanent hospitals, laboring under any physical disability which makes it disadvantageous to the service that he be retained therein, and the certificate in writing of such inspector general or medical inspector, setting forth the existence and nature of such physical disability, shall be sufficient evidence of such discharge: Provided, however, That every such certificate shall appear on its face to have been founded on personal inspection of the soldier so discharged, and shall specifically describe the nature and

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Discharge not to affect right to pay dues. Report. origin of such disability; and that such discharge shall be without prejudice to the right of such soldier or enlisted man to the pay due him at the date thereof, and report the same to the adjutant-general and the surgeon-general.

APPROVED, May 14, 1862.

May 15, 1862. CHAP. LXXI. — An Act to regulate the Time of holding the Courts of the United States for the District of Kentucky, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit and district courts of the United States for the district of Kentucky shall hereafter commence and be held as follows: At Covington on the third Monday of April and on the first Monday of December; at Louisville on the third Monday of February and first Monday of October; at Frankfort on the third Monday of May and first Monday of January; and at Paducah on the third Monday of March and first Monday of November.

SEC. 2. And be it further enacted, That if neither of the judges of said courts be present at the time for opening court, the clerk may open and adjourn the court from day to day for four days, and if the judge does not appear by two o'clock P. M. of the fourth day, the clerk shall adjourn the court to the next stated term. But either the circuit or district judge, by written order to the clerk within the first three days of his term, may adjourn court to a future day within thirty days of the first day, of which adjournment the clerk shall give notice by posting a copy of said order on the front door of the court-house where the court is to be held; and the district judge, and, in his absence, the circuit judge, may order a special term of the circuit court, designated in a similar order, to be published in a similar manner, and in one or more newspapers in the place where the court is held; and by said order the judge may prescribe the duties of the officers of court in summoning juries, and in the performance of other acts necessary for the holding of such special term, or the court may by its order, after it is opened, prescribe the duties of its officers, and the mode of proceeding, and any of the details thereof.

SEC. 3. And be it further enacted, That such number of jurors shall be summoned by the marshal at every term of the circuit and district courts, respectively, as may have been ordered of record at the previous term; and in case there is not a sufficient number of jurors in attendance at any time, the court may order such number to be summoned as, in its judgment, may be deemed necessary to transact the business of the court. And a grand jury may be summoned to attend every term of the circuit or district court by order of court. The marshal may summon juries and talesmen in case of a deficiency, pursuant to an order of court made during the term; and they shall serve for such time as the court may direct.

SEC. 4. And be it further enacted, That a special term of any district court may be held at any time that the district judge may order by giving notice thereof on the front door of the court-house where the court is to be held, and in some respectable newspaper, if there be any, at the place.

SEC. 5. And be it further enacted, That the district judge may adjourn the court from time to time to suit the convenience of litigants and to meet the necessities of the business; and the intervention of a term of a district or circuit court at another place shall not preclude the power to adjourn over to a future day.

SEC. 6. And be it further enacted, That the terms of the circuit and district courts shall not be limited to any particular number of days, nor shall it be necessary to adjourn by reason of the intervention of a term of the court elsewhere; but the business of the courts at two places may
proceed, there being a judge present at each place, or the court intervening may be adjourned over, as herein provided, till the business of the court in session is concluded.

SEC. 7. And be it further enacted, That a clerk shall be appointed at every place of holding circuit and district courts for the district of Kentucky, in like manner and subject to the same duties and responsibilities that other clerks are subject to in other independent districts; the deputy clerks at Covington, Louisville, and Paducah shall perform the duties of the offices, respectively, till clerks are duly appointed and qualified.

SEC. 8. And be it further enacted, That commissioners appointed by the courts of the United States to take bail, affidavits, and so forth, shall have like powers to take surety of the peace and for good behavior, according to the act of July sixteen, seventeen hundred and ninety-eight, that other officers designated by said act now have.

SEC. 9. And be it further enacted, That all process which shall not have been returned when this act takes effect shall be returnable to the terms, respectively, herein fixed; and the clerk, upon issuing original process in a civil action, shall make it returnable to the court nearest to the county of the residence of the defendant, or of that defendant whose county is nearest a court, if he have information sufficient, and shall immediately, upon the payment by the plaintiff of his fees accrued, send the papers filed to the clerk of the court to which the process is made returnable; and whenever the process is not thus made returnable, the defendant or defendants may, upon motion, on or before the calling of the cause, have it transferred to the court to which it should have been sent had the clerk known the residence of the defendant or defendants when the action was brought.

SEC. 10. And be it further enacted, That in case of the existence of bail bonds for the appearance of persons to answer, it shall be the duty of the clerk to call the parties at the time they are bound to appear, and, if they fail, to enter the same on his minutes, on which entry a judgment may afterwards be made of record by the court; and if the party appears, the clerk shall take another bond, with sureties similar to the first, for further appearance at the next succeeding term of the court, and if the party fail to give bond and surety, then he shall stand committed by order of the clerk till he does comply.

SEC. 11. And be it further enacted, That all laws and parts of laws inconsistent herewith are hereby repealed, and this act shall be in force from and after its passage.

APPROVED, May 13, 1862.

CHAP. LXXII. — An Act to establish a Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established at the seat of Government of the United States a Department of Agriculture, the general designs and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

SEC. 2. And be it further enacted, That there shall be appointed by the President, by and with the advice and consent of the Senate, a "Commissioner of Agriculture," who shall be the chief executive officer of the Department of Agriculture, who shall hold his office by a tenure similar to that of other civil officers appointed by the President, and who shall receive for his compensation a salary of three thousand dollars per annum.

SEC. 3. And be it further enacted, That it shall be the duty of the
Duties of Commissioner.

Commissioner of Agriculture to acquire and preserve in his Department all information concerning agriculture which he can obtain by means of books and correspondence, and by practical and scientific experiments, (accurate records of which experiments shall be kept in his office,) by the collection of statistics, and by any other appropriate means within his power; to collect, as he may be able, new and valuable seeds and plants; to test, by cultivation, the value of such of them as may require such tests; to propagate such as may be worthy of propagation, and to distribute them among agriculturists. He shall annually make a general report in writing of his acts to the President and to Congress, in which he may recommend the publication of papers forming parts of or accompanying his report, which report shall also contain an account of all moneys received and expended by him. He shall also make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it. He shall receive and have charge of all the property of the agricultural division of the Patent Office in the Department of the Interior, including the fixtures and property of the propagating garden. He shall direct and superintend the expenditure of all money appropriated by Congress to the Department, and render accounts thereof, and also of all money heretofore appropriated for agriculture and remaining unexpended. And said Commissioner may send and receive through the mails, free of charge, all communications and other matter pertaining to the business of his Department, not exceeding in weight thirty-two ounces.

SEC. 4. And be it further enacted, That the Commissioner of Agriculture shall appoint a chief clerk, with a salary of two thousand dollars, who in all cases during the necessary absence of the Commissioner, or when the said principal office shall become vacant, shall perform the duties of Commissioner, and he shall appoint such other employees as Congress may from time to time provide, with salaries corresponding to the salaries of similar officers in other Departments of the Government; and he shall, as Congress may from time to time provide, employ other persons, for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture. And the said Commissioner, and every other person to be appointed in the said Department, shall, before he enters upon the duties of his office or appointment, make oath or affirmation truly and faithfully to execute the trust committed to him. And the said Commissioner and the chief clerk shall also, before entering upon their duties, severally give bonds to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, conditional to render a true and faithful account to him or his successor in office, quarter yearly accounts of all moneys which shall be by them received by virtue of the said office, with sureties to be approved as sufficient by the Solicitor of the Treasury; which bonds shall be filed in the office of the First Comptroller of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

Approved, May 15, 1862.

May 17, 1862.

CHAP. LXXIII.—An Act to incorporate the Washington and Georgetown Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Eliab Kingman, Franklin Tenney, J. J. Coombs, Sayles J. Bowen, Charles H. Upton, Henry Addison, Hallett Kilbourn, and their associates and assigns, be and they are hereby created a body corporate, under the name of the “Washington and Georgetown Railroad Company,” with authority to construct and
lay down a double track railway, with the necessary switches and turnouts, in the cities of Georgetown and Washington, in the District of Columbia, through and along the following avenues and streets: Commencing on Bridge Street, at the intersection with High Street, or at such point on said Bridge Street east thereof, in the city of Georgetown, as may be designated hereafter by the corporate authorities thereof, along said Bridge Street to its intersection with the street running to the tubular bridge over Rock Creek to Pennsylvania Avenue, in the city of Washington; along said avenue to Fifteenth Street West; along said street south to said avenue; along said avenue to the foot of the Capitol grounds; thence around the southern boundary of the Capitol grounds; and along their southern boundary easterly to Pennsylvania Avenue; along said Pennsylvania Avenue to Eighth Street East, or Garrison Street; and along said street south to the navy-yard gate, with a lateral road running along the eastern front of the Capitol from the southern to the northern gate, and thence by "A" street to the depot of the Baltimore and Ohio Railroad; and thence from said depot through First Street West to Pennsylvania Avenue, so as to intersect with said main road; also, a double or single track branch railway, commencing at Boundary Street North and running down Seventh Street West to Pennsylvania Avenue and to the Potomac; also, a railway commencing at Boundary Street and running down Fourteenth Street West and New York Avenue to Pennsylvania Avenue to a point of intersection with said first-mentioned railway, with the right to run public carriages thereon drawn by horse power, receiving therefor a rate of fare not exceeding five cents a passenger for any distance between the termini of either of the said main railway, or between the termini of either of said branch railways, or between either terminus of said main railway and the terminus of either of said branch railways: Provided, That the use and maintenance of said road shall be subject to the municipal regulations of the cities of Washington and Georgetown, respectively, within their several corporate limits, and that whenever the Capitol grounds shall be enlarged, the said routes shall be made to conform thereto.

SEC. 2. And be it further enacted, That said roads shall be deemed real estate, and they, together with other real property and the personal property of said body corporate, shall be liable to taxation as other real estate and personal property in the cities aforesaid, except as hereinafter provided.

SEC. 3. And be it further enacted, That the said railway shall be laid in the centre of the avenues and streets, as near as may be, without interfering with or passing over the water or gas pipes, in the most approved manner adapted for street railways, with rails of the most approved patterns, to be determined by the Secretary of the Interior, laid upon an even service with the pavement of the streets; and the space between the two tracks shall not be less than four feet nor more than six feet, and the carriages shall not be less than six feet in width, the gauge to correspond with that of the Baltimore and Ohio railroad.

SEC. 4. And be it further enacted, That the said corporation, hereby created, shall be bound to keep said tracks, and for the space of two feet beyond the outer rail thereof, and also the space between the tracks, at all times well paved and in good order, without expense to the United States or to the cities of Georgetown and Washington.

SEC. 5. And be it further enacted, That nothing in this act shall prevent the Government, at any time, at their option, from altering the grade or otherwise improving Pennsylvania Avenue, and such other avenues and streets as may be occupied by said roads, or the cities of Washington and Georgetown from so altering or improving such streets and avenues as may be under their respective authority and control, and in such event it shall be the duty of said company to change their said railroad so as to conform to such altered grade and pavements.

Power of corporation.

Line of track.

Horse power.

Fare.

Use of road subject to municipal regulations.

Roads to be deemed real estate.

Taxation.

Railway how to be laid.

Corporation to keep tracks and part of street in repair.

Grades, &c., of streets may be altered by authorities.

Corporation to alter its tracks.
This act may be changed or repealed, &c.
First-class cars to be used.

Times of running.

Passenger-rooms, depots, &c.
Tracks between stables and depots.
Land for stables, depots, &c.

Articles of value left in cars.

Government may transport freight cars over tracks.
Pay therefor.
Books of subscription to be opened in five days, &c.

Advertisement.

Subscription to be null and void unless twenty-five per cent. is paid at time of subscription.

Apportionment of stock.

What to be received in payment of twenty-five per cent.

SEC. 6. And be it further enacted, That this act may at any time be altered, amended, or repealed by the Congress of the United States.

SEC. 7. And be it further enacted, That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token, device, scrip, or other evidence of debt to be used as a currency.

SEC. 8. And be it further enacted, That the capital stock of said company shall be not less than three nor more than five hundred thousand dollars; and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property transferable in such manner as the by-laws of said company may direct.

SEC. 9. And be it further enacted, That the said company shall place first-class cars on said railways, with all the modern improvements for the convenience and comfort of passengers, and shall run cars thereon during the day as often as every five minutes, except as to Seventh and Fourthteenth streets, and on these once in fifteen minutes each way, and until twelve o'clock at night as often as every half hour; and throughout day and night as much oftener as public convenience may require.

SEC. 10. And be it further enacted, That said company shall procure such passenger rooms, ticket offices, stables, and depots at such points as the business of the railroad and the convenience of the public may require. And the said company is hereby authorized to lay such rails through transverse or other streets as may be necessary for the exclusive purpose of connecting the said stables and depots with the main tracks. And the said company is hereby authorized to purchase or lease such lands or buildings as may be necessary for the passenger rooms, ticket offices, stables, and depots above mentioned.

SEC. 11. And be it further enacted, That all articles of value that may be inadvertently left in any of the cars or other vehicles of the said company shall be taken to their principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

SEC. 12. And be it further enacted, That said corporation shall, on demand of the President of the United States, Secretary of War, or Secretary of the Navy, cause to be transported over said railway any freight cars laden with freight for the use of the United States; the officers causing such service to be done shall pay a reasonable compensation therefor.

SEC. 13. And be it further enacted, That within five days after the passage of this act the corporators named in the first section, or a majority of them, or if any refuse or neglect to act, then a majority of the remainder, shall cause books of subscription to the capital stock of said company to be opened and kept open, in some convenient and accessible place in the city of Washington, from nine o'clock in the forenoon till five o'clock in the afternoon, for a period to be fixed by said corporators, not less than two days, and said corporators shall give public notice, by advertisement in the daily papers published in the city of Washington, of the time when and the place where said books shall be opened, and subscribers upon said books to the capital stock of the company shall be held to be stockholders: Provided, That every subscriber shall pay at the time of subscribing twenty-five per centum of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be null and void. If at the end of two days a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators named in the first section shall forthwith proceed to apportion said capital stock among the subscribers pro rata, and make public proclamation of the number of shares allotted to each, which shall be done and completed on the same day that the books are closed: Provided, further, That nothing shall be received in payment of the twenty-five per centum at the time of subscribing except money or checks or certificates of deposit endorsed "good" by the president or
casher of some good solvent bank or banks. And when the books of subscription to the capital stock of said company shall be closed, the corporators named in the first section, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder, shall, within twenty days thereafter, call the first meeting of the stockholders of said company, to meet within ten days thereafter, for the choice of directors, of which public notice shall be given for five days in two public newspapers, published daily in the city of Washington, or by written personal notice to each stockholder by the clerk of the corporation; and in all meetings of the stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

Sec. 14. And be it further enacted, That the government and direction of the affairs of the company shall be vested in the board of directors, seven in number, who shall be stockholders, and who shall hold their office for one year and till others are duly elected and qualified to take their places as directors; and the said directors (a majority of whom, the president being one, shall be a quorum) shall elect one of their number to be president of the board, who shall also be president of the company; and they shall also choose a treasurer, who shall give bonds with surety to said company, in such sum as the said directors may require, for the faithful discharge of his trust. In case of a vacancy in the board of directors thereby shall be filled by the remaining directors.

Sec. 15. And be it further enacted, That the directors shall have full power to make and prescribe such by-laws, rules, and regulations, as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter, or to the laws of the United States, and the ordinances of the cities of Washington and Georgetown.

Sec. 16. And be it further enacted, That there shall be an annual meeting of the stockholders for choice of directors, to be held at such time and place, under such conditions, and upon such notice, as the said company in their by-laws may prescribe; and said directors shall annually make a report in writing of their doings to the stockholders and to Congress.

Sec. 17. And be it further enacted, That the Mayor, Common Council, and the several officers of the Corporations of the cities of Georgetown or Washington, and the said Corporations are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operation of said railroad, as herein authorized.

Sec. 18. And be it further enacted, That the said company shall have at all times the free and uninterrupted use of their road-way, and if any person or persons shall wilfully and unnecessarily obstruct or impede the passage on or over said railway, or any part thereof, or shall injure or destroy the cars, depot stations, or any property belonging to said railway company, the person or persons so offending shall forfeit and pay for every such offence the sum of five dollars to said company, and shall remain liable, in addition to said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid; but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.

Sec. 19. And be it further enacted, That unless said corporation shall make and complete their said railways between the Capitol and Georgetown within sixty working days from and after the company shall have been organized, and from the Capitol to the Navy Yard within sixty days thereafter, and on said Seventh Street, and from said Boundary Street, on Fourteenth Street, to the point of intersection as aforesaid, within six months from the approval of this act, then this act shall be null and void and no rights whatsoever shall be acquired under it.
Repeal of inconsistent laws.

May 20, 1862.

Certain persons may enter certain quantities of certain unappropriated public lands.

Such persons to make affidavit.

Contents of affidavit.

Certificates and patents, when to issue and upon what proof.

Affidavit.

Provision in case of death of applicant, &c.

THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 75. 1862.

SEC. 20. And be it further enacted, That all acts and parts of acts heretofore passed, which are inconsistent with any of the provisions of this act, are, for the purposes of this act, hereby repealed, so far as the same are inconsistent herewith.

APPROVED, May 17, 1862.

CHAP. LXXV. — An Act to secure Homesteads to actual Settlers on the Public Domain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall, from and after the first January, eighteen hundred and sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a preemption claim, or which may, at the time the application is made, be subject to preemption at one dollar and twenty-five cents, or less, per acre; or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed: Provided, That any person owning and residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

SEC. 2. And be it further enacted, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that he has never borne arms against the Government of the United States or given aid and comfort to its enemies, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of ten dollars, he or she shall thereupon be permitted to enter the quantity of land specified: Provided, however, That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry; or, if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death; shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he has borne true allegiance to the Government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided for by law: And provided, further, That in case of the death of both father and mother, leaving an infant child, or children, under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children for the time being have their domicili, sell
said land for the benefit of said infants, but for no other purpose; and
the purchaser shall acquire the absolute title by the purchase, and be en-
titled to a patent from the United States, on payment of the office fees
and sum of money herein specified.

SEC. 3. And be it further enacted, That the register of the land office
shall note all such applications on the tract books and plats of his office,
and keep a register of all such entries, and make return thereof to the
General Land Office, together with the proof upon which they have been
founded.

SEC. 4. And be it further enacted, That no lands acquired under the
provisions of this act shall in any event become liable to the satisfac-
tion of any debt or debts contracted prior to the issuance of the patent
therefor.

SEC. 5. And be it further enacted, That if, at any time after the filing
of the affidavit, as required in the second section of this act, and before
the expiration of the five years aforesaid, it shall be proven, after due
notice to the settler, to the satisfaction of the register of the land office,
that the person having filed such affidavit shall have actually changed his
or her residence, or abandoned the said land for more than six months at
any time, then and in that event the land so entered shall revert to the
government.

SEC. 6. And be it further enacted, That no individual shall be permit-
ted to acquire title to more than one quarter section under the provisions
of this act; and that the Commissioner of the General Land Office is
hereby required to prepare and issue such rules and regulations, consist-
tent with this act, as shall be necessary and proper to carry its provisions
into effect; and that the registers and receivers of the several land offices
shall be entitled to receive the same compensation for any lands entered
under the provisions of this act that they are now entitled to receive
when the same quantity of land is entered with money, one half to be
paid by the person making the application at the time of so doing, and
the other half on the issue of the certificate by the person to whom it
may be issued; but this shall not be construed to enlarge the maximum of
compensation now prescribed by law for any register or receiver: Pro-
vided, That nothing contained in this act shall be so construed as to im-
pair or interfere in any manner whatever with existing preemption rights:
And provided, further, That all persons who may have filed their applica-
tions for a preemption right prior to the passage of this act, shall be entitled
to all privileges of this act: Provided, further, That no person who has
served, or may hereafter serve, for a period of not less than fourteen
days in the army or navy of the United States, either regular or volun-
teer, under the laws thereof, during the existence of an actual war, do-

domestic or foreign, shall be deprived of the benefits of this act on account
of not having attained the age of twenty-one years.

SEC. 7. And be it further enacted, That the fifth section of the act en-
titled "An act in addition to an act more effectually to provide for the
punishment of certain crimes against the United States, and for other
purposes," approved the third of March, in the year eighteen hundred
and fifty-seven, shall extend to all oaths, affirmations, and affidavits, re-
quired or authorized by this act.

SEC. 8. And be it further enacted, That nothing in this act shall be so
construed as to prevent any person who has availed him or herself of the
benefits of the first section of this act, from paying the minimum price, or
the price to which the same may have graduated, for the quantity of land
so entered at any time before the expiration of the five years, and obtain-
ing a patent therefor from the government, as in other cases provided by
law, on making proof of settlement and cultivation as provided by existing
laws granting preemption rights.

APPROVED, May 20, 1862.

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THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 76, 77. 1862.

May 20, 1862. Chap. LXXXVI. — An Act making Appropriations to reimburse the contingent Fund of the Office of the Secretary of the Treasury, including Compensation of additional Clerks who may be employed according to the Exigencies of the Public Service, and for temporary Clerks, for the current fiscal Year and for the Year ending June thirtieth, Eighteen Hundred and Sixty-Three, and to provide for the Employment of additional Clerks in the Office of the Assistant Treasurer at St. Louis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes hereafter expressed, viz:

To reimburse the contingent fund of the office of the Secretary of the Treasury, for additional clerks authorized by the act of July twenty-seventh, eighteen hundred and sixty-one, and for temporary clerks in the Treasury Department for the year ending thirtieth of June, eighteen hundred and sixty-two, fifty thousand six hundred and fifty dollars.

For temporary clerks in the Treasury Department for the year ending June thirtieth, eighteen hundred and sixty-three, one hundred and three thousand dollars; Provided, That the Secretary of the Treasury be, and he is hereby authorized in his discretion to classify the temporary clerks so authorized according to the character of their services, or assign to such of them as he shall see fit any compensation not exceeding that of clerks of the first class.

For the necessary furniture, stationery, and labor consequent upon the increased clerical force, seven thousand dollars.

SEC. 2. And be it further enacted, That from and after the thirtieth day of June, eighteen hundred and sixty-two, there shall be employed in the office of the Assistant Treasurer at St. Louis a chief clerk and teller with an annual salary of eighteen hundred dollars, and one assistant clerk with an annual salary of twelve hundred dollars; and the sum of three thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the salaries of said chief clerk and assistant clerk for the fiscal year ending June thirty, eighteen hundred and sixty-three; Provided, That the clerks hereby authorized are to be in the place of all other clerical force now authorized by law for said office.

Approved, May 20, 1862.

May 20, 1862. Chap. LXXXVII. — An Act to provide for the Public Instruction of Youth in Primary Schools throughout the County of Washington, in the District of Columbia, without the Limits of the Cities of Washington and Georgetown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Levy Court of the county of Washington, in the District of Columbia, at their first meeting after the passage of this act, shall appoint seven intelligent inhabitants of the said county, who shall reside without the limits of the cities of Washington and Georgetown, two of whom shall be residents of that portion of the said county lying and being west of Rock Creek, three between Rock Creek and the Eastern Branch, and two east and south of the Eastern Branch, to be Commissioners of Primary Schools for said county, which said commissioners shall hold their offices until the second Monday in May, in the year one thousand eight hundred and sixty-three, and until others are appointed in their places; and in case any of the said commissioners thus appointed or to be appointed as aforesaid shall refuse to serve, or die, or remove from the county, or become incapable of serving, the vacancy or vacancies shall be filled by the Levy Court as soon as practicable.

SEC. 2. And be it further enacted, That each of the said commissioners, before he enters upon the execution of his office, and within fifteen days after notification of his appointment by the said Levy Court, shall take and subscribe an oath before some Justice of the Peace of the said
county, in form following, that is to say: "I, ________, do solemnly and sincerely promise and swear, (or affirm, as the case may be,) that I will in all things, to the best of my knowledge and ability, well and truly execute the trust reposed in me as commissioner of primary schools for the county, without favor or partiality;" and every justice of the peace before whom such oath shall be taken shall, without fee or reward, certify the same in writing, and, within eight days thereafter, transmit or deliver said certificate to the clerk of the Levy Court for record.

Sec. 3. And be it further enacted, That it shall be the duty of the commissioners of primary schools, or a majority of them, to divide the county into seven suitable and convenient school districts, two of which shall be located west of Rock Creek, three between Rock Creek and the Eastern Branch, and two east and south of the Eastern Branch, and to alter and regulate the same as hereinafter provided. And it shall be the further duty of the commissioners of primary schools aforesaid, immediately after the formation or alteration of any such school districts in said county, to describe and number the same, and deliver the description and number thereof, in writing, to the Clerk of the Levy Court, who is hereby required to receive and record the same in the records of that court without fee or reward: And provided, That in laying off said school districts, or in altering the same, no tracts, or parts of tracts, of land lying contiguous and forming one farm, shall be divided so that portions of the same property shall be included in two separate districts.

Sec. 4. And be it further enacted, That the said commissioners may alter and change the school districts with a view to their better arrangement and the more general convenience of the people: Provided, however, That, unless the trustees of the districts so to be altered or changed shall assent thereto, no such alteration or change shall be made.

Sec. 5. And be it further enacted, That it shall be the duty of the county collector to notify the different officers to be appointed, in virtue of the provisions of this act, of their appointments within ten days after his having received notice of such appointments from the appointing power, whose duty it shall be to give such notice to the county collector aforesaid.

Sec. 6. And be it further enacted, That the said commissioners shall hold two stated meetings in each year, which meetings shall be held at such place and at such times as shall be determined on by said commissioners, and of which they shall give public notice in each of said school districts, and such other meetings as circumstances may from time to time require; but if less than three members attend any meeting no business shall be transacted thereat, except that of adjourning to some time and place to be agreed on by the commissioners present, and at all meetings of said commissioners the treasurer of the school fund of the county hereinafter to be appointed, shall attend and lay before them his books and accounts for their inspection and examination.

Sec. 7. And be it further enacted, That the said commissioners shall cause to be kept a regular record of all their acts and proceedings in a book to be kept for that purpose, and said record, or a copy thereof, certified to be correct under the hands and seals of a majority of said board of commissioners shall be considered evidence of their acts and proceedings in all judicial proceedings. And the board of commissioners aforesaid shall have power to appoint a clerk, prescribe his duties, and pay him a salary, and also to allow the treasurer of the school fund, hereinafter to be appointed, an annual compensation for his services out of the general school fund, hereinafter to be provided: Provided, That neither the said clerk nor treasurer shall be paid more than one hundred dollars per annum.

Sec. 8. And be it further enacted, That on the second Monday in May, in the year eighteen hundred and sixty-three, and annually thereafter, the
Candidates for teachers to be examined.

Qualifications.

Certificate.

Dismissal of teachers.

School books.

Visitation of schools.

Proceedings when a school district is formed.

Notice of first meeting of inhabitants.

Trustees.

Site for school-house.

Tax, &c.

said Levy Court shall appoint one of said board of commissioners from each primary school district; and the said commissioners appointed as aforesaid shall, each acting in his respective district, examine all persons who shall offer themselves as candidates for teaching in such district; and in such examination it shall be the duty of the commissioners aforesaid to inquire, and, so far as he shall be enabled thereto, to ascertain and inform himself as to all the qualifications mentioned and contained in the certificate hereinafter specified and given in form; and if he shall be satisfied as to the sufficiency of such qualifications he shall certify in writing, under his hand, and deliver such certificate to the person so examined by him as aforesaid in form and substance following, viz: "I, the undersigned, resident commissioner of primary schools of district No. — , do certify that I have examined ——, and do believe he (or she, as the case may be,) is of a good moral character, and of sufficient learning and ability, and in all other respects well qualified to teach a primary school. Given under my hand the — day of —, in the year of our Lord one thousand eight hundred and ——, Commissioner of primary school district No. —"; and dismiss any intemperate, cruel, negligent, or immoral teachers, and cause to be put up in every school-house such general system of rules and regulations as may be adopted by the board of commissioners, which board shall also direct what books shall be used, and what branches shall be taught; and the resident commissioners aforesaid shall visit the schools in each of their respective districts at least twice a year, exercise a general supervision, and endeavor to promote a full, equal, and useful instruction of the youth of said county.

Sec. 9. And be it further enacted. That whenever any school district shall be formed by the commissioners of primary schools as aforesaid it shall be the duty of the said commissioners, within twenty days thereafter, to make a notice in writing describing the metes and bounds of such district, and appoint a time and place for the first district meeting, and notify the taxable white inhabitants residing in such district as aforesaid, by public advertisements to be put up at the most public places of the said district, at least six days before the time of such meeting; and in case such notice shall not be given as aforesaid, or the inhabitants of such district when so notified shall neglect or refuse to assemble or form a district meeting in pursuance of such notice, or in case any district, having been formed or organized in pursuance of such notice, shall, in the opinion of the commissioners aforesaid, be dissolved by adjournment without day, or from any other cause whatever, it shall and may be lawful for the commissioners aforesaid, or any one of them, at any time thereafter, to renew such notice, and the white inhabitants of such district liable to pay taxes as aforesaid shall assemble together, in pursuance of such notice, and when so assembled in district meeting it shall and may be lawful for them, or a majority of such of them as shall be present at such district meeting, to adjourn to any other time or place; and at such first or any future legal district meeting it shall and may be lawful for them, or a majority of them as shall be present as aforesaid, to adjourn from time to time as occasion may require, to fix on a time and place for holding their future annual meetings, which annual meetings they are hereby authorized and required to hold; to choose by ballot three trustees to manage the concerns of such school district, and one district collector; also to designate a suitable and central site for a school-house; to vote a tax on the property in such school district owned by white persons, sufficient, in addition to the proportion of the school fund (hereinafter to be provided for) allotted to such school district, to purchase, lease, or rent a site for a school-house; to build, lease, or rent and keep in repair said house; to supply fuel, books, stationery, and furniture; to pay the salary of a teacher, and all other necessary expenses: Provided, however, That
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no location of a school-house shall be fixed upon unless the same be approved by a majority of the commissioners, and no change shall be made after such school-house shall have been built but by consent of a majority of said commissioners; all the expenses incurred by making such change shall be defrayed by donation or by levies authorized to be made by a majority of the white citizens of such school district upon the assessable property therein owned by white persons.

Sec. 10. And be it further enacted, That the clerk of the Levy Court shall annually, without fee or reward, make out for the trustees of primary school districts, or such of them as shall apply for the same, copies from the assessment books of said county of all the assessable property in said district or districts.

Sec. 11. And be it further enacted, That all meetings of the school districts, held for the purpose aforesaid, shall be organized by appointing a president and clerk pro tempore, who shall take minutes of the proceedings, specifying particularly the amount of tax voted by said meetings, and deliver the same, certified under their hands and seals, within ten days after such meeting, to the commissioners of primary schools, or any one of them, to be delivered by them or him to the clerk of the commissioners, and by him to be recorded in a book kept for that purpose.

Sec. 12. And be it further enacted, That all tax to be voted by the citizens of any and every school district in said county, under and by virtue of this act, shall be levied on all the assessable property in said district owned by white persons, agreeably to the assessments of the last preceding county tax.

Sec. 13. And be it further enacted, That it shall be the duty of the Levy Court of the county aforesaid, at their first meeting after the passage of this act, and in each succeeding year thereafter, when the annual county levy is made, to impose and levy a school tax of one eighth of one per cent. on all the assessable property of said county, without the limits of the cities of Washington and Georgetown, owned by white persons, for the support of primary schools hereby authorized in said county, which tax shall be due at the same time, and shall be collected by the county collector in the same manner and under the same regulations and restrictions as are prescribed by law in relation to the collection of other county taxes, and which are hereby made applicable to the collection of the school tax imposed by this act, and when collected shall be paid to the treasurer of the Levy Court, who is hereby constituted and appointed treasurer of the primary school fund for said county, and who shall qualify by making oath or affirmation that he will well and faithfully discharge the duties required of him by law as treasurer of the school fund for said county, and not use the same to his own use or advantage, and he shall also give bond to the United States, with two good and sufficient sureties, conditioned for the faithful discharge of the duties required of him by this act, which bond, being approved by the commissioners of primary schools aforesaid, shall be filed with the Clerk of the Circuit Court of the District of Columbia, who is hereby required to file the same without fee or reward; and a copy of the said bond, under seal of said court, shall be sufficient evidence of the making thereof.

Sec. 14. And be it further enacted, That it shall be the duty of the trustees of each school district, whenever a district meeting shall have voted a sufficient tax for that purpose, to purchase a suitable site for their school-house, and to build, keep in repair, and furnish such school-house with necessary fuel, books, stationery, and appendages; and it shall be the further duty of the trustees aforesaid to agree with and employ all teachers to be employed in such district: Provided, That no teachers shall be employed by them who shall not have received the certificate of approbation from the commissioners of primary schools aforesaid, as hereinbefore provided; and it shall be the further duty of the trustees to

Copies of assessment books to be made for trustees.

Meetings of school districts, how organized.

Records of meetings.

Tax, upon what to be levied.

School tax to be levied for primary schools, when and how to be collected.

School treasurer.

Bond.

Trustees to provide school-house, books, &c.; to employ teachers and pay them.
pay the salaries of teachers out of the apportionment of the school fund for their respective districts which shall come into their hands through the commissioners aforesaid, so far as the same shall be sufficient for that purpose.

SEC. 15. And be it further enacted, That before the trustees of any school district shall enter upon the duties of their office, they shall each take an oath or make affirmation before a justice of the peace of said county, or one of the commissioners of primary schools, who is hereby authorized to administer the same, that he will well and truly discharge the duties pertaining to his said office of trustee, without prejudice or partiality, and according to law; and it shall be the duty of the said trustees of each of said school districts, or a majority of them, to furnish, at the expiration of their term of service, to the commissioners aforesaid, a correct statement of all money transactions done by them in virtue of their office as trustees of said primary school district.

SEC. 16. And be it further enacted, That it shall be the duty of the commissioners of primary schools aforesaid to apportion all moneys which shall come into the hands of the treasurer of the school fund aforesaid, under and by virtue of the provisions of this act, after paying the salaries of the clerk of the commissioners and the treasurer of the school fund, for the use of primary schools aforesaid, as soon as may be after such moneys shall be received by the said treasurer, equally among the several school districts in said county which shall have complied with the provisions of this act; and all moneys so to be apportioned by the commissioners, as aforesaid, shall be caused to be paid by them, according to such apportionment, to the trustees of the district to which such moneys shall be apportioned as aforesaid, whose receipts therefor shall be good and sufficient evidence of such payment, which moneys, so to be received by the trustees, as aforesaid, shall be applied and expended by them, after the apportionment for the first year, in paying the salaries of the teachers to be employed by them, and for no other purpose: Provided, That no moneys apportioned, as aforesaid, except the apportionment made for the first year, shall be paid by the commissioners aforesaid, until the white taxable inhabitants, and the trustees of the district to which such moneys shall be apportioned, as aforesaid, shall have substantially complied with the provisions of this act: And provided further, That it shall not be lawful for the commissioners aforesaid to draw any moneys from the hands of the treasurer of the school fund aforesaid, after paying the salaries of the clerk of the commissioners and the treasurer of the school fund aforesaid, except by draft in favor of the trustees of the school district to which such moneys shall be apportioned as aforesaid; and all moneys which shall be apportioned by the commissioners as aforesaid, and which shall remain unpaid for the space of two years thereafter, either from the omission or neglect of the trustees of the primary school district entitled to receive the same to apply therefor and to make the necessary certificates to entitle them to the same, or from any defect in such certificates, said moneys shall, after the expiration of said term, be added to the moneys next thereafter to be apportioned by the said commissioners, and shall be apportioned and paid together with such moneys as aforesaid.

SEC. 17. And be it further enacted, That the trustees of each school district shall hold their office till their successors shall be elected and qualified, and in case of vacancy such vacancy shall be filled by the remaining trustees within one month; and in case the said trustees shall fail to fill such vacancy within that time, then it shall be the duty of the commissioners of primary schools as soon as may be thereafter.

SEC. 18. And be it further enacted, That if any trustee of any primary school district shall make a false certificate or report, by means whereof any moneys shall be fraudulently obtained from the commis-
sioners aforesaid, such trustee signing such certificate or report shall for-
feit and pay double the amount so fraudulently obtained to the commis-
sioners of primary schools, to be recovered, with costs of suit, by action
of debt before any court of justice, or any justice of the peace having
cognizance thereof, in the name of said commissioners; and such sum,
exclusive of the cost of suit, shall be applied, when recovered, to the use
of the primary school in such district.

SEC. 19. And be it further enacted, That the said trustees shall keep
an account of their proceedings in a book kept for that purpose, and shall
also keep an account against the district collector for the sums authorized
to be collected, and for other sums paid into his hands, and shall give him
credit for the sums legally paid by him, also for his legal commissions,
and for such taxes as cannot be collected by legal steps and proper dili-
gence; and that said collector shall have the keeping of all moneys col-
lected by him, and other sums paid into his hands, subject to the written
order of a majority of the trustees, drawn in favor of such persons hav-
ing claims against said school district, and he shall report to the trustees
whenever required the amount of funds in his hands and a full statement
of his accounts.

SEC. 20. And be it further enacted, That the trustees of any primary
school district in said county shall be and they are hereby authorized, in
their discretion, to require from any child attending school the payment
of any sum of money not exceeding one dollar a month, to be applied to
the payment of the expenses of said school district; and in the exercise
of this power the trustees aforesaid may, from time to time, discontinue
the payment thereof altogether, or may graduate the payments according
to the ability of the children and the exigencies of the school.

SEC. 21. And be it further enacted, That it shall be the duty of the
trustees of each school district, whenever a district meeting shall have
voted a district tax, as soon as may be, to make a rate bill or tax list,
which shall raise the sum voted for, in due proportion on all the taxable
property in such district, agreeably to the assessment of the last prece-
ding county tax, and to annex to such tax list or rate bill a warrant, and
to deliver the same to the collector of such district, which warrant shall
be substantially as follows:

"COUNTY OF WASHINGTON, D. C., ss.

To ———, collector of the ——— district in the county aforesaid,
greeting: You are hereby required and commanded to collect from each
of the inhabitants of said district the several sums of money written
opposite to the name of each of said inhabitants in the annexed tax list,
and within sixty days after receiving this warrant to pay the amount of
the moneys by you collected to the order of the trustees of said district
or a majority of them; and if any one or more of said inhabitants shall
neglect or refuse to pay the same, you are hereby further commanded to
levy on the goods and chattels of each delinquent, and make sale thereof
according to law. Given under our hands and seals this ——— day of
——, A. D. ———.

P, 
Q, 
R, 

Trustees.

And if the sum or sums payable by any person named in such tax
list or rate bill shall not be paid by him or collected by virtue of said
warrant within the time therein limited, it shall be lawful for the trustees
aforesaid to renew such warrant in respect to such delinquent person or
persons.

SEC. 22. And be it further enacted, That it shall be the duty of the
trustees of each district to make a report to the commissioners of primary
schools on or before the thirty-first day of December in each year, in
which report shall be stated the sums received from different sources, the
Trustees to report annually to commissioners.

Contents of report.
amount expended, and in what manner, the number of children taught in said school, and the whole number of white children in said district between the ages of five and sixteen years.

SEC. 23. And be it further enacted, That the collector of each school district shall give bond with security, to the satisfaction of the trustees, for the faithful discharge of the duties of his office, and shall have the same power and authority, and have the same fee for collecting, and be subject to the same rules, regulations, and duties, with respect to the collection of the district tax as by law appertain to the office of collector of the county tax; and the said county collector may be eligible as the school district collector.

SEC. 24. And be it further enacted, That each organized school district shall be a corporation by the name of "Primary School District, No. —," (the blank to be filled with an appropriate number,) with power to take and hold by devise, bequest, and donation, real and personal estate for the use of the primary school in said district, and may alien and sell the same, when, in the opinion of the trustees and resident commissioner of said district, it will be for the interest and advantage of the primary school in said district, and invest the money arising from the sale in some safe and profitable stock, and the dividends received from the same apply to the use of such primary school, and in their corporate name prosecute and maintain actions for injury done to the grounds, houses, property, school-houses, appurtenances, and furniture, and may sue for and receive all moneys due them, or for real and personal property to which they may be entitled.

SEC. 25. And be it further enacted, That when any land in any school district in said county may become charged for the payment of any school tax, and the collector of the tax can find no personal property in said district liable for or chargeable with the payment of the same, the said collector shall be and is hereby directed and required to return to the trustees of the said district, at such time or times as the said trustees shall direct or require, a list of such lands and the amount of taxes thereon respectively due, and the names of the persons respectively chargeable with the payment of the same, and the said trustees shall thereupon have and exercise, in relation to said lands, all the powers which might or could be exercised by the levy court of said county in like cases, and the collector of said school district shall have the same powers and authority, and be subject to the same rules, regulations, and duties in the premises as by law appertain to the office of the collector of county taxes in like cases.

SEC. 26. And be it further enacted, That in case the trustees of any school district should not be able to purchase or lease a suitable site for the erection of their school-house, they shall have power to value and assess a convenient lot, with the improvements thereon, if any, not exceeding one acre of land for that purpose, and the decision of the said trustees as to the worth of the said land and improvements, if any, shall be final and conclusive, unless an appeal shall be prosecuted as hereinafter provided, and the amount of damage for the land and improvements, if any, so valued and assessed as aforesaid, being paid or offered to be paid to the person or persons entitled to receive the same, of which payment or offer to pay a certificate, signed by a majority of the said trustees, and recorded among the land records of Washington county, or a copy of such record duly certified and sealed, shall be sufficient evidence; the said trustees, in their corporate character, shall be thenceforward considered the lawful owners of the said land and improvements, if any, and all right, title, estate, and interest therein, at law or in equity, shall be vested in them for the purpose aforesaid: Provided, however, That if the owner or owners of the said land and improvements, if any, his, her, or their guardian or guardians, trustee or trustees, shall conceive him, her, or them-
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Provisions

Themselves aggrieved by such valuation and assessment, and shall, within thirty days after the payment of the valuation so offered as aforesaid, notify to the said trustees the same in writing, it shall and may be lawful, and it shall be the duty of the said trustees, or a majority of them, to issue their warrant to the marshal of the District of Columbia, commanding him to summon a jury of six freeholders of the school district, not interested in the matter, to appear, on a day by the said trustees to be appointed, on the premises; and any one of the said trustees, or any justice of the peace of the said county, is authorized to administer an oath or affirmation, as the case may be, to each and every person so summoned as aforesaid, that he will, without favor, affection, partiality, or prejudice, assess the damages sustained by the person or persons at whose request the said inquisition shall be taken, by reason of his, her, or their land and improvements, if any, about to be made as aforesaid, and the persons so summoned and qualified as aforesaid shall thereupon proceed to value and assess the damages accordingly: Provided, That if such appeal from the assessment and valuation of the said trustees be confirmed by the jury herein directed to be summoned and qualified as aforesaid, or should the same be reduced to a lower rate of valuation and assessment by the said jury, the party appealing in that case shall pay the whole expense incurred thereby, otherwise the trustees, in their corporate character as such, shall pay the expense incurred by reason of such appeal.

Sec. 27. And be it further enacted, That the said trustees or the said jury, as the case may be, immediately after they shall have completed their valuation and assessment or inquisition, as aforesaid, and done all things required of them, or either of them, as the case may be, under the provisions of this act, shall make out a fair statement of their proceedings, setting forth in the same a full and distinct description of the land or real estate and improvements, if any thereon, as valued by them or either of them, as the case may be, and all matters and things connected with the said valuation and assessment, and the performance of the duties required of them by this act, and to the said copy, fairly to be written out as aforesaid, they shall subscribe their names and thereunto affix their seals, and they shall deposit the same in the office of the clerk of the circuit court of the District of Columbia, and it shall be the duty of the said clerk to preserve a record of the said proceedings without fee or reward; and a copy of such record, certified by the said clerk under the seal of the said court, shall be evidence of all matters therein stated, in the same manner as certified copies of other records are evidence.

Sec. 28. And be it further enacted, That in the event of an appeal and the inquisition of a jury, as provided by this act, the amount of damages for the land or real estate and improvements so valued and assessed as aforesaid, being paid or offered to be paid as aforesaid, the said trustees, in their corporate character as aforesaid, shall thenceforward forever thereafter be considered the lawful owners of the said land and improvements as aforesaid, and all right, title, interest, and estate therein, at law or in equity, shall be vested in the said trustees for the purpose aforesaid: Provided, That it shall not be lawful to locate the said site in the orchard or garden, nor within three hundred yards of any dwelling of any person or persons whatever, without the assent of the proprietor of such orchard, garden, or dwelling, as the case may be.

Sec. 29. And be it further enacted, That if any treasurer or collector, having any school funds in his hands, or neglecting or refusing to obtain such funds as by law authorized and directed, shall refuse to pay for two weeks any order of the said commissioners or trustees, or a majority of either, drawn in conformity to the requisitions of this act, such treasurer or collector shall be liable, on proof thereof before any court of justice or justice of the peace having cognizance, and without stay of execution, to pay the full amount of said order and interest thereon, at the rate of

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Penalty on collector for collecting more than is due.

Supervision of commissioners and of trustees.

Trustees may enforce discipline.

School-houses may be used for public worship.

Parents may select schools.

Who may not be commissioner or trustee.

Levy Court may levy tax for education of colored children.

Tax, how collected.

Trustees to provide school-houses, employ teachers, &c.

may impose tax on parents, &c.

may receive donations, &c.

This act, how to be construed.

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twenty per centum per annum, from the first refusal until the day of payment, by way of damages.

Sec. 30. And be it further enacted, That if any collector, appointed or acting under the provisions of this act, shall in any case collect more than is due, the person aggrieved shall have his remedy against such collector by suit or warrant, and if he recover he shall have judgment for double the amount improperly and unjustly extorted from him, and costs.

Sec. 31. And be it further enacted, That the Levy Court of Washington county shall exercise a general supervision over the proceedings of said commissioners, may examine their books and papers, and shall prosecute for any delinquencies or violations of their duty; and the said commissioners shall exercise the same power over the proceedings, books, and papers of the trustees in the several school districts, and shall prosecute for all violations of this act by them committed.

Sec. 32. And be it further enacted, That the trustees of the several school districts shall have the power of exercising discipline in their respective schools by the expulsion of the refractory pupil, or such other punishment as may be necessary to correct the evil, and carry out the great ends of education, moral and intellectual; and they may permit any of the said school-houses to be used for public worship.

Sec. 33. And be it further enacted, That any white resident of said county shall be privileged to place his or her child or ward at any one of the schools in said county she or he may think proper to select.

Sec. 34. And be it further enacted, That it shall not be lawful for a member of the levy court of said county to be a commissioner of primary schools, or trustee of any of the school districts, nor for any person to be at the same time commissioner and trustee as aforesaid.

Sec. 35. And be it further enacted, That the said Levy Court may, in its discretion, and if it shall be deemed by said court best for the interest and welfare of the colored people residing in said county, levy an annual tax of one eighth of one per cent. on all the taxable property in said county outside the limits of the cities of Washington and Georgetown, owned by persons of color, for the purpose of initiating a system of education of colored children in said county, which tax shall be collected in the same manner as the tax named in section thirteen of this act. And it shall be the duty of the trustees elected under section nine to provide suitable and convenient rooms for holding schools for colored children, to employ teachers therefor, and to appropriate the proceeds of said tax to the payment of teachers' wages, rent of school-rooms, fuel, and other necessary expenses pertaining to said schools, to exercise a general supervision over them, to establish proper discipline, and to endeavor to promote a full, equal, and useful instruction of the colored children in said county. It shall be lawful for such trustees to impose a tax of not more than fifty cents per month on the parent or guardian of each child attending such schools, to be applied to the payment of the expenses of the school of which such child shall be an attendant; and in the exercise of this power the trustees may, from time to time, discontinue the payment altogether, or may graduate the tax according to the ability of the child and the wants of the school. And said trustees are authorized to receive any donations or contributions that may be made for the benefit of said schools by persons disposed to aid in the elevation of the colored population in the District of Columbia, and to apply the same in such manner as in their opinion shall be best calculated to effect the object of the donors, said trustees being required to account for all funds received by them, and to report to the commissioners, in accordance with the provisions of section twenty-two of this act.

Sec. 36. And be it further enacted, That this act be, and the same is hereby, declared public and remedial, and shall be construed by all courts of justice according to the equity thereof; and no proceedings of the
inhabitants or of the trustees of any school district, or of the commission-
ers of primary schools, or of any other officer created under the provisions of
this act, shall be set aside or adjudged to be void for defect of form, or
for any irregularity therein, so as the requisitions of the said act are sub-
stantially complied with.

Approved, May 20, 1862.

Chap. LXXXVIII.—An Act preserving the Qualification of Electors in the Cities of
Washington and Georgetown, in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That in all municipal elections
in the cities of Washington and Georgetown, in the District of Columbia,
during the existence of the present rebellion, every person who shall offer
to vote at any such election, and who shall be challenged by any legal
voter on the ground of disloyalty to the government of the United States,
shall, before his vote shall be received, in addition to the requirements
now established by law, take and subscribe to the following oath or affir-
mation, namely: "I do solemnly swear (or affirm, as the case may be) that
I will support, protect, and defend the Constitution and Government
of the United States against all enemies, whether domestic or foreign;
that I will bear true faith, allegiance, and loyalty to the same, any ordi-
nance, resolution, or law of any State Convention, Legislature, or order
or organization, secret or otherwise, to the contrary notwithstanding, and
that I do this with a full determination, pledge, and purpose, without any
mental reservation or evasion whatsoever; and, further, that I have
always been loyal and true to the Government of the United States. So
help me God." The said oath or affirmation may be taken before any
justice of the peace, notary public, or other person legally authorized to
administer oaths in the District of Columbia; and the production of the
certificate, in writing, of any such justice of the peace, notary public, or
other person so authorized to administer oaths, with a copy of such oath
or affirmation, that said oath has been taken and subscribed to by the
person producing such certificate, shall be deemed by the commissioners
of election sufficient evidence of the fact. And it shall also be lawful
for the commissioners of election, or any one of them, during the time
of holding such elections, to administer said oath. And any person or per-
sons violating said oath, or making any false statement in taking the same,
shall be subject to all the pains and penalties of wilful and corrupt perjury
and shall be liable to be indicted and prosecuted to conviction before any
court in said District of Columbia having competent jurisdiction thereof.

Approved, May 20, 1862.

Chap. LXXXIX.—An Act to provide for the Codification and Revision of the Laws of the
District of Columbia.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the President of the
United States be and he is hereby authorized and empowered to appoint, by
and with the advice and consent of the Senate, three suitable persons, learn-
ed in the law, to revise and codify the laws of the District of Columbia.

Sec. 2. And be it further enacted, That the persons who shall be thus
appointed shall render a final report of their revision and codification to
Congress on or before the first Monday of December next.

Approved, May 20, 1862.

Chap. LXXX.—An Act to authorize the Appointment of Medical Store-keepers and
Chaplains of Hospitals.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Secretary of War
be authorized to add to the medical department of the army medical
storekeepers, not exceeding six in number, who shall have the pay and
emoluments of military storekeepers in the quartermaster's department,
who shall be skilled apothecaries or druggists, who shall give the bond
and security required by existing laws for military storekeepers in
the quartermaster's department, and who shall be stationed at such
points as the necessities of the army may require: Provided, That the
provisions of this act shall remain in force only during the continuance
of the present rebellion.

SEC. 2. And be it further enacted, That the President of the United
States is hereby authorized to appoint, if he shall deem it necessary, a
chaplain for each permanent hospital, whose pay, with that of chaplains
of hospitals heretofore appointed by him, shall be the same as that of
regimental chaplains in the volunteer force; and who shall be subject to
such rules in relation to leave of absence from duty as are prescribed for
commissioned officers of the army.

APPROVED, May 20, 1862.

May 20, 1862.
1862, ch. 5.
An Act supplementary to an Act approved on the thirteenth July
eighteen hundred and sixty-one, entitled "An Act to provide for the Collection of
Duties on Imports, and for other purposes."

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, in addition to the powers conferred upon him by the act of the
thirteenth July, eighteen hundred and sixty-one, be, and he is hereby,
authorized to refuse a clearance to any vessel or other vehicle laden with
goods, wares, or merchandise, destined for a foreign or domestic port, when-
ever he shall have satisfactory reason to believe that such goods, wares, or
merchandise, or any part thereof, whatever may be their ostensible desti-
nation, are intended for ports or places in possession or under control of in-
surgents against the United States; and if any vessel or other vehicle for
which a clearance or permit shall have been refused by the Secretary of
the Treasury, or by his order, as aforesaid, shall depart or attempt to
depart for a foreign or domestic port without being duly cleared or per-
mited, such vessel or other vehicle, with her tackle, apparel, furniture,
and cargo, shall be forfeited to the United States.

SEC. 2. And be it further enacted, That whenever a permit or clear-
ance is granted for either a foreign or domestic port, it shall be lawful for
the collector of the customs granting the same, if he shall deem it neces-
sary, under the circumstances of the case, to require a bond to be exe-
cuted by the master or the owner of the vessel, in a penalty equal to the
value of the cargo, and with sureties to the satisfaction of such collector,
that the said cargo shall be delivered at the destination for which it is
 cleared or permitted, and that no part thereof shall be used in affording
aid or comfort to any person or parties in insurrection against the author-
ity of the United States.

SEC. 3. And be it further enacted, That the Secretary of the Treasury
be and he is hereby further empowered to prohibit and prevent the trans-
portation in any vessel, or upon any railroad, turnpike, or other road or
means of transportation within the United States, of any goods, wares, or
merchandise of whatever character, and whatever may be the ostensible
destination of the same, in all cases where there shall be satisfactory rea-
sions to believe that such goods, wares, or merchandise are intended for
any place in the possession or under the control of insurgents against the
United States; or that there is imminent danger that such goods, wares,
or merchandise will fall into the possession or under the control of such
insurgents; and he is further authorized, in all cases where he shall deem
it expedient so to do, to require reasonable security to be given that
goods, wares, or merchandise shall not be transported to any place un-
der insurrectionary control, and shall not, in any way, be used to give aid or comfort to such insurgents, and he may establish all such general or special regulations as may be necessary or proper to carry into effect the purposes of this act; and if any goods, wares, or merchandise shall be transported in violation of this act, or of any regulation of the Secretary of the Treasury, established in pursuance thereof; or if any attempt shall be made so to transport them, all goods, wares, or merchandise, so transported or attempted to be transported, shall be forfeited to the United States.

Sec. 4. And be it further enacted, That the proceedings for the penalties and forfeitures accruing under this act may be pursued, and the same may be mitigated or remitted by the Secretary of the Treasury in the modes prescribed by the eighth and ninth sections of the act of July thirteenth, eighteen hundred and sixty-one, to which this act is supplementary.

Sec. 5. And be it further enacted, That the proceeds of all penalties and forfeitures incurred under this act, or the act to which this is supplementary, shall be distributed in the manner provided by the ninety-first section of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage."

Approved, May 20, 1862.

CHAP. LXXXII. — An Act to authorize the Corporation of Georgetown, in the District of Columbia, to lay and collect a Water Tax, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mayor, Recorder, Aldermen, and Common Council of Georgetown, in the District of Columbia, shall have full power and authority to levy and collect a tax not exceeding sixty cents per front foot on all lots and parts of lots within said corporate limits in front of or parallel to which water mains have been or may hereafter be laid; or, in their discretion, to appropriate from the corporate funds generally so much money as may be necessary to supply the inhabitants of said town with Potomac water from the aqueduct mains or pipes now laid or to be laid in the streets of said town by the United States; and to make all laws and regulations for the proper distribution of the same, subject to the restrictions prescribed by this act, and the act approved March the third, eighteen hundred and fifty-nine, and entitled "An act to provide for the care and preservation of the works constructed by the United States for bringing the Potomac water into the cities of Washington and Georgetown, for the supply of said water for all Government purposes, and for the uses and benefit of the inhabitants of said cities."

Sec. 2. And be it further enacted, That said Corporation shall have full power and authority to collect such taxes, when so fixed, in advance or otherwise, through such agents, collectors, or commissioners, as they may designate and appoint; and upon the failure of any owner of said lot or lots, or part thereof, to pay said taxes, to sell the same; or to stop the supply of water to the same, or to restrain and sell the personal effects of such owner, and in the case of any sale the same proceedings shall be observed as are adopted in enforcing the collection of the general tax of said town; and generally to enact such laws as may be necessary to furnish the inhabitants of said town with pure and wholesome water, and to carry into complete effect the powers herein granted: Provided, That the taxes levied by virtue of this act shall never be a source of revenue other than as a means of supplying said town with water.

Sec. 3. And be it further enacted, That in levying said front foot tax, said Corporation shall, in all cases where a lot or lots, or part thereof, may be situated at the intersection of two streets and fronting on the same,
so reduce and graduate the tax thereon as not to exceed in all a tax upon one hundred feet front; and shall, in all cases where said property may have a front on any one or more streets, of more than one hundred feet, so reduce and graduate the tax thereon as not to exceed a tax upon one hundred feet front.

SEC. 4. And be it further enacted, That all ordinances and resolutions or parts thereof relating to the distribution of Potomac water through said town, and the collection of a water tax, and the ordinances and resolutions heretofore passed by said Corporation particularly mentioned in this section, be and the same are hereby ratified and confirmed, said ordinances and resolutions being described and identified as follows, to wit: A resolution approved April the twenty-third, eighteen hundred and fifty-nine, entitled "A resolution authorizing the tapping of water mains;" a resolution approved May the seventh, eighteen hundred and fifty-nine, entitled "A resolution authorizing the laying of a water main up High street;" an ordinance approved May the ninth, eighteen hundred and fifty-nine, entitled "An ordinance authorizing the distribution of the Potomac water through the city of Georgetown;" a resolution approved May the fourteenth, eighteen hundred and fifty-nine, entitled "A resolution repealing a part of a resolution for laying a water main up High street;" an ordinance approved July the second, eighteen hundred and fifty-nine, entitled "A supplement to an ordinance authorizing the distribution of the Potomac water through the city of Georgetown, approved May the ninth, eighteen hundred and fifty-nine;" a resolution approved July the second, eighteen hundred and fifty-nine, entitled "A resolution approving of certain contracts for distributing water through the town;" a resolution approved August the twentieth, eighteen hundred and fifty-nine, entitled "A resolution in relation to the water distribution;" a resolution approved September the seventeenth, eighteen hundred and fifty-nine, entitled "A resolution authorizing the water board to purchase water pipes;" a resolution approved September the seventeenth, eighteen hundred and fifty-nine, entitled "A resolution in relation to water distribution;" a resolution approved September the twenty-fourth, eighteen hundred and fifty-nine, entitled "A resolution supplementary to a resolution, entitled 'A resolution in relation to the water distribution, approved August the twentieth, eighteen hundred and fifty-nine;'" a resolution approved September the twenty-fourth, eighteen hundred and fifty-nine, entitled "A resolution in relation to the redemption of water stock;" a resolution approved October twenty-ninth, eighteen hundred and fifty-nine, entitled "A resolution in relation to water mains;" a resolution approved November the fifth, eighteen hundred and fifty-nine, entitled "A resolution approving the contract for patent water-pipes for Road street;" a resolution approved November the nineteenth, eighteen hundred and fifty-nine, entitled "A resolution repealing a portion of the resolution approved April the twenty-third, eighteen hundred and fifty-nine, in relation to tapping water-mains."

SEC. 5. And be it further enacted, That in case of a failure to pay any taxes whatever laid by said corporation by virtue of its vested powers, it shall be lawful to sell, in the discretion of the collector or other proper officer, either the real or personal estate, or both, of the delinquent taxpayer; and so much of the eighth section of the act approved May the twenty-sixth, eighteen hundred and twenty-four, entitled "An act supplementary to the act 'to incorporate the inhabitants of the city of Washington,' passed the fifteenth of May, one thousand eight hundred and twenty, and for other purposes," as is in the following words, viz: "Provided, That no sale of real estate shall be made but where the owner or tenant of the property has not sufficient personal estate out of which to enforce a collection of the debt due," be and the same is hereby repealed.

SEC. 6. And be it further enacted, That the person or persons ap-
pointed to collect any taxes imposed by said corporation in pursuance of its vested powers shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith, but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the District of Columbia, aforesaid; and the provisions of the acts of Maryland now in force within said District relating to the right of repleving personal property taken in execution for public taxes shall apply to all cases of personal property taken by distress to satisfy taxes imposed by virtue of the corporate powers aforesaid.

Sec. 7. And be it further enacted, That said corporation shall have power and authority to repair any of the footways of the streets in said town, and to impose and collect such tax or taxes on the lot or lots, or parts thereof, adjoining the same, as may be necessary to pay the expense of such repairs.

Sec. 8. And be it further enacted, That so much of the first section of the act approved May thirty-one, eighteen hundred and thirty, entitled "An act to amend the charter of Georgetown," as is in the following words, viz: "Provided, That nothing in this act shall change the manner of giving notice of the sales of property owned by persons not residing in the District of Columbia," be and the same is hereby repealed.

Approved, May 21, 1862.

CHAP. LXXXIII. — An Act providing for the Education of Colored Children in the Cities of Washington and Georgetown, District of Columbia, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be the duty of the municipal authorities of the cities of Washington and Georgetown, in the District of Columbia, to set apart ten per centum of the amount received from taxes levied on the real and personal property in said cities owned by persons of color which sum received for taxes, as aforesaid, shall be appropriated for the purpose of initiating a system of primary schools for the education of colored children residing in said cities.

Sec. 2. And be it further enacted, That the boards of trustees of public schools in said cities shall have sole control of the fund arising from the taxes aforesaid, as well as from contributions by persons disposed to aid in the education of the colored race, or from any other source, which shall be kept as a fund distinct from the general school fund; and it is made their duty to provide suitable rooms and teachers for such a number of schools as, in their opinion, will best accommodate the colored children in the various portions of said cities.

Sec. 3. And be it further enacted, That the board of trustees aforesaid shall possess all the powers, exercise the same functions, and have the same supervision over the schools provided for in this act as are now exercised by them over the public schools now existing in said cities by virtue of the laws and ordinances of the Corporation thereof.

Sec. 4. And be it further enacted, That all persons of color in the District of Columbia, or in the corporate limits of the cities of Washington and Georgetown, shall be subject and amenable to the same laws and ordinances to which free white persons are or may be subject or amenable; that they shall be tried for any offences against the laws in the same manner as free white persons are or may be tried for the same offences; and that upon being legally convicted of any crime or offence against any law or ordinance, such persons of color shall be liable to the same penalty or punishment, and no other, as would be imposed or inflicted upon free white persons for the same crime or offence; and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved, May 21, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 84, 85. 1862.

May 26, 1862.

CHAP. LXXXIV. — An Act to provide for the Settlement of the Accounts of John A. Smith, Clerk of the Circuit Court and Criminal Court of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all settlements of accounts for fees, emoluments, and allowances by the clerk of the circuit and criminal courts of the District of Columbia, the accounting officers of the Treasury shall not hold said clerk responsible for any fees or charges not actually collected by him from the parties liable therefor, whenever the failure to make such collection shall be shown to result from the insolvency, non-residence, or other inability of the parties liable therefor; and the affidavit of said clerk that he has in vain used due diligence to collect said fees, accompanied by a certificate of the district attorney that he believes that the money cannot, by due diligence, be collected, shall be held and deemed sufficient proof for the allowance to said clerk of all fees and charges not actually collected by him; and said clerk shall thereupon be entitled to a credit in all settlements of his accounts heretofore made, in which he is charged for said uncollected fees, and said former settlements are hereby opened for the purpose of giving him said credit upon his affidavit and the certificate of the district attorney being produced to the proper accounting officers, in support of the credit so claimed by him.

SEC. 2. And be it further enacted, That the clerk of said circuit and criminal courts of the District of Columbia shall be credited in all settlements of account (made heretofore or which may be made hereafter) out of the fees collected by him, or due to him, a salary of twenty-five hundred dollars per annum for his services as clerk of said criminal court during the period in which he has received no compensation for his said services; and in all settlements made, or to be made, he shall be allowed out of his said fees collected by or due to him, in either of said courts, his proper and legal allowances, and all proper expenses; and it shall be the duty of the proper accounting officers to restate all former settlements of said accounts and settle the same in conformity with the provisions of this act.

SEC. 3. And be it further enacted, That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

Approved, May 26, 1862.

May 26, 1862.

CHAP. LXXXV. — An Act to amend an Act entitled "An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-three," approved April seventeenth, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of the first section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three," approved April seventeenth, eighteen hundred and sixty-two, which appropriates the sum of eight thousand eight hundred dollars "for compensation of twenty-five additional clerks in the Post Office Department, authorized by the 'Act to promote the efficiency of the dead letter office,' approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two," be and the same is hereby so amended, that the said sum of eight thousand eight hundred dollars shall be payable out of the appropriation made out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-two, contained in the
third section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two," approved March second, eighteen hundred and sixty-one.

APPROVED, May 26, 1862.

CHAP. LXXXVI. — An Act to reduce the Expenses of the Survey and Sale of the Public Lands in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contracts for the survey of the public lands shall not become binding upon the United States until approved by the Commissioner of the General Land Office, except in such cases as said Commissioner shall otherwise specially order.

Sec. 2. And be it further enacted, That the printed manual of instructions relating to the public surveys, prepared at the General Land Office, and bearing date February twenty-second, eighteen hundred and fifty-five, the instructions of the Commissioner of the General Land Office, and the special instructions of the surveyor general, when not in conflict with said printed manual, or the instructions of said Commissioner, shall be taken and deemed to be a part of every contract for surveying the public lands of the United States.

Sec. 3. And be it further enacted, That the Commissioner of the General Land Office shall have power, and it shall be his duty, to fix the prices per mile for public surveys, which shall in no case exceed the maximum established by law; and that, under instructions to be prepared by said Commissioner, an accurate account shall be kept by each surveyor general of the cost of surveying and platting private land claims, to be reported to the General Land Office, with the map of such claim, and that patents shall not issue for any such private claim until the cost of survey and platting shall have been paid into the Treasury of the United States by the claimant.

Sec. 4. And be it further enacted, That from and after the first day of July next, and upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order that the Territories of Utah and Colorado shall constitute one surveying district, the duties of surveyor general in said district to be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former to be transferred to the surveyor general of California; and the transfer of the effects and archives of the offices to be made under the instructions of the Commissioner of the General Land Office.

Sec. 5. And be it further enacted, That upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order the discontinuance of any land office, and the transfer of its business and archives to any other land office within the same State or Territory.

Sec. 6. And be it further enacted, That from and after the first day of July next the compensation of registers and receivers in all the land offices in the United States shall be an annual salary of five hundred dollars to each, with the fees and commissions now prescribed by law, and, to be paid by claimants, an additional fee in donation cases of five dollars for each final certificate for one hundred and sixty acres, ten dollars for three hundred and twenty acres, and fifteen dollars for six hundred and forty acres; to be accounted for in the same manner as fees and commissions in warrant and preemption locations, with limitations as to maximum of salary prescribed by existing laws, and in accordance with such instructions as shall be given by the Commissioner of the General [Land] Office.
SEC. 7. And be it further enacted, That in regard to settlements which by existing laws are authorized in certain States and Territories upon unsurveyed lands, which privilege is hereby extended to California, the preemption claimant shall be, and is hereby, in all cases, required, from and after the first day of September, eighteen hundred and sixty-two, to file his declaratory statement within three months from the date of the receipt at the district-land office of the approved plat of the township embracing such preemption settlement: Provided, The provisions of this section shall not be held to authorize preemption and settlement of mineral lands, which are hereby exempted from the provisions of this act.

SEC. 8. And be it further enacted, That from and after the first day of July next, and until otherwise ordered by the President, the duties of the register and receiver of New Mexico shall be transferred to and devolve upon the surveyor general of that Territory, and it shall and may be lawful for the President, in like manner, to transfer the duties of register and receiver in any district to the surveyor general where the public interest may require such transfer.

SEC. 9. And be it further enacted, That from and after the first day of July next the salary of the surveyor general of California shall not exceed three thousand dollars per annum, and the salaries of the surveyor general of Oregon and Washington shall not exceed two thousand five hundred dollars each per annum, and should the surveying districts of Utah and Nevada be hereafter established by order of the President, each as an independent district, the salaries of the surveyor general shall not exceed three thousand dollars each for said districts.

SEC. 10. And be it further enacted, That when the settlers in any township or townships, not mineral or reserved by Government, shall desire a survey made of the same, under the authority of the surveyor general of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository, to the credit of the United States, a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said surveyor general, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: Provided, The townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and sub-divisional surveys.

APPROVED, May 30, 1862.
deemed incomplete for the want of a survey or patent when the land
granted may be ascertained without a survey or patent.

APPROVED, June 2, 1862.

CHAP. XCL. — An Act to allow the State of California an additional Representative in
the thirty-seventh Congress.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That as the census has never
been reliably taken in the State of California until the year eighteen
hundred and sixty, and as it appears that the said State had sufficient
population to entitle her to three representatives in the thirty-seventh
Congress, and as three representatives have been duly elected to the
thirty-seventh Congress under the supposition that the said State was
entitled to the same, as appears by the certificate of the Governor there-
of, and as direct taxes have been apportioned to and paid by said State
under the census of eighteen hundred and sixty, therefore the said State
shall be allowed three representatives in the thirty-seventh Congress, and
for that purpose the whole number of representatives is hereby increased
one, until the beginning of the thirty-eighth Congress.

APPROVED, June 2, 1862.

CHAP. XCLII. — An Act abolishing certain Collection Districts and reducing Compensa-
tion of Officers of Customs in California.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the collection districts of
Monterey, San Diego, Sacramento, Sonoma, San Joaquin, and San Pedro,
heretofore established by law, are hereby abolished, and the same attached
to the collection district of San Francisco; and there shall be appointed,
in the usual manner, an inspector at each of the following places: Monte-
rey, San Diego, Sacramento, Benicia, Stockton, San Pedro; and the
salary of each of the said inspectors shall be one thousand dollars per
annum.

SEC. 2. And be it further enacted, That from and after the first day of
July, eighteen hundred and sixty-two, the annual compensation of the
collector of the customs for the district of San Francisco shall be six
thousand dollars; of the naval officer, four thousand five hundred dol-
ars; of the surveyor, four thousand dollars; of the principal appraisers,
twenty-five hundred dollars each; and of the assistant appraisers, two
thousand dollars each; and the office of an additional appraiser general
to be employed on the Pacific coast, created by the act of Congress enti-
tled "An act making appropriations for the civil and diplomatic expenses
of the Government for the year ending the thirtieth of June, eighteen
hundred and fifty-four," approved March third, eighteen hundred and fifty-
three, be and the same is hereby abolished.

APPROVED, June 2, 1862.

CHAP. XCIII. — An Act to prevent and punish Fraud on the Part of Officers intrusted
with making of Contracts for the Government.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That it shall be the duty of
the Secretary of War, of the Secretary of the Navy, and of the Secret-
tary of the Interior, immediately after the passage of this act, to cause
and require every contract made by them, severally, on behalf of the
Government, or by their officers under them appointed to make such con-
tracts, to be reduced to writing, and signed by the contracting parties with
their names at the end thereof, a copy of which shall be filed by the

June 2, 1862.
officer making and signing the said contract in the “Returns Office” of the Department of the Interior (hereinafter established for that purpose) as soon after the contract is made as possible, and within thirty days, together with all bids, offers, and proposals to him made by persons to obtain the same, as also a copy of any advertisement he may have published inviting bids, offers, or proposals for the same; all the said copies and papers in relation to each contract to be attached together by a ribbon and seal, and numbered in regular order numerically, according to the number of papers composing the whole return.

SEC. 2. And be it further enacted, That it shall be the further duty of the said officer, before making his return, according to the first section of this act, to affix to the same his affidavit in the following form, sworn to before some magistrate having authority to administer oaths: “I do solemnly swear (or affirm) that the copy of contract hereto annexed is an exact copy of a contract made by me personally with ———; that I made the same fairly without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said ———, or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided.” And any officer convicted of falsely and corruptly swearing to such affidavit, shall be subject to all the pains and penalties now by law inflicted for wilful and corrupt perjury.

SEC. 3. And be it further enacted, That any officer making contracts, as aforesaid, and failing or neglecting to make returns of the same, according to the provisions of this act, unless from unavoidable accident and not within his control, shall be deemed, in every case of such failure or neglect, to be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and be imprisoned for not more than six months, at the discretion of the court trying the same.

SEC. 4. And be it further enacted, That it shall be the duty of the Secretary of the Interior, immediately after the passage of this act, to provide a fit and proper apartment in his Department, to be called the “Returns Office,” within which to file the returns required by this act to be filed, and to appoint a clerk to attend to the same, who shall be entitled to an annual salary of twelve hundred dollars, and whose duty it shall be to file all returns made to said office, so that the same may be of easy access, filing all returns made by the same officer in the same place, and numbering them as they are made in numerical order. He shall also provide and keep an index book, with the names of the contracting parties, and the number of each and every contract opposite to the said names; and he shall submit the said index book and returns to any person desiring to inspect the same; and he shall also furnish copies of said returns to any person paying for said copies to said clerk, at the rate of five cents for every one hundred words, to which said copies certificates shall be appended in every case by the clerk making the same, attesting their correctness, and that each copy so certified is a full and complete copy of said return; which return, so certified under the seal of the Department, shall be evidence in all prosecutions under this act.

SEC. 5. And be it further enacted, That it shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior, immediately after the passage of this act, to furnish each and every officer severally appointed by them with authority to make contracts on behalf of the Government, with a printed letter of instructions, setting forth the duties of such officer under this act, and also to furnish therewith forms, printed in blank, of contracts to be made, and the affidavit of returns required to be affixed thereto, so that all the instruments may be as nearly uniform as possible.

Approved, June 2, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 94, 95. 1862.

CHA! XCV. — An Act to establish a Land Office in Colorado Territory, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands belonging to the United States to which the Indian title has been or shall be extinguished shall be subject to the operations of the preemption act of the fourth of September, eighteen hundred and forty-one, and under the conditions, restrictions, and stipulations therein mentioned: Provided, however, That when unsurveyed lands are claimed by preemption, notice of the specific tracts claimed shall be filed within six months after the survey has been made in the field; and on failure to file such notice, or to pay for the tract claimed within twelve months from the filing of such notice, the parties claiming such lands shall forfeit all right thereto, provided said notices may be filed with the Surveyor General, and to be noted by him on the township plats, until other arrangements have been made by law for that purpose.

SEC. 2. And be it further enacted, That the public lands within the Territory of Colorado to which the Indian title is or shall be extinguished shall constitute a new land district, to be called the Colorado district; and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for said district, who shall be required to reside at the place at which said office shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in the State of Kansas.

SEC. 3. And be it further enacted, That an act entitled "An act to graduate [and reduce] the price of the public lands to actual settlers and cultivators," be and the same is hereby repealed.

APPROVED, June 2, 1862.

CHA! XCV. — An Act to establish certain Post-Routes, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

CALIFORNIA.

From San Juan to New Idria.
From San Diego, via Santa Isabel, to Buena Vista.
From San Diego, via San Luis Rey, San Juan Capistrano, and Anaheim, to the city of Los Angelos.
From Chico to Humbug Valley.
From Quincy to Richmond.
From Cuisin, Nevada Territory, to Aurora, California.
From Lancha Plana, via Poverty Bar, Jenny Lind, Brushville, Salt Spring Valley, Copperopolis, and Jeffersonville, to Sonora.

CONNECTICUT.

From New Milford to Washington.

INDIANA.

From Valparaiso, via Tassinong and Garris Bridge, to Rensselaer.
From Livonia, via Claysville, to Campbellsburg.
From Columbus, via Bethany, New Bellsville, and Christiansburg, to Houston.
From Rensselaer, via Meadville and Brook, to Kent Station.
From Kendallville, via Rome and Wolcottville, to La Grange Centre.

Public lands to which the Indian title has been extinguished shall be subject to the preemption act.

Notice, when to be filed.

Effect of failure to file notice.

Colorado district established.
Register and receiver.
Powers, duties, and salaries.

Graduation act repealed.
1854, ch. 244. Vol. x. p. 574.

Post routes established.
California.
Connecticut.
Indiana.
From Outlet, Indiana, via West Creek, Sherburnville, and Yellow Head, to Momence, Illinois.
From Madison, via Middle Fork, Big Creek, Churchill’s Mill, and Benville, to Butlerville.
From Mount Carmel, Indiana, to Harrison, Ohio.
From New Point, via Rossburg and Saint Maurice, to Clarksburg.
From Madison, via North Madison, Middle Fork, Big Creek, Churchill’s Mills, and Benville, to Butlersville.
From Annapolis, via Wright’s Mills, Sylvania, Harveysburg, and Van Dorn’s Mills, to Covington.
From Paris, via Lancaster, to Dupont.
From Clinton, via Jones, Indiana, to Logan, Illinois.
From Cleverdale to Spencer.
From Wabash, via Milies and Mount Vernon, to Somersett.
From Bremen, via Hepton and Milltown, to Etna Green.
From Clark’s Hill, via Jefferson, to Frankfort.
From Attica, via Rob Roy, Coal Creek, Steam Corner, Harrisburg, Wright’s Mills, and Sylvania, to Annapolis.
From Kokomo, via Stanton and Ervin, to Poplar Grove.

ILLINOIS.

From Catlin to Chilicothe.
From Yellow Head, Illinois, to Hanover, Indiana.
From Bloomington to Brook’s Grove.
From Bloomington, via Cheney’s Grove, Baxton, and Blue Grass, to Danville.
From Fredericksville, via Centre, Newberrytown, and Jasper, to Ripley.
From Bath to Summum.
From Clifton, via L’Evable and Martinton, to Middleport.
From Rock City, via Rock Grove, Josephine, and Shueyville, to Monroe.
From Carrollton to New Bedford.
From Mound Junction to Mound City.
From Cambridge, via Lynn, to Centre Ridge.
From Elmore, via West Jersey, to Jordan.
From Columbus, via Bethany, to Liberty.
From Mokina, via Hadley, to Gooding’s Green.
From Belleville, via Millstadt, to Columbus.
From Smithton, via Floraville, to Waterloo.
From Marissa to Coultersville.
From Pinckneyville to Duquoin.
From Illinoistown, via Coulterville Station, to Millstadt.
From Floraville to Hecker.
From Greenville, via Cottonwood Grove, Pleasant Prairie, and Walshville, to Litchfield.
From Tamana, via Acton and Spring Garden, to Moore’s Prairie.
From Claremont, via Stringtown, Chauncey, and Hardinsville, to Robinson.
From Toulon, via Elmira, Osceola, and Neponset, to Sheffield.
From Salem to McLeansboro.

IOWA.

From Waterloo, via Buckingham, Crystal, Spring Creek, and Green Mountain, to Marshalltown.
From Decorah, via Burr Oak Springs and Spillville, to Fort Atkinson.
From Ida, via Correctionville, to Sioux City.
From Council Bluffs, via Crescent City, Fairview, Harris Grove, Jeddo City, Twelve-Mile Grove, Olmstead, and Mantano, to Denison.
From Waukon, via Rossville, Volney, and Council [Hill], to McGregor.
From Fort Dodge, via Leesburg and intermediate county seats, to Sioux City.
From Fort Dodge, along the west bank of Des Moines River, via county seat of Palo Alto county, to Spirit Lake.
From Eddyville, via Centre ville, Corydon, Lone Mount, Bedford, Clara rinda, and Sidney, to Nebraska City.
From McGregor to Garnaville.
From Des Moines City, via Adel, Panora, Guthrie Centre, Bear Grove, Escurce, Buck Creek, Newtown, and Keg Creek, to Council Bluffs.
From Corydon to Osceola.
From the City of McGregor, via Elkader and Volga City, to Strawberry Point.
From Dodgeville, via Morning Sun, Virginia Grove, and Cairo, to Columbus City.
From Independence, via Brandon, to Vinton.
From Clayton to McGregor.
From Atranto, via Stacyville and Wentworth, to Saratoga.
From Charles City, via Rockford, Mason City, Chapin, Goldfield, and Eagle Grove, to Fort Dodge.
From Glenwood, Iowa, to Nebraska City, Nebraska Territory.
From Waverly to Shell Rock.
From Dalmanutha to Guthrie Centre.
From Hook's Point to Webster City.
From Brooklyn to Askalusa.
From Cedar Falls to New Hampton.
From Des Moines to Magnolia.
From Des Moines, Iowa, to Saint Joseph, Missouri.
From Eddyville, Iowa, to Nebraska City, Nebraska Territory.
From Eddyville to Des Moines.
From Waukon, via French Creek, Union City, Winnebago, and Crooked Creek, to Brownsville, Minnesota.

KANSAS.
From Topeka, via Auburn, Burlingame, Superior, Key West, Ottum wa, Burlington, Leroy, Deocha Falls, Geneva, and Iola, to Humboldt.
From Topeka, via Mission Creek, to Council Grove.
From Iowa Point to White Cloud.
From White Cloud, via Hiawatha and Sabetha, to Seneca.
From Lawrence, via Willow Springs, to the Sac and Fox Agency.
From Emporia, via Eagle Creek, Madison Centre, Willow Creek, and Wolf Creek, to Eureka.
From Seneca, via Centralia, Nottingham, Barrett's Mill, and Irving, to Manhattan.
From Junction City, via Gatesville, to Washington, Washington county.

KENTUCKY.
From Winchester, via Boonsboro' and Foxtown, to Richmond.
From Lancaster to Buckeye.
From Mount Pleasant to Crank's Creek.
From Bryantsville to Harrodsburg.
From Greensburg, via James Whitlock's, on Greasy Creek, to Edmon ton.
From Lancaster to Crab Orchard.

MARYLAND.
From Saint Nicholas to Broad Creek Neck.
From Queenston, via Wye Mills and Hillsborough, to Denton.
From Beckleysville, via Grave Run Mills, to Hampstead.
MAINE.

From Skowhegan to Athens.
From New Sharon to Farmington.
From Jonesport, via Addison Point, to Columbia.

MICHIGAN.

From Muskegan, via Mead’s and Pent Water, to Manistee.
From Bebee’s Station, via Memphis, Baker’s Corners, West Berlin, and Capac, to Merrillville.
From Mount Clemens, via Waterbury, Macomb, Brookline, and Armada Corners, to Romeo.
From Avery, on Michigan Central railroad, via Troy, to Laketon.
From Coopersville, via Lamont, to Eastmanville.
From Nankin, via Perrinsville and Wallace, to Detroit.
From Grand Rapids, through the township of Wyoming, Byron, Dorr, and Salem, to Allegan.
From New Buffalo, via Laketon, to Saint Joseph’s.
From Newaygo, via Fremont, Pewoma, Greenwood, Otto, Hart, and Were, to Pent Water.
From Hillsdale, via North Adams, Moscow, Baldwin Mills, and Somerset, to Jackson.
From Sturgis, via Centreville, Mendon, and Brady, to Kalamazoo.
From Leonidas, via Sherwood, Dry Prairie, Pine Creek, and Leroy, to Battle Creek.
From Romeo, via Armada, to Bebee’s Station.
From Saint John’s, via Keystone, Pompeii, and Ithaca, to Saint Louis.
From Port Austin, via Pinepog, Pigeon River, and Wild Fowl Bay, to Sibbawaing.
From Hillsdale, via Cambria, West Woodbridge, Morgansville, West Bridgewater, Lambertson Corners, and West Buffalo, to Bryan.
From Manistee, via Rush Lake, Portage, Planting Ground, Bar Lake, Herring Creek, Frankport, Point Betsey, North Unity, and Leland, to North Port.
From Ontonagon, Michigan, via Bayfield, Wisconsin, and La Point, to Superior, Wisconsin, during the opening of navigation.
From Shawamo, Wisconsin, via Stations one, two, three, and four, to Kewenaw Bay, Michigan.
From Station four to Marquette.
From Station four to National, (Minnesota Mine.)

MISSOURI.

From Rochester, via Empire Prairie, Douglass, Island City, Mount Pleasant, and Hugginsville, to Smithton.
From Smithton, Missouri, to Mount Air, Iowa.
From Hermann, via Smith’s Prairie, Douglass Prairie, and Samuel Smith’s, to Rolla.
From Cameron, via Plattsburg and Liberty, to Kansas City.
From Leavenworth to Farley.
From Vienna to Rolla.

MINNESOTA.

From Garden City, via Gray’s, Fairmount, and Tuttle’s, to Spirit Lake.
From Leavenworth, Minnesota, via Lake Shetec and Sioux Falls, to Sioux City, Iowa.
From Mankato, Minnesota, via Leavenworth, Brown’s Crossings, Lake Shettek, and Brula Crossings, to Vermillion, Dakota Territory.
From La Crescent, via Troy, Chatfield, Frankford, Grand Meadow, Mower City, Lansing, Austin, and Albert Lea, to Winnebago City.
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From Winona, via Minnesota City, Elba, and Quincy, to Rochester.  
From Owatonna, via Wilson, Saint Mary’s, and Winnebago Agency, to Mankato.  
From Lake City, via Rochester, High Forest, Root River, Mower City, and Lansing, to Austin.  
From La Crosse, Wisconsin, via Brownsville, Sheldon, Dedham, Preston, Carimona, Forestville, Spring Valley, Grand Meadow, Mower City, Lansing, Frankfort, Austin, Sumner, Albert Lea, Freeburn, Walnut Lake, and Winnebago City, to Shebaville, Minnesota.  
From Torah, via Lake George and Grove Lake, to Alexandria.  
From Detroit, Michigan, to Dunleith, Minnesota, (by steamer.)  
From Cook’s Valley, via Watkins Mills and Lathrop’s Store, to Rochester.  
From St. Paul, via Fort Snelling, Eden Prairie, and Chaska, to Carver.  
From Watertown, via Winstead, Lake Byron, Lake Jenny, and Greenleaf, to Kandiyohi.  
From Green Lake, via Norway Lake, to Lenburg.

NEW YORK.

From Blair, via Farmersville and Lincoln, to Elton.  
From Norwich, via South Plymouth, and North Pharsalia and Pharsalia, to Cincinnati.  
From Middleport, via Jeddo and North Ridgeway, to County Line.  
From Bush, via Centre and Jackson Run, to Warren, Pennsylvania.  
From Bainbridge, via Guilford Centre, and Guilford, to Norwich.  
From Scio to Bolivar.

NEW JERSEY.

From Simens Point to English Creek.  
From Wertsville to Kingoes.  
From Mount Holly, via Lumberton, to Medford.

NEW HAMPSHIRE.

From Boscawen to Webster.  
From Plaistow, via Hampstead and Danville, to Sandown.  
From Canaan, Vermont, to Connecticut Lake, New Hampshire.

OHIO.

From Albany to Marshallville.  
From Osnaburg, via Mapleton and Robertsville, to Paris.  
From Inland to Greentown.  
From South Woodbury to Ashley.  
From New Madison to Brinley’s Station.  
From Bucyrus, via Leitimberville, New Winchester, and Olentangy, to Bucyrus.  
From Winter’s Station, via Bettsville and Fort Seneca, to Tiffin.  
From Republic, via Bloomville, South Bloom, Lykens, and Broken Sword, to Bucyrus.  
From Bucyrus, via Oceola, Poplar, and Melmore, to Tiffin.  
From Nevada, via Seal, Belle Vernon, Sycamore, Mexico, McCrutchinsville, Berwick, New Rige, and Watson’s Cross Roads, to Fostoria.  
From Arcadia to Cass.  
From Knight’s Station, Michigan, via Riga, to Southeast corner of Richfield Township, Ohio, and thence, via Java, to Swanton Station.  
From Blissfield, Michigan, via Metamora, Ai Post Office, and Java, to Swanton, Ohio.

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**Pennsylvania.**

From Carlisle, via Carlisle Springs, Sterret's Gap, Shermansdale, and Warm Springs, to Landisburg. From New Bloomfield, via Dellville, Grier's Tavern, and Bashinger's Store, to Morleytown. From Callinsburg, via Loro and Nickleville, to Oil City. From Ansonville, via McGarvey's and Westover's, to Cherrytree. From Garland, via Southwest, Enterprise, Pleasantville, Plummer, and Rouseville, to Oil City. From Williams' Grove, via Grayhampton, to Shivey's.
Goshen, and Wakefield, to Peter's Creek.
From Springfield Furnace to Bruce.
From Tioga, via Bailey Creek, Rutland, and Harlansville, to Columbia
Cross Roads.
From Schuykill Haven to Fremont.
From Cowdersport to Shippen.
From Huntington, via Wilsonia, Donation, Croanover's Mills, and
Cumminsville, to Ennissville.
From Nicholson Depot, via Niven and Springville, to Auburn Four
Corners.
From Columbia to Silver Springs.
From Kittanning to Punxsatawney.
From Ebensburg, via Bethel Station and Strongtown, to Newman's
Mills.
From Greensburg, via Pleasant Unity, to Stahlstown.
From Centreville to Annandale.
From Clarington, via Millstone and Raught's Mills, to Arago.
From Economy, via Scottsville, New Sheffield, Seventy-Six, and Green
Garden, to Holt.
From Brownsville, via Lake Como, to Tallmansville.
From Fresh Lake Centre to Jackson Valley.
From Tannersville to Mildenerger's.
From Merwinesville to Tannersville.
From Bethlehem, via Schoenersville, Weaversville, and Kreidersville,
to Petersville.
From Nazareth, via Moorestown, Klecknerville, Petersville, New-
hartsville, Cherryville, and Berlinsville, to Slatington.
From Bethlehem, via Hanoverville, to Klecknerville.
From Lebanon, via Jonestown and Fredericksburg, to Monroe Forge.
From Saltsburg, via Coal Port, Elder's Ridge, Long Run, Shady Plain,
Cochran's Mills, and Hilman's, to Kittanning.
From Lancaster to Quarryville.
From Newry, via Blue Knob and Switzer, to Saint Clairsville.
From Reynolds to Rochdale.
From Callensburg to Emlenton.
From Washington to Rice's Landing.

VERMONT.

From West Randolph, via Randolph and East Randolph, to Chelsea.
From Whiting to Shoreham.

WISCONSIN.

From Munche's Post Office, via Munroe's Corner, in the town of
Erie, to the village of Hartford.
From the village of Barton, Washington county, to Billman's Corners,
in the town of Wayne.
From Sturgeon Bay, via Egg Harbor and Fish Creek, to Ephraim, in
Dorr county.
From Avoca, Iowa county, via the villages of Highland and Linden,
to the city of Mineral Point.
From Barton to Eckel's Corners, in the town of Addison, in the county
of Washington.
From Watertown, via Ixenia, Concord, and Farmington, to Johnson's
Creek, in Jefferson county.
From Appleton, via Centre, to Shaw-wa-no.
From Mill Haven, via Forbes Valley, Dorsett, Wilton, Wellington, and
Moore's Creek, to Sparta.
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COLORADO.

From Denver, via Colorado City and Conejos, to Sante Fe.
From Pueblo, via Huerfan, to Trinidad.
From Fort Wise, via Bent’s Old Fort, Pueblo, and Cañon City, to Laurette.
From Colorado City to Cañon City.
From Colorado City to Laurette.
From Denver, via Jefferson and Hamilton, to Laurette.
From Laurette, via Oro City, to Washington Gulch.
From Oro City to Coach Creek.
From Hamilton, via Breckenridge, to Lincoln City.
From Jefferson, via Parkville, to Delaware City.
From Denver, via Idaho and Empire City, to Salt Lake City.
From Denver, via Golden City, to Central City.
From Central City to Silver City.
From Central City, via Gold Dirt and Gold Hill, to Boulder.
From Denver to Boulder.
From Denver, via Fort St. Vrain, to Laporte.
From Fort St. Vrain to Junction Ranch, (mouth of Beaver Creek.)
From Denver to Russellville.
From Conejos to Animas City.
From Laurette, via Montgomery City, to Breckenridge.
From Central City to Idaho.

DACOTAH.

From Sioux City, Iowa, via Willow Point, Elk Point, Vermillion, Yankton, Bon-Homme, Skinner’s, Choteau Creek, and Greenwood, to Fort Randall, Dakota Territory.
From Dakota, Nebraska Territory, via St. John’s, Poncah, Dixon, St. James, Helena, Frankfort, Niobrara, and Poncah Agency, to Fort Randall.
From Fort Randall to Platte Creek.
From Yankton to Sioux Falls City.
From Sioux Falls City, via Shetecck City and New Brunswick, to New Ulm, Minnesota.
From Vermillion, Dakota Territory, via Iowa, to Poncah, Nebraska Territory.
From Bon-Homme, via Springfield, Dacotah Territory, to Niobrara, Nebraska Territory.
From Elk Point to Bruli Creek, Dakota Territory.

NEBRASKA.

From Marshalltown, via Nevada, Boonsborough, Jefferson, Canalton, Denison, and Onawayin, Iowa, to Decatur, Nebraska.
From Plattsmouth to Fort Kearney, on south side of Platte river.
From Dakota City, via Poncah, St. James, St. John’s, Franklin, Niobrara, and other intermediate offices, to Fort Randall, Dakota.
From Brownsville, via Nemeha City, Monterey, Scott’s, Rodenberg’s, and Middleburg, to Sabetha, in Kansas.
From Falls City, via Geneva, Rodenberg’s, Scott’s, and Long Branch, to Monterey.
From White Cloud, via Falls City and Table Rock, to Beatrice.
From Falls City, via Middleburg and Athens, to Pawnee City.
From Falls City, via Salem and Pawnee City, to Otos Agency, (Dennison.)
From Arago, via Falls City, to White Cloud, Kansas.
From Peru, via Brownsville, Nemeha City, and Falls City, to Atchison.
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From Brownsville, via Falls City, to Highland, Kansas.
From Falls City to Hiawatha, Brown county, Kansas.
From Brownsville, via Moutrerey and Franklin, Long Branch Post Office, to Table Rock.
From Nebraska City, via St. Frederick and McClure’s, to Table Rock.
From Plattsmouth, via Glendale, Fountain Station, Salt Creek, Lake Station, Burnhill’s, McCabe Station, McFarland’s, O’Donnell’s, Brackett’s, Big Martin’s, Bissell, Mabine, and Junction City, to Fort Kearney.

NEW MEXICO.
From Taos to Cimmaron.
From Abiqui to Garland.

NEVADA.
From Carson City to Virginia City.
From Carson City to Aurora.
From Dayton to Humboldt.

UTAH.
From Springville, via Fairview and Mount Pleasant, to Springtown.
From Toquerville, via Pocketville and Grafton, to Adventure.
From Virgin City, via Grafton, to Rockville.
From Denver City, Colorado Territory, to Provo, Utah Territory.

WASHINGTON.
From Walla-Walla to Pierce City and Orifino, via Lewiston.
From Seattle to Snohomish.
From Walla-Walla, via Lewiston and Pierce City, to Elk City.
From Walla-Walla via Antoine Plantes and the Cœur d’Alene Mission, to Hell Gate.
From Lewiston to Florence City.

SEC. 2. And be it further enacted, That the Postmaster General is hereby authorized to change the terminus of existing mail routes connecting with or intersecting railroads when the postal service can be thereby improved.

SEC. 3. And be it further enacted, That the Postmaster General be and he is hereby authorized to fix the salaries of special agents of the Post Office Department, employed on temporary service, at any sum less than the amount designated for such service by law.

APPROVED, June 2, 1862.

CHAP. XCVI. — An Act to authorize the President of the United States to appoint Diplomatic Representatives to the Republics of Hayti and Liberia, respectively.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorized, by and with the advice and consent of the Senate, to appoint diplomatic representatives of the United States to the Republics of Hayti and Liberia, respectively. Each of the said representatives so appointed shall be accredited as commissioner and consul-general, and shall receive the compensation of commissioners according to the act of Congress approved August eighteen, eighteen hundred and fifty-six: Provided, That the annual compensation of the representative at Liberia shall not exceed four thousand dollars.

APPROVED, June 5, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 97, 98. 1862.

CHAP. XCVII. - An Act supplemental to "An Act granting the Right of Way to the State of Missouri, and a Portion of the Public Lands to aid in the Construction of certain Railroads in said State," approved June tenth, eighteen hundred and fifty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time required by the act to which this is supplemental, for the completion of the road therein described, "from the city of Saint Louis to such point on the western boundary of said State as may be designated by the authority of said State," as well as the time of reversion to the United States of the lands thereby granted to the State of Missouri for the use of said road, is hereby extended for ten years from the tenth day of June, eighteen hundred and sixty-two: Provided, That in case said company fail to complete said road within the time as thus extended, the said lands shall then revert to the United States.

Approved, June 5, 1862.

CHAP. XCVIII. - An Act for the Collection of direct Taxes in Insurrectionary Districts within the United States, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when in any State or Territory, or in any portion of any State or Territory, by reason of insurrection or rebellion, the civil authority of the Government of the United States is obstructed so that the provisions of the act entitled "An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for assessing, levying, and collecting the direct taxes therein mentioned, cannot be peaceably executed, the said direct taxes, by said act apportioned among the several States and Territories, respectively, shall be apportioned and charged in each State and Territory, or part thereof, wherein the civil authority is thus obstructed, upon all the lands and lots of ground situate therein, respectively, except such as are exempt from taxation by the laws of said State or of the United States, as the said lands or lots of ground were enumerated and valued under the last assessment and valuation thereof made under the authority of said State or Territory previous to the first day of January, anno Domini eighteen hundred and sixty-one; and each and every parcel of the said lands, according to said valuation, is hereby declared to be, by virtue of this act, charged with the payment of so much of the whole tax laid and apportioned by said act upon the State or Territory wherein the same is respectively situate, as shall bear the same direct proportion to the whole amount of the direct tax apportioned to said State or Territory as the value of said parcels of land shall respectively bear to the whole valuation of the real estate in said State or Territory according to the said assessment and valuation made under the authority of the same; and in addition thereto a penalty of fifty per centum of said tax shall be charged thereon.

Sec. 2. And be it further enacted, That on or before the first day of July next, the President, by his proclamation, shall declare in what States and parts of States said insurrection exists, and thereupon the said several lots or parcels of land shall become charged respectively with their respective portions of said direct tax, and the same together with the penalty shall be a lien thereon, without any other or further proceeding whatever.

Sec. 3. And be it further enacted, That it shall be lawful for the owner or owners of said lots or parcels of lands, within sixty days after the tax commissioners herein named shall have fixed the amount, to pay the tax thus charged upon the same, respectively, into the treasury of the United States, or to the commissioners herein appointed, and take a certificate
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thereof, by virtue whereof the said lands shall be discharged from said tax.

SEC. 4. And be it further enacted, That the title of, in, and to each and every piece or parcel of land upon which said tax has not been paid as above provided, shall thereupon become forfeited to the United States, and, upon the sale hereinafter provided for, shall vest in the United States or in the purchasers at such sale, in fee simple, free and discharged from all prior liens, incumbrances, right, title, and claim whatsoever.

SEC. 5. And be it further enacted, That the President of the United States, by and with the advice and consent of the Senate, may appoint a board of three tax commissioners for each of said States in which such insurrection exists, with a salary of three thousand dollars each per annum, to give security in the sum of fifty thousand dollars each, in such form as the Secretary of the Treasury shall direct, and to be approved by him, for the faithful performance of all their duties as such, and to account for and pay over all moneys and other property coming to their hands: Provided, That said commissioners shall not receive pay under the provisions of this act until they shall have entered upon the discharge of their duties.

SEC. 6. And be it further enacted, That the said board of tax commissioners shall enter upon the discharge of the duties of their office whenever the Commanding General of the forces of the United States, entering into any such insurrectionary State or district, shall have established the military authority of the United States throughout any parish or district or county of the same, and they shall open one or more offices for the transaction of business.

SEC. 7. And be it further enacted, That the said board of commissioners shall be required, in case the taxes charged upon the said lots and parcels of land shall not be paid as provided for in the third section of this act, to cause the same to be advertised for sale in a newspaper published in the town, parish, district, or county where situate, and if there be no such newspaper published in said county, or if the publisher thereof refuse to publish the same, then in any other newspaper to be selected by said commissioners in said district, or in the city of Washington, for at least four weeks, and by posting notices of said sale in three public places in the town, parish, district, or county within which said lands are situate, at least four weeks previous to the day of sale; and at the time and place of sale to cause the same to be severally sold to the highest bidder for a sum not less than the taxes, penalty, and costs, and ten per centum per annum interest on said tax pursuant to said notice; and the said commissioners shall, at said sale, strike off the same severally to the United States at that sum, unless some person shall bid the same or a larger sum; who shall, upon paying the purchase money in gold and silver coin, or in the Treasury notes of the United States, or in certificates of indebtedness against the United States, be entitled to receive from said commissioners their certificate of sale; which said certificate shall be received in all courts and places as prima facie evidence of the regularity and validity of said sale, and of the title of the said purchaser or purchasers under the same: Provided, That the owner of said lots of ground, or any loyal person of the United States, having any valid lien upon or interest in the same, may, at any time, within sixty days after said sale, appear before the said board of tax commissioners in his or her own proper person, and, if a citizen, upon taking an oath to support the Constitution of the United States, and paying the amount of said tax and penalty, with interest thereon from the date of the said proclamation of the President mentioned in the second section of this act, at the rate of fifteen per centum per annum, together with the expenses of the sale and subsequent proceedings to be determined by said commissioners, may redeem said

Title to lands on which tax is not paid, to be in the United States

Tax commissioners for each State.

Number, pay security.

When to enter upon their duties.

Tax commissioners to advertise for sale lands on which taxes are unpaid, 


to sell the same to highest bidder, 

or to bid in for the United States.

Payment may be made in what.

Certificate of sale, effect of.

Owner, or loyal person may redeem, &c.

Proceedings for redemption.
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Redemption when owner is a minor, or under disability.

Certificate of commissioners, how alone impeached.

Further time for redemption granted in certain cases.

Either party may appeal.

Jurisdiction of Federal district courts.

When commissioners may lease lands taken for taxes.

Duration, &c., of lease.

Conditions of lease, and terms of occupancy.

lots of land from said sale; and any purchaser, under the same, having paid moneys, Treasury notes, or other certificates of indebtedness of the United States, shall, upon such redemption being made, be entitled to have the same, with the interest accruing after said sale, returned to him by the said commissioners, upon surrendering up the certificates of sale: And provided, further, That if the owner of said lots of ground shall be a minor, a non-resident alien, or loyal citizen beyond seas, a person of unsound mind, or under a legal disability, the guardian, trustee, or other person having charge of the person or estate of such person may redeem the same at any time within two years after the sale thereof, in the manner above provided, and with like effect: And provided, further, That the certificate of said commissioners shall only be affected as evidence of the regularity and validity of sale by establishing the fact that said property was not subject to taxes, or that the taxes had been paid previous to sale, or that the property had been redeemed according to the provisions of this act.

Sec. 8. And be it further enacted, That at any time within one year after the said sale by said commissioners, any person being the owner of any lot or parcel of ground at the passage of this act, who shall, by sufficient evidence, prove to the satisfaction of said board of commissioners that he or she, after the passage of this act, has not taken part in the present insurrection against the United States, or in any manner aided or abetted the same; and that, by reason of said insurrection, he or she has been unable to pay said tax, or to redeem said lands from sale within the time above provided for, the said board of commissioners may allow him or her further time to redeem the same, not exceeding two years from the day of sale; and for this purpose they may take the testimony of witnesses, and shall reduce the same to writing; and the United States, or any person claiming an interest in said lands, may appear and oppose the said application. From their decision the United States or any party in interest may appeal to the district court of the United States for said district, which is hereby authorized to take jurisdiction of the same, as in other cases involving the equity of redemption. And in case said board of commissioners should, for any cause, cease to act before the expiration of one year after said sales, the said district court shall have original jurisdiction of the proceeding for redemption, as herein provided, to take place before the said board of commissioners.

Sec. 9. And be it further enacted, That in cases where the owners of said lots and parcels of ground have abandoned the same, and have not paid the tax thereon as provided for in the third section of this act, nor paid the same, nor redeemed the said land from sale as provided for in the seventh section of this act, and the said board of commissioners shall be satisfied that said owners have left the same to join the rebel forces or otherwise to engage in and abet this rebellion, and the same shall have been struck off to the United States at said sale, the said commissioners shall, in the name of the United States, enter upon and take possession of the same, and may lease the same, together or in parcels, to any person or persons who are citizens of the United States, or may have declared on oath their intention to become such, until the said rebellion and insurrection in said State shall be put down, and the civil authority of the United States established, and until the people of said State shall elect a Legislature and State officers, who shall take an oath to support the Constitution of the United States, to be announced by the proclamation of the President, and until the first day of March next thereafter, said leases to be in such form and with such security as shall, in the judgment of said commissioners, produce to the United States the greatest revenue.

Sec. 10. And be it further enacted, That the said commissioners shall from time to time make such temporary rules and regulations, and insert
such clauses in said leases as shall be just and proper to secure proper and reasonable employment and support, at wages or upon shares of the crop, of such persons and families as may be residing upon the said parcels or lots of land, which said rules and regulations are declared to be subject to the approval of the President.

Sec. 11. And be it further enacted, That the said board of commissioners, under the direction of the President, may be authorized, instead of leasing the said lands vested in the United States, as above provided, to cause the same, or any portion thereof, to be subdivided and sold in parcels not to exceed three hundred and twenty acres to any one purchaser, at public sale, after giving due notice thereof, as upon the sale of other public lands of the United States, for sixty days, and to issue a certificate therefor; and that, at any such sale, any loyal citizen of the United States, or any person who shall have declared on oath his intention to become such, or any person who shall have faithfully served as an officer, musician, or private soldier or sailor in the army or navy or marine service of the United States, as a regular or volunteer, for the term of three months, may become the purchaser; and if upon such sale any person serving in the army or navy or marine corps shall pay one-fourth part of the purchase money, a certificate shall be given him, and he shall have the term of three years in which to pay the remainder, either in money or in certificates of indebtedness from the United States; and any citizen of the United States, or any person who shall have declared his intention to become such, being the head of a family, and residing in the State or district where said lands are situate, and not the owner of any other lands, may, under such rules as may be established by said board of commissioners, have the right to enter upon and acquire the rights of preemption in such lands as may be unimproved and vested in the United States, and as may be selected by said board of commissioners, under the direction of the President, from time to time, for such purpose.

Sec. 12. And be it further enacted, That the proceeds of said leases and sales shall be paid into the Treasury of the United States, one fourth of which shall be paid over to the Governor of said State wherein said lands are situated, or his authorized agent, when such insurrection shall be put down, and the people shall elect a Legislature and State officers who shall take an oath to support the Constitution of the United States, and such fact shall be proclaimed by the President for the purpose of reimbursing the loyal citizens of said State, or such other purpose as said State may direct; and one fourth shall also be paid over to said State as a fund to aid in the colonization or emigration from said State of any free person of African descent who may desire to remove therefrom to Hayti, Liberia, or any other tropical state or colony.

Sec. 13. And be it further enacted, That in case the records of assessments and valuation of the lots of land mentioned in the first section of this act shall be destroyed, concealed, or lost, so as not to come within the possession of the said boards of commissioners, they shall be authorized to take evidence of the same, or to value and assess the same in their own judgment upon such evidence as may appear before them; and no mistake in the valuation of the same, or in the amount of tax thereon, shall, in any manner whatever, affect the validity of the sale of the same or of any of the proceedings preliminary thereto.

Sec. 14. And be it further enacted, That the said tax commissioners shall keep a book or books, in which they shall enter or cause to be entered the amount or quota of said direct tax assessed on each tract or parcel of land; which said amounts shall be distinctly stated in the advertisement, or notice of sale, together with a description of the tract to be sold, and an entry shall be made in said book, or books, of each tract sold, together with the name of the purchaser, and the sum for which the same may have been sold. A transcript or transcripts of said book or books, Commissioners may sell instead of leasing.

Who may be purchaser.

Terms of payment.

Right of pre-emption.

Proceeds of sales and leases, how to be disposed of.

Reimbursement of loyal citizens.

Emigration to Hayti, Liberia, &c.

Proceedings when records of assessments and valuation are concealed or lost.

Commissioners to keep tax-books.

Statements of advertisements.

Transcripts of books to be filed.
duly verified by said commissioners, and said books when said commission shall expire, shall be filed in the office of the Secretary of the Treasury of the United States, and said books and transcripts, and copies of said books and transcripts duly certified by the Secretary of the Treasury, shall be evidence in any court in the United States. The said commissioners may employ a clerk, whose compensation shall be twelve hundred dollars per annum.

SEC. 15. And be it further enacted, That the thirteenth section of the act of August fifth, eighteen hundred and sixty-one, entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," shall be so construed as not to exempt from taxation property above the value of five hundred dollars, but to exempt from taxation property of the value of five hundred dollars, or less, owned by individuals, notwithstanding the provisions of said act.

SEC. 16. And be it further enacted, That this act shall take effect from and after its passage.

APPROVED, June 7, 1862.

June 10, 1862.

CHAP. XCIX. — An Act to incorporate the Mount Olivet Cemetery Company, in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edward A. Knight, Charles J. White, and Charles D. Bowling, and their successors, be and they are hereby created a body politic and corporate by the name and title of "the Mount Olivet Cemetery Company," and by that name may have perpetual succession, may sue and be sued in the courts of law and equity, and other competent tribunals, may have and use a common seal, and the same may destroy, alter, and renew at pleasure, may associate with them such other persons in said company to any number not exceeding nine, may fill all vacancies which may occur in their own body, and may from time to time ordain such by-laws, not inconsistent with the laws in force in the District of Columbia, as they may deem necessary or proper for said company.

SEC. 2. And be it further enacted, That said corporation may acquire, hold, and dispose of such estate, real, personal, and mixed, as may be necessary or proper for the purposes of said corporation: Provided, The said corporation shall not own at any one time more than one hundred acres of land in the county of Washington, and without the limits of the city of Washington: And provided further, That at least thirty acres in one body be set apart and used for the purposes of a cemetery.

SEC. 3. And be it further enacted, That burial lots in said cemetery may be sold, leased, or otherwise disposed of by said corporation to the lot-holders, upon such conditions and subject to such regulations as said corporation or the board of managers may prescribe, and a certificate under the seal of said corporation, of the ownership or other interest in any lot aforesaid, shall in all respects have the same effect as any conveyance from said corporation of said lot would have, if executed, acknowledged, and recorded as conveyances of real estate are required by law to be; which certificate shall be entered in a book kept by said corporation for that purpose, the same to be open to the inspection of all persons interested; and burial lots in said cemetery shall not be subject to the debts of the lot-holders thereof, and the land of the said corporation dedicated to the purposes of a cemetery shall not be subject to taxation of any kind.

SEC. 4. And be it further enacted, That the affairs of said corporation may be conducted by such board of managers as the said corporation may ordain, to be composed of the corporators, or any selected number thereof, and such other persons as the said corporation may elect.

SEC. 5. And be it further enacted, That no streets, lanes, alleys, roads,
or canals, of any sort, shall be opened through the property of said corporation exclusively appropriated and used for the purposes of a cemetery: Provided, That nothing herein contained shall be so construed as to authorize said corporation to obstruct any public road, or street, or lane, or alley now actually opened and used as such.

Sec. 6. And be it further enacted, That any person who shall wilfully destroy, mutilate or deface, injure or remove any tomb, monument, gravestone, or other structure or work placed in said cemetery, or any fence, railing, or work for protection or ornament of said cemetery, or any tomb, monument, gravestone, or other structure or work thereon, or shall wilfully destroy, cut, break, or remove any tree, shrub, or plant, within the limits of said cemetery, shall be considered guilty of a misdemeanor, and, on conviction thereof before any magistrate or justice of the peace, shall be punished by fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars.

Sec. 7. And be it further enacted, That the said corporation shall provide for the return, from time to time, to the Corporation of Washington, of reports of all interments made in said cemetery, of persons who may have died within the limits of the city of Washington, in such manner as may be prescribed from time to time by said Corporation of Washington.

Sec. 8. And be it further enacted, That nothing in this act shall be so construed as to authorize said corporation to issue any note, token, device, scrip, or other evidence of debt, to be used as a currency; and each of the corporators in said corporation shall be held liable, in his individual capacity, for all the debts and liabilities of said corporation, however contracted or incurred, to be recovered by suit as other debts or liabilities before the court or tribunal having jurisdiction of the case.

Sec. 9. And be it further enacted, That it shall be lawful for Congress, at any time hereafter, to alter, amend, or repeal the foregoing act.

Approved, June 10, 1862.

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Chap. CII.—An Act to protect the Property of Indians who have adopted the Habits of civilized Life.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any Indian, being a member of any band or tribe with whom the Government has or shall have entered into treaty stipulations, being desirous to adopt the habits of civilized life, shall have had a portion of the lands belonging to his tribe allotted to him in severality, in pursuance of such treaty stipulations, it shall be the duty of the agent and superintendent of such tribe to provide that such Indian shall be protected in the peaceful and quiet occupation and enjoyment of the lands so allotted to him.

Sec. 2. And be it further enacted, That whenever any person of Indian blood belonging to a band or tribe who receive, or are entitled to receive, annuities from the Government of the United States, and who has not adopted the habits and customs of civilized life, and received his lands in severality by allotment, as mentioned in the foregoing section of this act, shall commit any trespass upon the lands or premises of any Indian who has received his lands by allotment, as aforesaid, it shall be the duty of the superintendent and agent of such band or tribe to ascertain the damages resulting from such trespass; and the sum so ascertained shall be withheld from the payment next thereafter to be made, either to the band or tribe to which the party committing such trespass shall belong, as in the discretion of the superintendent he shall deem proper, and the sum so retained shall be paid over by the said agent or superintendent to the party injured, with the approval of the Secretary of the Interior.

Sec. 3. And be it further enacted, That in case the trespasser shall be
If trespasser is a chief, he may be suspended, in addition.

the chief or headman of a band or tribe, in addition to the penalties above provided for, it shall be the duty of the superintendent of Indian affairs in his district to suspend the said trespasser from his office for three months, and during that time to deprive him of all the benefits and emoluments connected therewith: Provided, That the said chief or headman may be sooner restored to his former standing if the superintendent shall so direct.

APPROVED, June 14, 1862.

June 10, 1862. CHAP. CII. — An ACT providing for the Selection of Jurors to serve in the several Courts in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Register of Washington city, and of the respective clerks of the city of Georgetown and the Levy Court of Washington county, in the District of Columbia, within one month after the passage of this act, and on or before the first day of February in each year thereafter, to make a list of such of the white male citizens, tax-payers, residing within their respective jurisdictions, as they shall judge best qualified to serve as jurors in the courts of the said District, in which lists may be included, in the discretion of the officer making the same, the names of such qualified persons as were on the list of the previous year but did not serve as jurors, and the lists thus made by the register and clerks aforesaid shall be kept by them, respectively, and be delivered over to their successors in office.

SEC. 2. And be it further enacted, That the officers aforesaid shall select from the list of the register of Washington city the names of four hundred persons, from that of the clerk of Georgetown eighty persons, and from that of the clerk of the levy court forty persons, which proportion, after the year eighteen hundred and sixty-three, may be varied from year to year according to the increase or decrease of population in the respective jurisdictions, by order of the judges of the circuit court of Washington county.

SEC. 3. And be it further enacted, That the Mayors of the cities of Washington and Georgetown, all judicial officers, salaried officers of the Government of the United States, commissioners of police, and those connected with the police or fire department, counsellors and attorneys at law, ministers of the gospel and priests of every denomination, practising physicians and surgeons, keepers of hospitals, asylums, almshouses, or other charitable institutions created by or under the laws relating to the District of Columbia, captains and masters and other persons employed on vessels navigating the waters of said District, and keepers of public ferries, shall be exempt from jury duty, and their names shall not be placed in the list aforesaid.

SEC. 4. And be it further enacted, That the names selected from said lists shall be written on separate and similar pieces of paper, which shall be so folded or rolled up that the names cannot be seen, and placed in a box, to be provided by the register and clerks aforesaid, which box shall be sealed, and after being thoroughly shaken, shall be delivered to the clerk of the circuit court of Washington county for safe-keeping.

SEC. 5. And be it further enacted, That the said register and clerks, and the clerk of the circuit court, shall, at least ten days before the commencement of each term of the circuit or of the criminal court, meet at the City Hall in Washington city, and then and there the clerk of the circuit court shall publicly break the seal of said box and proceed to draw therefrom the names of so many persons as are required; and if the jury about to be drawn is intended for service in the criminal court, the twenty-three persons whose names shall be first drawn shall constitute the grand jury; and the twenty-six persons whose names shall next be drawn shall...
constitute the petit jury for that term; but in a capital case where the
said panel shall have been exhausted by reason of challenge or otherwise,
the court before whom such capital case is pending may, in its discretion,
order additional names to be drawn; and if all of the names in the box
shall have been drawn out and no jury found, the court may order the
marshal to summon talesmen until a jury shall be found. And if a jury
be required for the circuit court, the twenty-six persons whose names shall
first be drawn shall constitute the jury for that term, and the names of the
d persons drawn as aforesaid shall not be again placed in such box for the
period of two years. If any person whose name is so drawn shall have
died or removed from the District, or has become otherwise disabled from
serving as a juror, the said register and clerks shall draw from the box
another name, who shall serve instead; and after the requisite number of
jurors shall have been so drawn, the said box shall be again sealed and
delivered to the clerk of the circuit court as aforesaid.

Sec. 6. And be it further enacted, That it shall be the duty of the
marshal of the District of Columbia, at least five days before the meet-
ing of the court for which a jury is required, to notify each person drawn,
by serving on him a notice in writing of his selection as a juror of the
court he is to attend, and of the day and hour he is to appear; which no-
tice shall be given to each juror in person, or be left at his usual place of
residence; a copy of which notice, with his certificate stating when and in
what manner the original was served, shall be returned by the said
marshal to the court before the commencement of the term for which the
said jurors were drawn.

Sec. 7. And be it further enacted, That in case either of the officers
whose duty it is to make out the lists aforesaid shall neglect or refuse to
act, or in case either of them shall be interested in any action or pro-
ceeding pending in the said circuit or criminal court, the chief judge of
the circuit court shall appoint a fit and proper person to discharge the
duty instead; and if the persons selected as jurors do not attend, the
court may order the marshal to summon other respectable tax-payers,
possessing the other legal qualifications, to supply the deficiency. And
if at any time there should not be, by reason of challenge or otherwise,
a sufficient number of jurors to make up the panel, the court shall
order the marshal to summon as many talesmen as are necessary for that
purpose.

Sec. 8. And be it further enacted, That no person shall be competent
to act as a juror unless he be a citizen of the United States, a resident
of the District of Columbia, over twenty-one and under sixty-five years
of age, a good and lawful man, who has never been convicted of a felony
or misdemeanor involving moral turpitude. And a person may be ex-
cused by the court from serving on a jury when, for any reason, his inter-
est; or those of the public will be materially injured by his attendance, or
when he is a party in any action or proceeding to be tried or determined
by the intervention of a jury at the term for which he may be summoned,
or where his own health or the death or sickness of a member of his
family requires his absence.

Sec. 9. And be it further enacted, That if any officer named in the first
section of this act shall put on the list he is required to make, the name
of any person at his own request, or on the request of any other person,
or shall be guilty of any fraud or collusion with respect to the drawing
of jurors, he shall be deemed guilty of a misdemeanor, and shall be pun-
ished by a fine of not less than one hundred dollars, and imprisoned in
the county jail not less than sixty days, for each and every offence. And
if the clerk of the circuit court shall draw from the box a greater number
of names than is required by the court, in accordance with the provisions
of this act, or shall put in said box any name after the same has been de-
ivered to him as aforesaid, or shall be guilty of any fraud or collusion in
Drawing of jur-
or in capital
Talesmen.
Circuit court.
Those drawn
as jurors, how
notified.
Service of no-
tice.
Officer's re-
turn.
Proceedings if
officers neglect,
&c. to make lists,
if jurors do not
attend,
if the panel is
incomplete.
Qualifications
of jurors.
Exuses from
serving as jurors.
Penalty for
cutting certain
persons on list, or
for fraud, &c. in
drawing,
for drawing too
large a number.
for wrongfully
putting name in
box.
Penalty for any fraud or collusion in drawing jurors.

Persons notified to serve as jurors neglecting to attend, to be fined.

Names on lists to be taken in due proportions from several wards, &c.

respect to the drawing of jurors, he shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars, and be imprisoned in the county jail not less than sixty days, for each and every offence.

SEC. 10. And be it further enacted, That if any person selected as a juror and duly notified to attend according to the requirements of this act, shall, without sufficient cause, neglect to attend agreeably to such notice, he shall be fined by the court in a sum not exceeding twenty dollars for every day he shall be absent during the sitting of said court.

SEC. 11. And be it further enacted, That the names on the lists specified in the second section of this act shall be selected, as near as may be, from among the citizens of the several wards of the cities of Washington and Georgetown, and the three divisions of the county of Washington outside the limits of said cities formed by the Eastern branch of the Potomac River and Rock Creek, in proportion to the number of taxable inhabitants residing in said wards and districts, respectively.

APPROVED, June 16, 1862.

June 17, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the existing causes of disqualification and challenge of grand and petit jurors in the courts of the United States, the following are hereby declared and established, namely: without duress and coercion to have taken up arms, or to have joined any insurrection and rebellion, against the United States; to have adhered to any rebellion, giving it aid and comfort; to have given, directly or indirectly, any assistance in money, arms, horses, clothes, or any thing whatever, to or for the use or benefit of any person or persons whom the person giving such assistance knew to have joined, or to be about to join, any insurrection or rebellion, or to have resisted, or to be about to resist with force of arms, the execution of the laws of the United States, or whom he had good ground to believe had joined, or was about to join, any insurrection or rebellion, or had resisted, or was about to resist, with force of arms, the execution of the laws of the United States, and to have counselled and advised any person or persons to join any insurrection and rebellion, or to resist with force of arms the laws of the United States.

SEC. 2. And be it further enacted, That at each and every term of any court of the United States, the district attorney, or other person acting for and on behalf of the United States in said court, may move, and the court in their discretion may require the clerk to tender to each and every person who may be summoned to serve as a grand or petit juror or venireman or talesman in said court, the following oath or affirmation, viz: "You do solemnly swear (or affirm, as the case may be) that you will support the Constitution of the United States of America; that you have not, without duress and constraint, taken up arms, or joined any insurrection or rebellion against the United States; that you have not adhered to any insurrection or rebellion, giving it aid and comfort; that you have not, directly or indirectly, given any assistance in money, or any other thing, to any person or persons whom you knew, or had good ground to believe, had joined, or was about to join, said insurrection and rebellion, or had resisted, or was about to resist, with force of arms, the execution of the laws of the United States; and that you have not counselled or advised any person or persons to join any insurrection against, or to resist with force of arms, the laws of the United States." Any person or persons declining to take such oath shall be discharged by the court from serving on the grand or petit jury, or venire, to which he may have been summoned.
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SEC. 3. And be it further enacted, That each and every person who shall take the oath herein prescribed, and who shall swear falsely to any matter of fact embraced by it, shall be held to have committed the crime of perjury, and shall be subject to the pains and penalties declared against that crime.

APPROVED, June 17, 1862.

CHAP. CIV. — An Act making Provision for raising Property of the United States sunk in the Waters thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy may contract for raising certain sunken vessels, their armaments, stores, or equipments, belonging to the United States, and sunk in the waters thereof; and that the sum of one hundred thousand dollars be and the same is hereby appropriated to carry the provisions of this act into effect.

APPROVED, June 17, 1862.

CHAP. CV. — An Act to authorize the Secretary of the Treasury to change the Names of certain Vessels.

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 hereby is authorized to change the name of the schooner "Frank Pierce," owned by A. Emerson and Company, of Youngstown, State of New York, to that of "General Sigel;" and also to change the name of the vessel "Maury," owned by A. A. Low and Brothers, of Brooklyn, State of New York, to that of "Benefactress;" and also to change the name of the bark "Henry H. Didier," owned by William Applegarth and William Hubbard, of Baltimore, State of Maryland, to that of the "Flora;" and to grant said vessels registers in said respective names.

APPROVED, June 17, 1862.

CHAP. CVIII. — An Act to direct the Secretary of the Treasury to issue American Registers to certain Vessels.

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 is hereby directed to issue American registers to the vessels "North Star" and "Dolphin," of the Oswego collection district, in the State of New York, the same being Canadian-built vessels but now owned by American citizens.

APPROVED, June 18, 1862.

CHAP. CIX. — An Act providing that the Officers of Volunteers shall be paid on the Pay-Rolls of the Regiments or Companies to which they belong.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That company officers of volunteers shall be paid on the muster and pay rolls of their company, party, or detachment, and not otherwise, except when such officer may be on detached service without troops, or on leave of absence.

APPROVED, June 18, 1862.

CHAP. CX. — An Act making Appropriations for Postal Service on Post Routes established at the present Session of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred
and fifty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for postal service on such mail routes established by the present Congress as the Postmaster General may deem necessary and expedient.

Approved, June 18, 1862.

June 19, 1862.  

CHAP. CXL. — An Act to secure Freedom to all Persons within the Territories of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act there shall be neither slavery nor involuntary servitude in any of the Territories of the United States now existing, or which may at any time hereafter be formed or acquired by the United States, otherwise than in punishment of crimes whereof the party shall have been duly convicted.

Approved, June 19, 1862.

June 19, 1862.  

CHAP. CXII. — An Act to change the Location of the Port of Entry for the Puget Sound Collection District.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October, eighteen hundred and sixty-two, the port of Port Townsend, in the district of Puget Sound, in Washington Territory, is hereby abolished as a port of entry; and that Port Angeles be and is hereby established as the port of entry and delivery for the said district from and after the said date.

Approved, June 19, 1862.

June 20, 1862.  

CHAP. CXVI. — An Act to change the Port of Entry for the District of Brunswick, Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of July, eighteen hundred and sixty-two, the port of entry for the district of Brunswick, Georgia, shall be Brunswick, and that Darien shall be abolished as the port of entry.

SEC. 2. And be it further enacted, That there shall be a deputy collector appointed, according to law, to reside at Darien, and to exercise such powers as the Secretary of the Treasury, under the revenue laws, may prescribe.

Approved, June 20, 1862.

July 1, 1862.  

CHAP. CXIX. — An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of superintending the collection of internal duties, stamp duties, licenses, or taxes imposed by this act, or which may be hereafter imposed, and of assessing the same, an office is hereby created in the Treasury Department to be called the office of the Commissioner of Internal Revenue; and the President of the United States is hereby authorized to nominate, and, with the advice and consent of the Senate, to appoint, a Commissioner of Internal Revenue, with an annual salary of four thousand dollars, who shall be charged, and hereby is charged, under the direction of the Secretary of the Treasury, with preparing all the instructions, regulations, directions, forms, blanks, stamps, and licenses, and distributing the same,
or any part thereof, and all other matters pertaining to the assessment and collection of the duties, stamp duties, licenses, and taxes, which may be necessary to carry this act into effect, and with the general superintendence of his office, as aforesaid, and shall have authority, and hereby is authorized and required, to provide proper and sufficient stamps or dies for expressing and denoting the several stamp duties, or the amount thereof in the case of percentage duties, imposed by this act, and to alter and renew or replace such stamps from time to time, as occasion shall require; and the Secretary of the Treasury may assign to the office of the Commissioner of Internal Revenue such number of clerks as he may deem necessary, or the exigencies of the public service may require, and the privilege of franking all letters and documents pertaining to the duties of his office, and of receiving free of postage all such letters and documents, is hereby extended to said commissioner.

GENERAL PROVISIONS.

SEC. 2. And be it further enacted, That, for the purpose of assessing, levying, and collecting the duties or taxes hereinafter prescribed by this act, the President of the United States be, and he is hereby, authorized to divide, respectively, the States and Territories of the United States, and the District of Columbia into convenient collection districts, and to nominate, and, by and with the advice and consent of the Senate, to appoint an assessor and a collector for each such district, who shall be residents within the same: Provided, That any of said States and Territories, and the District of Columbia, may, if the President shall deem it proper, be erected into and included in one district: Provided, That the number of districts in any State shall not exceed the number of representatives to which such State shall be entitled in the present Congress, except in such States as are entitled to an increased representation in the Thirty-Eighth Congress, in which States the number of districts shall not exceed the number of Representatives to which any such State may be so entitled: And provided further, That in the State of California the President may establish a number of districts not exceeding the number of Senators and Representatives to which said State is entitled in the present Congress.

SEC. 3. And be it further enacted, That each of the assessors shall divide his district into a convenient number of assessment districts, subject to such regulations and limitations as may be imposed by the Commissioner of Internal Revenue, within each of which he shall appoint one assistant assessor, who shall be resident therein; and each assessor and assistant assessor so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector, to be appointed by virtue of this act, (who is hereby empowered to administer the same,) the following oath or affirmation, to wit: "I, A B, do swear, or affirm, (as the case may be,) that I will bear true faith and allegiance to the United States of America, and will support the Constitution thereof; and that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for, (naming the assessment district,) without favor or partiality, and that I will do equal right and justice in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor or assistant assessor shall be appointed. And every assessor or assistant assessor acting in the said office without having taken the said oath or affirmation shall forfeit and pay one hundred dollars, one moiety thereof to the use of the United States, and the other moiety thereof to him who shall first sue for the same, with costs of suit.

SEC. 4. And be it further enacted, That before any such collector

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Commissioner of Internal Revenue, to provide stamps and dies.

Post, p. 725.

General provisions.

Convenient collection districts to be made.

Assessor and collector for each. Post, p. 661.

Any State, &c., may make one district.

Limit to number of districts in any State.

California.

Assessor to divide his district into convenient assessment districts.

Assistant assessor in each.

Oath of assessor and assistants.

Certificate of oath.

Penalty for acting without taking oath.
Bonds of collectors.

Amount.

Not less than five sureties to be approved as sufficient by the Solicitor of the Treasury, containing the condition that said collector shall faithfully perform the duties of his office according to law, and shall justly and faithfully account for and pay over to the United States, in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession; which bond shall be filed in the office of the First Comptroller of the Treasury. And such collector[s] shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury may direct.

SEC. 5. And be it further enacted, That each collector shall be authorized to appoint, by an instrument of writing under his hand, as many deputies as he may think proper, to be by him compensated for their services, and also to revoke any such appointment, giving such notice thereof as the Commissioner of Internal Revenue shall prescribe; and may require bonds or other securities and accept the same from such deputy; and each such deputy shall have the like authority, in every respect, to collect the duties and taxes levied or assessed within the portion of the district assigned to him which is by this act vested in the collector himself; but each collector shall, in every respect, be responsible both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done as deputy collector by any of his deputies whilst acting as such, and for every omission of duty: Provided, That nothing herein contained shall prevent any collector from collecting himself the whole or any part of the duties and taxes so assessed and payable in his district.

SEC. 6. And be it further enacted, That it shall be the duty of any person or persons, partnerships, firms, associations, or corporations, made liable to any duty, license, stamp, or tax imposed by this act, when not otherwise and differently provided for, on or before the first day of August, eighteen hundred and sixty-two, and on or before the first Monday of May in each year thereafter, and in all other cases before the day of levy, to make a list or return to the assistant assessor of the district where located, of the amount of annual income, the articles or objects charged with a special duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a specific or ad valorem duty or tax, the several rates and aggregate amount according to the respective provisions of this act, and according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, for which such person or persons, partnerships, firms, associations or corporations are liable to be assessed under and by virtue of the provisions of this act.

SEC. 7. And be it further enacted, That the instructions, regulations, and directions, as hereinbefore mentioned, shall be binding on each assessor and his assistants, and on each collector and his deputies, in the performance of the duties enjoined by or under this act; pursuant to which instructions the said assessors shall, on the first day of August, eighteen hundred and sixty-two, and on the first Monday of May in each succeeding year, and from time to time thereafter, in accordance with this act, direct and cause the several assistant assessors to proceed through every part of their respective districts; and inquire after and concerning all persons being within the assessment districts where they respectively reside, owning, possessing, or having the care or management of any property, goods, wares, and merchandise, articles or objects liable to pay any duty, stamp or tax, including all persons liable to pay a license duty, under the provisions of this act, (by reference as well to any lists of assessment or collection taken under the laws of the respective States, as to any other
records or documents, and by all other lawful ways and means, especially to the written list, schedule, or return required to be made out and delivered to the assistant assessor by all persons owning, possessing, or having the care or management of any property, as aforesaid, liable to duty or taxation, and to valUE and enumerate the said objects of taxation, respectively, in the manner prescribed by this act, and in conformity with the regulations and instructions before mentioned.

Sec. 8. And be it further enacted, That if any person owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a written list when required, as aforesaid, and shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles and objects liable to pay any duty or tax, or any business or occupation liable to pay any license, as aforesaid, then, and in that case, it shall be the duty of the officer to make such list, which, being distinctly read, consented to, and signed, by the person so owning; possessing, or having the care and management as aforesaid, shall be received as the list of such person.

Sec. 9. And be it further enacted, That if any such person shall deliver or disclose to any assessor or assistant assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list or statement, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person so offending, and being thereof convicted on indictment found therefor in any circuit or district court of the United States held in the district in which such offence may be committed, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act shall, in all such cases, and in all cases of under valuation or under statement in such lists or statements, be made, as aforesaid, upon lists, according to the form prescribed, to be made out by the assessors and assistant assessors, respectively; which lists the said assessors and assistant assessors are hereby authorized and required to make according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises, respectively; and from the valuation and enumeration so made there shall be no appeal.

Sec. 10. And be it further enacted, That in case any person shall be absent from his or her place of residence at the time an assistant assessor shall call to receive the list of such person, it shall be the duty of such assistant assessor to leave at the place of residence of such person, with some person of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office a written note or memorandum, addressed to such person, requiring him or her to present to such assessor the list or lists required by this act within ten days from the date of such note or memorandum.

Sec. 11. And be it further enacted, That if any person, on being notified or required, as aforesaid, shall refuse or neglect to give such list or lists within the time required, as aforesaid, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the premises, if it be necessary, of such persons so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of property, goods, wares, and merchandise, and all articles or objects liable to duty or taxation, owned or possessed, or under the care or management of such person, as are required by this act, including the amount, if any, due for license; and in case of refusal or neglect to make such lists, except in cases of sickness, the assessors shall thereupon add fifty per centum to the amount of the tax lists, how to be made, when persons, &c. fail to make lists, but disclose to assessors, &c.

Tax lists, how to be made, when persons, &c. fail to make lists, but disclose to assessors, &c.

Penalty for delivering or disclosing fraudulent list.

Valuation and enumeration how made in such cases.

Power of assessors, &c. in making such lists.

No appeal.

Assistant assessor to notify persons absent at the time of his call, to send in lists within ten days.

Post, p. 713.

Upon refusal, &c. to give lists, assessor to enter upon premises and make lists. [Amended, Post, l. 713.]

When fifty per cent. to be added.
Such lists to be good, &c.

Penalty for failing, &c. to give in list, &c.

Lists of property, &c. of non-resident owners, how made.

Non-resident owners may deliver lists to assistant assessors of their districts.

Assistant assessors to transmit such lists.

Further proceedings with such lists.

Lists to be taken with reference to what day.

List of residents;

of non-residents.

Forms. Lists to be delivered to assessors.

items thereof; and the lists, so made and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act; and the person so failing or neglecting, unless in case of sickness or failure to receive the notice, shall, moreover, forfeit and pay the sum of one hundred dollars, except where otherwise provided for, to be recovered for the use of the United States, with costs of suit.

SEC. 12. And be it further enacted, That whenever there shall be in any assessment district any property, goods, wares, and merchandise, articles, or objects, not owned or possessed by, or under the care or management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall have been transmitted to the assistant assessor in the manner provided by this act, it shall be the duty of the assistant assessor for such district, and he is hereby authorized and required, to enter into and upon the premises where such property is situated, and take such view thereof as may be necessary; and to make lists of the same, according to the form prescribed, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, goods, wares, and merchandise, articles, or objects, as aforesaid, under and for the purposes of this act.

SEC. 13. And be it further enacted, That the owners, possessors, or persons having the care or management of property, goods, wares, and merchandise, articles or objects, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the lists thereof required by this act (provided the assessment district in which the said objects of duty or taxation are situated, is therein distinctly stated) at the time and in the manner prescribed to the assistant assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessor who receives any such list to transmit the same to the assistant assessor where such objects of taxation are situated, who shall examine such list; and if he approves the same, he shall return it to the assistant assessor from whom he received it, with his approval thereof; and if he fails to approve the same, he shall make such alterations therein as he may deem to be just and proper, and shall then return the said list, with such alterations therein or additions thereto, to the assistant assessor from whom he received the said list; and the assistant assessor, where the person liable to pay such tax resides, shall proceed in making the assessment of the tax upon the list by him so received, in all respects as if the said list had been made out by himself.

SEC. 14. And be it further enacted, That the lists aforesaid shall, where not otherwise specially provided for, be taken with reference to the day fixed for that purpose by this act, as aforesaid, and where duties accrue at other and different times, the lists shall be taken with reference to the time when said duties become due; and the assistant assessors, respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay any duty, tax, or license under this act residing within the assessment district, together with the value and assessment, or enumeration, as the case may require, of the objects liable to duty or taxation within such district for which each such person is liable, or for which any firm, company, or corporation is liable, with the amount of duty or tax payable thereon; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment or enumeration thereof, as the case may be, with the amount of duty or tax payable thereon aforesaid. The forms of the said general list shall be devised and prescribed by the assessor, under the direction of the Commissioner of Internal Revenue, and lists taken according to such forms shall be made out by the assistant assessors.
and delivered to the assessor within thirty days after the day fixed by this act as aforesaid, requiring lists from individuals; or where duties, licenses, or taxes accrue at other and different times, the lists shall be delivered from time to time as they become due. And if any assistant assessor shall fail to perform any duty assigned by this act within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assistant assessor shall be discharged from office, and shall, moreover, forfeit and pay two hundred dollars, to be recovered for the use of the United States, with costs of suit.

SEC. 15. And be it further enacted, That the assessors for each collection district shall, by advertisement in some public newspaper published in each county within said district, if any such there be, and by written or printed notifications, to be posted up in at least four public places within each assessment district, advertise all persons concerned of the time and place within said county when and where the lists, valuations, and enumerations made and taken within said county may be examined; and said lists shall remain open for examination for the space of fifteen days after notice shall have been given as aforesaid. And said notifications shall also state when and where within said county, after the expiration of said fifteen days, appeals will be received and determined relative to any erroneous or excessive valuations or enumerations by the assistant assessors. And it shall be the duty of the assessor for each collection district, at the time fixed for hearing such appeal as aforesaid, to submit the proceedings of the assistant assessors, and the lists taken and returned as aforesaid, to the inspection of any and all persons who may apply for that purpose. And the said assessor for each collection district is hereby authorized, at any time within fifteen days from and after the expiration of the time allowed for notification as aforesaid, to hear and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assistant assessors: Provided, That the question to be determined by the assessor, on an appeal respecting the valuation or enumeration of property, or objects liable to duty or taxation, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same assessment district, and whether the enumeration be or be not correct. And all appeals to the assessor, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested; and shall, moreover, state the ground or principle of inequality or error complained of. And the assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation or enumeration shall be increased without a previous notice, of at least five days, to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling-house, office, or place of business of the party by such assessor or an assistant assessor.

SEC. 16. And be it further enacted, That the said assessors of each collection district, respectively, shall, immediately after the expiration of the time for hearing appeals, and, from time to time, as duties, taxes, or licenses become liable to be assessed, make out lists containing the sums payable according to the provisions of this act upon every object of duty or taxation in and for each collection district, which lists shall contain the name of each person residing within the said district, owning or having the care or superintendence of property lying within the said district which is liable to the said tax, or engaged in any business or pursuit requiring a license, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district liable to the payment of the said duty or tax, not owned or occupied by or under the superintendence of any person resi-
Separate lists. - In every collection district, there shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors, where known. And the assistant assessor making out any such separate list shall transmit it to the assessor, where the persons liable to pay such tax reside or shall have their principal place of business, copies of the list of property held by persons so liable to pay such tax, to the end that the taxes assessed under the provisions of this act may be paid within the collection district where the persons liable to pay the same reside or may have their principal place of business. And in all other cases the said assessor shall furnish to the collectors of the several collection districts, respectively, within ten days after the time of hearing appeals, and from time to time thereafter as required, a certified copy of such list or lists for their proper collection districts; and in default of performance of the duties enjoined upon assessors by this section they shall severally and individually forfeit and pay the sum of five hundred dollars to the use of the United States, and, moreover, shall forfeit their compensation as assessors: Provided, That it shall be in the power of the Commissioner of Internal Revenue to exonerate any assessor as aforesaid from such forfeitures, in whole or in part, as to him shall appear just and equitable.

Sec. 17. And be it further enacted, That there shall be allowed and paid to the several assessors and assistant assessors, for their services under this act, to each assessor three dollars per day for every day employed in making the necessary arrangements and giving the necessary instructions to the assistant assessors for the valuation; and five dollars per day for every day employed in hearing appeals, revising valuations, and making out lists agreeably to the provisions of this act; and one dollar for every hundred taxable persons contained in the tax list, as delivered by him to said collectors, and forwarded to the Commissioner of Internal Revenue; to each assistant assessor three dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor and approved by the Commissioner of Internal Revenue; and one dollar for every hundred taxable persons contained in the tax list, as completed and delivered by him to the assessor. And the said assessors and assistant assessors, respectively, shall also be allowed their necessary and reasonable charges for stationery and blank books used in the execution of their duties, and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized: Provided, The Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in the States of California and Oregon and the Territories as may appear to him to be just and equitable in consequence of the greater cost of living and travelling in those States and Territories, and as may in his judgment be necessary to secure the services of competent and efficient men, provided the rates of compensation thus allowed shall not exceed the rates paid to similar officers in such States and Territories respectively. In cases where a collection district embraces more than a single congressional district the Secretary of the Treasury may allow the assessor such compensation as he may deem necessary.

Sec. 18. And be it further enacted, That each collector, on receiving a list, as aforesaid, and from time to time as such lists may be received from the said assessors, respectively, shall subscribe three receipts; one of which shall be given on a full and correct copy of such list, which list shall be delivered by him to, and shall remain with, the assessor of his collection district, and shall be open to the inspection of any person who may apply to inspect the same; and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in his collection district, one of which aggregate statements and receipts shall be transmitted to the Commissioner of In-
ternal Revenue, and the other to the First Comptroller of the Treasury; and all lists received from time to time, as aforesaid, shall be in like form and manner transmitted as aforesaid.

Sect. 19. *And be it further enacted,* That each of said collectors shall, within ten days after receiving his annual collection list from the assessors, respectively, as aforesaid, give notice, by advertisement published in each county in his collection district, in one newspaper printed in such county, if any such there be, and by notifications to be posted up in at least four public places in each county in his collection district, that the said duties have become due and payable, and state the time and place within said county at which he will attend to receive the same, which time shall not be less than ten days after such notification; and all persons who shall neglect to pay the duties and taxes so as aforesaid assessed upon them to the collector within the time specified, shall be liable to pay ten per centum additional upon the amount thereof, the fact of which liability shall be stated in the advertisement and notifications aforesaid. And with regard to all persons who shall neglect to pay as aforesaid, it shall be the duty of the collector, in person or by deputy, within twenty days after such neglect, to make a demand personally, or at the dwellings or usual places of business of such persons, if any they have, for payment of said duties or taxes, with the ten per centum additional aforesaid. And with respect to all such duties or taxes as are not included in the annual lists aforesaid, and all taxes and duties the collection of which is not otherwise provided for in this act, it shall be the duty of each collector, in person or by deputy, to demand payment thereof, in manner aforesaid, within ten days from and after receiving the list thereof from the assessor; and if the annual and other duties shall not be paid within ten days from and after such demand therefor, it shall be lawful for such collector or his deputies to proceed to collect the said duties or taxes, with ten per centum additional thereto, as aforesaid, by distraint and sale of the goods, chattels, or effects of the persons delinquent as aforesaid. And in case of such distraint it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with some person of suitable age and discretion, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be published in some newspaper within the county wherein said distraint is made, if there is a newspaper published in said county, or to be publicly posted up at the post-office, if there be one within five miles, nearest to the residence of the person whose property shall be distrained, and in not less than two other public places, which notice shall specify the articles distrained, and the time and place for the sale thereof, which time shall not be less than ten nor more than twenty days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint: Provided, That in any case of distraint for the payment of the duties or taxes aforesaid the goods, chattels, or effects so distrained shall and may be restored to the owner or possessor, if prior to the sale payment of the amount due or tender thereof shall be made to the proper officer charged with the collection of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing, advertising, and keeping the goods, chattels, or effects so distrained as may be prescribed by the Commissioner of Internal Revenue; but in case of non-payment or tender, as aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects at public auction, and shall and may retain from the proceeds of such sale the amount demandable for the use of the United States, with the necessary and reasonable expenses of distraint and sale, Collector to give notice that duties are due.

[Amended, Post, p. 714.]

Persons neglecting to pay in time, to be liable to pay ten per cent. in addition.

Collector to make demand.

If duties, &c. are not paid within ten days after demand, collector to distress and sell.

Duty of officer in cases of distraint.

Goods, &c. distrained may be returned to owner, if he, before sale, pays amount due and expenses.

When and how officers to sell.

Expenses and charges.
and a commission of five per centum thereon for his own use, rendering
the overplus, if any there be, to the person whose goods, chattels, or
effects shall have been distrained: Provided, That there shall be exempt
from distrain the tools or implements of a trade or profession, one cow,
arms, and provisions, and household furniture kept for use, and apparel
necessary for a family.

SEC. 20. And be it further enacted, That in all cases where the prop-
erty liable to distrain for duties or taxes under this act, may not be di-
visible, so as to enable the collector by a sale of part thereof to raise the
whole amount of the tax, with all costs, charges, and commissions, the
whole of such property shall be sold, and the surplus of the proceeds of
the sale, after satisfying the duty or tax, costs and charges, shall be paid
to the owner of the property, or his, her, or their legal representatives;
or if he, she, or they cannot be found, or refuse to receive the same, then
such surplus shall be deposited in the treasury of the United States, to be
there held for the use of the owner, or his, her, or their legal representa-
tives, until he, she, or they shall make application therefor to the Secre-
tary of the Treasury, who, upon such application, shall, by warrant on
the treasury, cause the same to be paid to the applicant. And if the
property advertised for sale as aforesaid cannot be sold for the amount
of the duty or tax due thereon, with the costs and charges, the collector
shall purchase the same in behalf of the United States for an amount not
exceeding the said tax or duty, with the costs and charges thereon. And
all property so purchased may be sold by said collector under such regu-
lations as may be prescribed by the Commissioner of Internal Revenue.
And the collector shall render a distinct account of all charges incurred
in the sale of such property, and shall pay into the treasury the surplus,
if any there be, after defraying the charges.

SEC. 21. And be it further enacted, That in any case where goods,
chattels, or effects sufficient to satisfy the duties imposed by this act upon
any person liable to pay the same, shall not be found by the collector or
deputy collector, whose duty it may be to collect the same, he is hereby
authorized to collect the same by seizure and sale of real estate; and
the officer making such seizure and sale shall give notice to the person
whose estate is proposed to be sold, by giving him in hand, or leaving at
his last and usual place of abode, if he has any such within the collection
district where said estate is situated, a notice, in writing, stating what par-
ticular estate is proposed to be sold, describing the same with reasonable
certainty, and the time when and the place where said officer proposes to
sell the same; which time shall not be less than ten nor more than twenty
days from the time of giving said notice; and the said officer shall also
cause a notification to the same effect to be published in some newspaper
within the county where such seizure is made, if any such there be, and
shall also cause a like notice to be posted up at the post-office nearest to
the place of residence of the person whose estate shall be so seized, and
in two other public places within the county; and the place of said sale
shall not be more than five miles distant from the estate seized. At the
time and place appointed, the officer making such seizure shall proceed
to sell the said estate at public auction, offering the same at a minimum
price, including the amount of duties with the ten per centum additional
thereon, and all charges for advertising, and an officer's fee of ten dol-
ars. And if no person offers for said estate the amount of said min-
imum, the officer shall declare the same to be purchased by him for the
United States, and shall deposit with the district attorney of the United
States a deed thereof, as hereinafter specified and provided; otherwise
the same shall be declared to be sold to the highest bidder. And said
sale may be adjourned by said officer for a period not exceeding five
days, if he shall think it advisable so to do. If the amount bid shall not
be then and there paid, the officer shall forthwith proceed to again sell
said estate in the same manner. If the amount bid shall be then and there paid, the officer shall give his receipt therefor, if requested, and within five days thereafter he shall make out a deed of the estate so sold to the purchaser thereof, and execute the same in his official capacity, in the manner prescribed by the laws of the State in which said estate may [be] situated, in which said deed shall be recited the fact of said seizure and sale, with the cause thereof, the amount of duty for which said sale was made, and of all charges and fees, and the amount paid by the purchaser, and all his acts and doings in relation to said seizure and sale, and shall have the same ready for delivery to said purchaser, and shall deliver the same accordingly, upon request therefor. And said deed shall be prima facie evidence of the truth of the facts stated therein; and if the proceedings of the officer, as set forth, have been substantially in pursuance of the provisions of this act, shall be considered and operate as a conveyance to the purchaser of the title to said estate, but shall not affect the rights of third persons acquired previously to the claim of the United States under this act. The surplus, if any, arising from such sale shall be disposed of as provided in this act for like cases arising upon sales of personal property. And any person whose estate may be seized for duties, as aforesaid, shall have the same right to pay or tender the amount due, with all proper charges thereon, prior to the sale thereof, and thereupon to relieve his said estate from sale, as aforesaid, as is provided in this act for personal property similarly situated. And any collector or deputy collector may, for the collection of duties imposed upon any person by this act, and committed to him for collection, seize and sell the lands of such person situated in any other collection district within the State in which said officer resides; and his proceedings in relation thereto shall have the same effect as if the same were had in his proper collection district; and the owners, their heirs, executors, or administrators, or any person having an interest therein, or any person on their behalf, shall have liberty to redeem the land sold as aforesaid within one year from and after recording the said deed, upon payment to the purchaser, or in case he cannot be found in the county where the lands are situate, to the collector for the use of the purchaser, his heirs, or assigns, of the amount paid by the purchaser, with interest on the same at the rate of twenty per centum per annum. And it shall be the duty of every collector to keep a record of all sales of land made in his collection district, whether by himself or his deputies, in which shall be set forth the tax for which any such sale was made, the dates of seizure and sale, the name of the party assessed, and all proceedings in making said sale, the amount of fees and expenses, the name of the purchaser, and the date of the deed; which record shall be certified by the officer making the sale. And it shall be the duty of any deputy making sale, as aforesaid, to return a statement of all his proceedings to the collector, and to certify the record thereof. And in case of the death or removal of the collector, or the expiration of his term of office from any other cause, said record shall be deposited in the office of the clerk of the District Court of the United States for the district within which the said collector resided; and a copy of every such record, certified by the collector, or by the clerk, as the case may require, shall be evidence, in any court, of the truth of the facts therein stated. And when any lands sold as aforesaid shall be redeemed as hereinafter provided, the collector or clerk, as the case may be, shall make an entry of the fact upon the record aforesaid, and the said entry shall be evidence of such redemption. And the claim of the Government to lands sold under and by virtue of the foregoing provisions shall be held to have accrued at the time of seizure thereof.

Sec. 22. And be it further enacted, That if any collector shall find upon any lists of taxes returned to him for collection property lying within his district which is charged with any specific or ad valorem tax or

Collection of taxes upon property of persons non-residents in the United States.
duty, but which is not owned, occupied, or superintended by some person known to such collector to reside or to have some place of business within the United States, such collector shall forthwith take such property into his custody, and shall advertise the same, and the tax charged upon the same, in some newspaper published in his district, if any shall be published therein, otherwise in some newspaper in an adjoining district, for the space of thirty days; and if the taxes thereon, with all charges for advertising, shall not be paid within said thirty days, such collector shall proceed to sell the same, or so much as is necessary, in the manner provided for the sale of other goods distrained for the non-payment of taxes, and out of the proceeds shall satisfy all taxes charged upon such property, with the costs of advertising and selling the same. And like proceedings to those provided in the preceding section for the purchase and resale of property which cannot be sold for the amount of duty or tax due thereon shall be had with regard to property sold under the provisions of this section. And any surplus arising from any sale herein provided for shall be paid into the treasury, for the benefit of the owner of the property. And the Secretary of the Treasury is authorized in any case where money shall be paid into the treasury for the benefit of any owner of property sold as aforesaid, to repay the same, on proper proof being furnished that the person applying therefor is entitled to receive the same.

Sec. 23. And be it further enacted, That the several collectors shall, at the expiration of each and every month, after they shall, respectively, commence their collections, transmit to the Commissioner of Internal Revenue a statement of the collections made by them, respectively, within the month, and pay over monthly, or at such time or times as may be required by the Commissioner of Internal Revenue, the moneys by them respectively collected within the said term, and at such places as may be designated and required by the Commissioner of Internal Revenue; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection, aforesaid, shall pay over the same into the treasury, and shall render his final account to the Treasury Department as often as he may be required, and within six months from and after the day when he shall have received the collection lists from the said assessors or assistant assessors, as aforesaid. And the Secretary of the Treasury is authorized to designate one or more depositories in each State, for the deposit and safe-keeping of the moneys collected by virtue of this act; and the receipt of the proper officer of such depository to a collector for the money deposited by him shall be a sufficient voucher for such collector in the settlement of his accounts at the Treasury Department; and the Commissioner of Internal Revenue may, under the direction of the Secretary of the Treasury, prescribe such regulations with reference to such deposits as he may deem necessary.

Sec. 24. And be it further enacted, That each collector shall be charged with the whole amount of taxes by him received, whether contained in lists delivered to him by the assessors, respectively, or delivered or transmitted to him by assistant assessors from time to time, or by other collectors; and shall be credited with the amount of duties or taxes contained in the lists transmitted in the manner above provided to other collectors, and by them received as aforesaid; and also for the duties or taxes of such persons as may have absconded, or become insolvent, prior to the day when the duty or tax ought, according to the provisions of this act, to have been collected: Provided, That it shall be proved to the satisfaction of the First Comptroller of the Treasury that due diligence was used by the collector, and that no property was left from which the duty or tax could have been recovered. And each collector shall also be credited with the amount of all property purchased by him for the use of the United States, provided he shall faithfully account for, and pay over,
the proceeds thereof upon a resale of the same as required by this act.

Sec. 25. And be it further enacted, That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times hereinbefore provided, it shall be the duty of the First Comptroller of the Treasury, and he is hereby authorized and required, immediately after such delinquency, to report the same to the Solicitor of the Treasury, who shall issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects of the delinquent collector, giving at least five days' notice of the time and place of sale, in the manner provided by law for advertising sales of personal property on execution in the State wherein such collector resides; and, furthermore, if such goods, chattels, and effects cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collector, giving notice as hereinbefore provided. And the bill of sale of the officer of any goods, chattels, or other personal property, distrained and sold as aforesaid, shall be conclusive evidence of title to the purchaser, and prima facie evidence of the right of the officer to make such sale, and of the correctness of his proceedings in selling the same. And for want of goods and chattels, or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold at public auction by the marshal or his deputy, who, upon such sale, shall, as such marshal or deputy marshal, make and deliver to the purchaser of the premises so sold a deed of conveyance thereof, to be executed and acknowledged in the manner and form prescribed by the laws of the State in which said lands are situated, which said deed so made shall invest the purchaser with all the title and interest of the defendant or defendants named in said warrant existing at the time of seizure thereof. And all moneys that may remain of the proceeds of such sale after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

Sec. 26. And be it further enacted, That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or wilful oppression, under color of this act, or shall knowingly demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding double the amount of damages accruing to the party injured, to be recovered by and for the use of the party injured, with costs of suit, and shall be dismissed from office, and be disqualified from holding such office thereafter; and each and every collector, or his deputies, shall give receipts for all sums by them collected and retained in pursuance of this act.

Sec. 27. And be it further enacted, That a collector or deputy collector, assessor or assistant assessor, shall be authorized to enter, in the daytime, any brewery, distillery, manufactory, building, or place where any property, articles, or objects, subject to duty or taxation under the provisions of this act, are made, produced, or kept, within his district, so far as it
may be necessary for the purpose of examining said property, articles, or objects, or inspecting the accounts required by this act from time to time to be made. And every owner of such brewery, distillery, manufactory, building, or place, or persons having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine said property, articles, or objects, or to inspect said accounts, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

SEC. 28. And be it further enacted, That if any person shall forcibly obstruct or hinder a collector or deputy collector in the execution of this act, or of any power and authority hereby vested in him, or shall forcibly rescue, or cause to be rescued, any property, articles, or objects, after the same shall have been seized by him, or shall attempt or endeavor so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

SEC. 29. And be it further enacted, That in case of the sickness or temporary disability of a collector to discharge such of his duties as cannot under existing laws be discharged by a deputy, they may be devolved by him upon one of his deputies: Provided, That information thereof be immediately communicated to the Secretary of the Treasury, and shall not be disapproved by him: And provided, further, That the responsibility of the collector or his sureties to the United States shall not be affected or impaired thereby.

SEC. 30. And be it further enacted, That in case a collector shall die, resign, or be removed, the deputies of such collector shall continue to act until their successors are appointed; and the deputy of such collector longest in service at the time immediately preceding may and shall, until a successor shall be appointed, discharge all the duties of said collector; and for the official acts and defaults of such deputy a remedy shall be had on the official bond of the collector, as in other cases; and of two or more deputy collectors, appointed on the same day, the one residing nearest the residence of the collector at the time of his death, resignation, or removal, shall in like manner discharge the said duties until the appointment of a successor; and any bond or security taken of such deputy by such collector, pursuant to the fifth section of this act, shall be available to his heirs or representatives to indemnify them for loss or damage accruing from any act of the proper deputy so continuing or so succeeding to the duties of such collector.

SEC. 31. And be it further enacted, That it shall be the duty of the collectors aforesaid, or their deputies, in their respective districts, and they are hereby authorized, to collect all the duties and taxes imposed by this act, however the same may be designated, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures which may be incurred or imposed by virtue of this act, shall and may be sued for and recovered, in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, in any proper form of action, or by any appropriate form of proceeding, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any other court of competent jurisdiction; and, where not otherwise and differently provided for, one moiety thereof shall be to the use of the United States, and the other moiety thereof to the use of the person who, if a collector or deputy collector, shall first inform of the cause, matter, or thing whereby any such fine, penalty, or forfeiture was incurred.

SEC. 32. And be it further enacted, That if any person, in any case, matter, hearing, or other proceeding, in which an oath or affirmation shall be required to be taken or administered under and by virtue of this act, shall, upon the taking of such oath or affirmation, knowingly and willingly
swear or affirm falsely, every person so offending shall be deemed guilty of perjury, and shall, on conviction thereof, be subject to the like punishment and penalties now provided by the laws of the United States for the crime of perjury.

Sec. 33. And be it further enacted, That separate accounts shall be kept at the treasury of all moneys received from internal duties or taxes in each of the respective States, Territories, and collection districts; and that separate accounts shall be kept of the amount of each species of duty or tax that shall accrue, so as to exhibit, as far as may be, the amount collected from each source of revenue, with the moneys paid to the collectors and deputy collectors, and to the other officers employed in each of the respective States, Territories, and collection districts, an abstract in tabular form of which accounts it shall be the duty of the Secretary of the Treasury, annually, in the month of December, to lay before Congress.

Sec. 34. And be it further enacted, That there shall be allowed to the collectors appointed under this act, in full compensation for their services and that of their deputies in carrying this act into effect, a commission of four per centum upon the first hundred thousand dollars, and two per centum upon all sums above one hundred thousand dollars; such commissions to be computed upon the amounts by them respectively paid over and accounted for under the instructions of the Treasury Department: Provided, That in no case shall such commissions exceed the sum of ten thousand dollars per annum, except as hereinafter provided. And there shall be further allowed to each collector his necessary and reasonable charges for stationery and blank books used in the performance of his official duties, which, after being duly examined and certified by the Commissioner of Internal Revenue, shall be paid out of the treasury: Provided, That the Secretary of the Treasury be authorized to make such further allowance as may be reasonable in cases in which, from the territorial extent of the district, or from the amount of internal duties collected, it may seem just to make such allowance; but the whole compensation shall not exceed ten thousand dollars, except in collection districts embracing more than one congressional district.

Sec. 35. And be it further enacted, That when any duty or tax shall have been paid by levy and distraint, any person or persons or party who may feel aggrieved thereby may apply to the assessor of the district for relief, and exhibit such evidence as he, she, or they may have of the wrong done, or supposed to have been done, and after a full investigation the assessor shall report the case, with such parts of the evidence as he may judge material, including also such as may be regarded material by the party aggrieved, to the Commissioner of Internal Revenue, who may, if it shall be made to appear to him that such duty or tax was levied or collected, in whole or in part, wrongfully or unjustly, certify the amount wrongfully and unjustly levied or collected, and the same shall be refunded and paid to the person or persons or party as aforesaid, from any moneys in the treasury not otherwise appropriated, upon the presentation of such certificate to the proper officer thereof.

Sec. 36. And be it further enacted, That in all cases of distraint and sale of goods, or chattels, for non-payment of taxes provided for in this act, the bill of sale of such goods or chattels given by the officer making such sale to the purchaser thereof shall be conclusive evidence of the right of the officer to make such sale, and of the correctness of his proceedings in selling the same.

Sec. 37. And be it further enacted, That if for any cause, at any time after this act goes into operation, the laws of the United States cannot be executed in a State or Territory of the United States, or any part thereof, or within the District of Columbia, it shall be the duty of the President, and he is hereby authorized, to proceed to execute the provisions of this act within the limits of such State or Territory, or part thereof, or Dis-
trict of Columbia, so soon as the authority of the United States therein shall be reestablished, and to collect the sums which would have been due from the persons residing or holding property, goods, wares, or merchandise, object or article therein liable to any duty, license, or tax, with interest at the rate of six per centum per annum thereon from the time such duty, license, or tax ought to have been paid until said act shall be and the time and manner of collection regulated by the instructions and directions of the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury.

Sec. 38. And be it further enacted, That the officers who may be appointed under this act, except within those districts within any State or Territory which have been or may be otherwise specially provided for by law, shall be, and hereby are, authorized, in all cases where the payment of such tax has not been assumed by the State, to perform all the duties relating to or regarding the assessment and collection of the direct tax imposed by this act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, or any direct tax which may be hereafter enacted: Provided, That the sum of nineteen thousand three hundred and twelve dollars, direct tax, laid upon the Territory of Nebraska by said act, shall be paid and satisfied by deducting said amount from the appropriation for legislative expenses of the Territory of Nebraska for the year ending thirtieth of June, eighteen hundred and sixty-three, and no further claim shall be made by said territory for legislative expenses for said year: Provided, further, That the State of Tennessee shall have until the first day of December next to assume the payment of her portion of said tax.

Spirits, ale, beer, and porter.

Sec. 39. And be it further enacted, That it shall be the duty of the collectors, within their respective districts, to grant licenses for distilling, which licenses shall contain the date thereof, the sum paid, and the time when the same will expire, and shall be granted to any person, being a resident of the United States, who shall desire the same, by application, in writing, to such collector, upon payment of the sum or duty payable by this act upon each license requested. And at the time of applying for said license, and before the same is issued, the person so applying shall give bond to the United States in such sum as shall be required by the collector, and with one or more sureties, to be approved by said collector, conditioned that in case any additional still or stills, or other implements to be used as aforesaid, shall be erected by him, his agent or superintendent, he will, before using, or causing or permitting the same to be used, report in writing to the said collector the capacity thereof; and information from time to time of any change in the form, capacity, ownership, agency, or superintendence, which all or either of the said stills or other implements may undergo; and that he will, from day to day, enter, or cause to be entered, in a book to be kept for that purpose, the number of gallons of spirits that may be distilled by said still or stills, or other implements, and also of the quantities of grain or other vegetable productions, or other substances put into the mash-tub, or otherwise used by him, his agent, or superintendent, for the purpose of producing spirits, which said book shall be open at all times during the day (Sundays excepted) to the inspection of the said collector, who may make any memorandums or transcripts therefrom; and that he will render to the said collector, on the first, tenth, and twentieth days of each and every month, or within five days thereafter, during the continuance of said license, an exact account, in writing, taken from his books, of the number of gallons of spirits
distilled and sold, or removed for consumption or sale, by him, his agent, or superintendent, and the proof thereof, and also of the quantities of grain or other vegetable productions, or other substances, put into the mash-tub, or otherwise used by him, his agent or superintendent, for the purpose of producing spirits, for the period or fractional part of a month then next preceding the date of said report, which said report shall be verified by affidavit in the manner prescribed by this act; and that he will not sell or permit to be sold, or removed for consumption or sale, any spirits distilled by him under and by virtue of his said license, until the same shall have been inspected, gauged, and proved, and the quantity thereof duly entered upon his books as aforesaid; and that he will, at the time of rendering said account, pay to the said collector the duties which by this act are imposed on the spirits so distilled; and the said bond may be renewed or changed, from time to time, in regard to the amount and varieties thereof, according to the discretion of the collector.

Sec. 40. And be it further enacted, That the application in writing made by any person for a license for distilling, as aforesaid, shall state the place of distilling, the number and capacity of the still or stills, boiler or boilers, and the name of the person, firm, company, or corporation using the same; and any person making a false statement in either of the said particulars shall forfeit and pay the sum of one hundred dollars, to be recovered with costs of suit.

Sec. 41. And be it further enacted, That, in addition to the duties payable for licenses herein provided, there shall be paid, on all spirits that may be distilled and sold, or removed for consumption or sale, of first proof, on and after the first day of August, eighteen hundred and sixty-two, the duty of twenty cents on each and every gallon, which shall be paid by the owner, agent, or superintendent of the still or other vessel in which the said spirituous liquors shall have been distilled; which duty shall be paid at the time of rendering the accounts of spirituous liquors so chargeable with duty, required to be rendered by this act: Provided, That the duty on spirituous liquors and all other spirituous beverages enumerated in this act shall be collected at no lower rate than the basis of first proof, and shall be increased in proportion for any greater strength than the strength of proof.

Sec. 42. And be it further enacted, That the term first proof used in this act and in section six of the act of March second, eighteen hundred and sixty-one, entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," shall be construed, and is hereby declared to mean, that proof of a liquor which corresponds to fifty degrees of Tralles' centesimal hydrometer, adopted by regulation of the Treasury Department, of August twelfth, eighteen hundred and fifty, at the temperature of sixty degrees of Fahrenheit's thermometer; and that in reducing the temperatures to the standard of sixty, and in levying duties on liquors above and below proof, the table of commercial values, contained in the manual for inspectors of spirits, prepared by Professor McCulloh, under the superintendence of Professor Bachs, and adopted by the Treasury Department, shall be used and taken as giving the proportions of absolute alcohol in the liquids gauged and proved according to which duties shall be levied.

Sec. 43. And be it further enacted, That there shall be designated by the collector in every assessment district where the same may be necessary one or more inspectors, who shall take an oath faithfully to perform their duties in such form as the Commissioner of Internal Revenue shall prescribe, and who shall be entitled to receive such fees as may be fixed and prescribed by said commissioner. And all spirits distilled as aforesaid by any person licensed as aforesaid shall, before the same is used, or removed for consumption or sale, be inspected, gauged, and proved by

Bond for license

may be renewed or changed.

Application for license to state what.

Penalty for false statement.

Duties on spirituæ.

First proof.

Duty, when payable.

No lower rate than basis of first proof.

Meaning of "first proof" 1861, c. 88.

Collectors to designate inspectors.

Duties and pay.

Spirits to be inspected, gauged, &c.
some person so as aforesaid designated for the performance of such duties, and who shall mark upon the cask or other package containing such spirits, in a manner to be prescribed by said commissioner, the quantity and proof of the contents of such cask or package, with the date of inspection and the name of the inspector. And any person who shall attempt fraudulently to evade the payment of duties upon any spirits distilled as aforesaid, by changing in any manner the mark upon any such cask or package, shall forfeit the sum of five hundred dollars for each cask or package so altered or changed, to be recovered as hereinbefore provided. And the fees of such inspector shall in all cases be paid by the owner of the spirits so inspected, gauged, and proved. And any such inspector who shall knowingly put upon any such cask or package any false or fraudulent mark shall be liable to the same penalty hereinbefore provided for each cask or package so fraudulently marked. And any person who shall use any cask or package so marked, for the purpose of selling spirits of a quality different from that so inspected, shall be subject to a like penalty for each cask or package so used.

SEC. 44. And be it further enacted, That the owner or owners of any distillery may erect a warehouse for bonded ware-

house. [Amended, Post, P. 714.]

Owners of distillery may erect warehouse for bonded ware- house. [Amended, Post, P. 714.]

Duty on spirits so stored.

Owners, &c., of distilleries, &c., to keep account of spirits distilled, &c.;

to render account to collector three times a month;

to keep account of grain, &c., used for distillation;

to verify accounts by oath;

to pay duties.

SEC. 45. And be it further enacted, That every person who, on the first day of August, eighteen hundred and sixty-two, shall be the owner of any still, boiler, or other vessel, used or intended to be used for the purpose of distilling spirituous liquors, as hereinbefore provided, or who shall have such still, boiler, or other vessel under his superintendency, either as agent for the owner or on his own account, and every person who, after said day, shall use or intend to use any still, boiler, or other vessel, as aforesaid, either as owner, agent, or otherwise, shall from day to day make true and exact entry, or cause to be entered, in a book to be kept by him for that purpose, the number of gallons of spirituous liquors distilled by him, and also the number of gallons sold, or removed for consumption or sale, and the proof thereof, which book shall always be open in the daytime, Sundays excepted, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts thereof, and shall render to said collector, on the first, tenth, and twentieth days of each and every month in each year, or within five days thereafter, a general account in writing, taken from his books, of the number of gallons of spirituous liquors distilled and sold, or removed for consumption or sale, and the proof thereof, for the period or fractional part of a month preceding said day, or for such portion thereof as may have elapsed from the date of said entry and report to the said day which shall next ensue; and shall also keep a book, or books, in a form to be prescribed by the Commissioner of Internal Revenue, and to be open at all seasonable hours for inspection by the collector and assessor of the district, wherein shall be entered, from day to day, the quantities of grain, or other vegetable productions, or other substances put into the mash-tub by him, his agent, or superintendent, for the purpose of producing spirits; and shall verify, or cause to be verified, the said entries, reports, books, and general accounts, by oath or affirmation, to be taken before the collector or some other officer authorized by the laws of the State to administer the same according to the form required by this act, where the same is prescribed; and shall also pay to the collector the duties which by this act ought to be paid on the spirituous liquors so distilled and sold, or removed for con-
sumption or sale, and in said accounts mentioned, at the time of rendering an account thereof.

SEC. 46. And be it further enacted, That the collector of any district may grant a permit to the owner or owners of any distillery within his district to send or ship any spirits, the product of said distillery, after the quantity and proof thereof shall have been ascertained by inspection according to the provisions of this act, to any place without said district and within the United States; and in such case the bill of lading or receipt (which shall be in such form as the Commissioner of Internal Revenue may direct) of the same shall be taken in the name of the collector of the district in which the distillery is situate, and the spirits aforesaid shall be consigned, in such bill of lading or receipt, to the collector of the district in which the place is situate, whether the spirits is sent or shipped, and the amount of duties upon said spirits shall be stated in the receipt; and upon the arrival of the spirits, and upon the demand of the collector aforesaid, the agent of the distillery (and the name of the agent, for the convenience of the collector, shall always appear in the bill of lading or receipt) shall pay the duties upon the said spirits, with the expense of freight, and every other expense which has accrued thereupon; and the said collector, upon the payment of the duties aforesaid, shall deliver the bill of lading or receipt and the spirits to the agent of the said distillery; and if the duties are not paid as aforesaid, then the said spirits shall be stored at the risk and cost of the owner or agent thereof, who shall pay an addition of ten per centum thereupon; and all the general provisions of this act, in reference to liens, penalties, and forfeitures, as also in reference to the collection, shall apply thereto, and be enforced by the collector of the district in which the spirits may be: Provided, That no permit shall be granted, under this section, for a quantity less than fifty barrels: And provided, further, That the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, may make such further regulations, and require such further securities, as he may deem proper in order to protect the revenue, and to carry out the spirit and intent of this section.

SEC. 47. And be it further enacted, That distilled spirits may be removed from the place of manufacture for the purpose of being exported, or for the purpose of being redistilled for export, and refined coal oil may be removed for the purpose of being exported, after the quantity of spirits or oil so removed shall have been ascertained by inspection, according to the provisions of this act, upon and with the written permission of the collector or deputy collector of the district, without payment of the duties thereon previous to such removal, the owner thereof having first given bond to the United States, with sufficient sureties, in the manner and form and under regulations prescribed by the Commissioner of Internal Revenue, and in at least double the amount of said duties, to export the said spirits or oil or pay the duties thereon within such time as may be prescribed by the Commissioner, which time shall be stated in said bond: Provided, That any person desiring to give such bond shall first make oath, before the collector or deputy collector to whom he may apply for a permit to remove any such spirits or oil, in manner and form to be prescribed by said Commissioner, that he intends to export such liquors or oil, and that he desires to obtain said permit for no other purpose whatever; and any collector or deputy collector is hereby authorized to administer such oath: And provided, further, That no such removal shall be permitted where the amount of duties does not exceed the sum of three hundred dollars, nor in any case where the person desiring such permission has failed to perform the obligation of any bond previously given to the United States for the removal of any such articles, until the same shall have been fully kept and performed. And the collector of the district in which any such bond may be given is authorized to cancel said bond on payment of
said duties, with interest thereon, at a rate to be fixed by said Commissi-
oner, and all proper charges, if said liquors or oil shall not have been
exported, or upon satisfactory proof that the same have been duly ex-
ported as aforesaid. And in case of the breach of the obligation of any
such bond, the same shall be forthwith forwarded by the collector of the
district to the Commissioner of Internal Revenue, to be by him placed in
the hands of the First Comptroller of the Treasury, who shall cause the
same proceedings to be taken thereon, for the purpose of collecting the
duties, interest, and charges aforesaid, as are provided in this act in case
of a delinquent collector.

Sec. 48. And be it further enacted, That the entries made in the books
of the distiller, required to be kept in the foregoing section, shall, on the
first, tenth, and twentieth days of each and every month, or within five
days thereafter, be verified by oath or affirmation, to be taken as aforesaid,
of the person or persons by whom such entries shall have been made,
which oath or affirmation shall be certified at the end of such entries by
the collector or officer administering the same, and shall be, in substance,
as follows: "I do swear (or affirm) that the foregoing entries were made
by me on the respective days specified, and that they state, according to
the best of my knowledge and belief, the whole quantity of spirituous
liquors distilled and sold, or removed for consumption or sale, at the dis-
tillery owned by ———, in the county of ———, amounting to ———
gallons, according to proof prescribed by the laws of the United States."

Sec. 49. And be it further enacted, That the owner, agent, or super-
intendent aforesaid, shall, in case the original entries required to be
made in his books by this act shall not have been made by himself, subj
join to the oath or affirmation of the person by whom they were made the follow-
ning oath or affirmation, to be taken as aforesaid: "I do swear (or affirm)
that, to the best of my knowledge and belief, the foregoing entries are just
and true, and that I have taken all the means in my power to make them so."

Sec. 50. And be it further enacted, That on and after the first day of
August, eighteen hundred and sixty-two, there shall be paid on all beer,
lager beer, ale, porter, and other similar fermented liquors, by whatever
name such liquors may be called, a duty of one dollar for each and every
barrel containing not more than thirty-one gallons, and at a like rate for
any other quantity or for fractional parts of a barrel, which shall be
brewed or manufactured and sold or removed for consumption or sale
within the United States or the territories thereof, or within the District of
Columbia, after that day; which duty shall be paid by the owner,
agent, or superintendent of the brewery or premises in which such fer-
mented liquors shall be made, and shall be paid at the time of rendering
the accounts of such fermented liquors so chargeable with duty, as re-
quired to be rendered by the following section of this act: Provided, That
fractional parts of a barrel shall be halves, quarters, eights, and six-
teenth, and any fractional part containing less than one-sixteenth shall be
accounted one-sixteenth; more than one-sixteenth, and not more than
one-eighth, shall be accounted one-eighth; more than one-eighth, and not
more than one-quarter, shall be accounted one-quarter; more than one-
quar, and not more than one-half, shall be accounted one-half; more
than one-half shall be accounted one barrel.

Sec. 51. And be it further enacted, That every person who, on said
first day of August, eighteen hundred and sixty-two, shall be the owner
or occupant of any brewery or premises used or intended to be used for
the purpose of brewing or making such fermented liquors, or who shall
have such premises under his control or superintendence, as agent for the
owner or occupant, or shall have in his possession or custody any vessel
or vessels intended to be used on said premises in the manufacture of beer,
lager beer, ale, porter, or other similar fermented liquors, either as owner,
agent, or otherwise, shall, from day to day, enter or cause to be entered in
a book to be kept by him for that purpose, and which shall be open at all
times, except Sundays, between the rising and setting of the sun, for the
inspection of said collector, who may take any minutes or memorandums
or transcripts thereof, the quantities of grain, or other vegetable produc-
tions or other substances, put into the mash-tub, or otherwise used for the
purpose of producing beer, or for any other purpose, and the quantity
or number of barrels and fractional parts of barrels of fermented liquors
made and sold, or removed for consumption or sale, keeping separate ac-
count of the several kinds and descriptions; and shall render to said col-
lector, on the first day of each month in each year, or within ten days
thereafter, a general account, in writing, taken from his books, of the
quantities of grain, or other vegetable productions or other substances, put
into the mash-tub, or otherwise used, for the purpose of producing beer,
or for any other purpose, and the quantity or number of barrels and frac-
tional parts of barrels of each kind of fermented liquors made and sold,
or removed for consumption or sale, for one month preceding said day;
and shall verify, or cause to be verified, the said entries, reports, books,
and general accounts, on oath or affirmation, to be taken before the col-
lector or some officer authorized by the laws of the State to administer the
same according to the form required by this act where the same is pre-
scribed; and shall also pay to the said collector the duties which, by this
act, ought to be paid on the liquor made and sold, or removed for con-
sumption or sale, and in the said accounts mentioned, at the time of ren-
dering the account thereof, as aforesaid. But where the manufacturer of
any beer, lager beer, or ale, manufactures the same in one collection dis-
ctrict, and owns or hires a depot or warehouse for the storage and sale of
such beer, lager beer, or ale in another collection district, he may, instead
of paying to the collector of the district where the same was manufactured
the duties chargeable thereon, present to such collector or his deputy an
invoice of the quantity or number of barrels about to be removed for the
purpose of storage and sale, specifying in such invoice, with reasonable
certainty, the depot or warehouse in which he intends to place such beer,
lager beer, or ale; and thereupon such collector or deputy shall indorse
on such invoice his permission for such removal, and shall at the same
time transmit to the collector of the district in which such depot or ware-
house is situated a duplicate of such invoice; and thereafter the manu-
ufacturer of the beer, lager beer, or ale so removed shall render the same
account, and pay the same duties, and be subject to the same liabilities
and penalties as if the beer, lager beer, or ale so removed had been
manufactured in the district. The Commissioner of Internal Revenue
may prescribe such rules as he may deem necessary for the purpose of
carrying the provisions of this section into effect.

Sec. 52. And be it further enacted, That the entries made in the books
required to be kept by the foregoing section shall, on said first day of each
and every month, or within ten days thereafter, be verified by the oath
or affirmation, to be taken as aforesaid, of the person or persons by whom
such entries shall have been made, which oath or affirmation shall be cer-
tified at the end of such entries by the collector or officer administering
the same, and shall be, in substance, as follows:

“I do swear (or affirm) that the foregoing entries were made by me on
the respective days specified, and that they state, according to the best of
my knowledge and belief, the whole quantity of fermented liquors either
brewed or brewed and sold at the brewery owned by ———, in the county of
——, amounting to ——— barrels.”

Sec. 53. And be it further enacted, That the owner, agent, or superin-
tendent aforesaid, shall, in case the original entries required to be made
in his books shall not have been made by himself, subjoin to the oath or
affirmation the following oath or affirmation, to be taken as aforesaid:

“I do swear (or affirm) that, to the best of my knowledge and belief,
the foregoing entries are just and true, and that I have taken all the means in my power to make them so."

Sec. 54. And be it further enacted, That the owner, agent, or superintendent of any vessel or vessels used in making fermented liquors, or of any still, boiler, or other vessel used in the distillation of spirits on which duty is payable, who shall neglect or refuse to make true and exact entry and report of the same, or to do, or cause to be done, any of the things by this act required to be done as aforesaid, shall forfeit for every such neglect or refusal all the liquors and spirits made by or for him, and all the vessels used in making the same, and the stills, boilers, and other vessels used in distillation, together with the sum of five hundred dollars, to be recovered with costs of suit; which said liquors or spirits, with the vessels containing the same, with all the vessels used in making the same, may be seized by any collector of internal duties, and held by him until a decision shall be had thereon according to law: Provided, That such seizure be made within thirty days after the cause for the same may have occurred, and that proceedings to enforce said forfeiture shall have been commenced by such collector within twenty days after the seizure thereof. And the proceedings to enforce said forfeiture of said property shall be in the nature of a proceeding in rem, in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction.

Sec. 55. And be it further enacted, That in all cases in which the duties aforesaid, payable onspiruous liquors distilled and sold, or removed for consumption or sale, or beer, lager beer, ale, porter, and other similar fermented liquors, shall not be paid at the time of rendering the account of the same, as herein required, the person or persons chargeable therewith shall pay, in addition, ten per centum on the amount thereof; and, until such duties with such addition shall be paid, they shall be and remain a lien upon the distillery where such liquors have been distilled, or the brewery where such liquors have been brewed, and upon the stills, boilers, vats, and all other implements thereto belonging, until the same shall have been paid; and in case of refusal or neglect to pay said duties, with the addition, within ten days after the same shall have become payable, the amount thereof may be recovered by distraint and sale of the goods, chattels, and effects of the delinquent; and, in case of such distraint, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods, chattels, or effects which may be distraint, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, at his, her, or their dwelling, with a note of the sum demanded, and the time and place of sale; and said officer shall forthwith cause a notification to be published in some newspaper, if any there be, within the county, and publicly posted up at the post-office nearest to the residence of the person whose property shall be distraint, or at the court-house of the same county, if not more than ten miles distant, which notice shall specify the articles distraint, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint: Provided, That in every case of distraint for the payment of the duties aforesaid, the goods, chattels, or effects so distraint may and shall be restored to the owner or possessor if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying and advertising, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, and effects so distraint as may be allowed in like cases by the laws or practice of the State or Territory wherein the distraint shall have been made; but in case of non-payment or neglect to
tender as aforesaid, the said officer shall proceed to sell the said goods, chattels, and effects at public auction, after due notice of the time and place of sale, and may and shall retain from the proceeds of such sale the amount demandable for the use of the United States, with the said necessary and reasonable expenses of said distraint and sale, as aforesaid, and a commission of five per centum thereon for his own use; rendering the overplus, if any there be, to the person whose goods, chattels, and effects shall have been distraint.

Sec. 56. *And be it further enacted*, That every person licensed as aforesaid to distil spirituous liquors, or licensed as a brewer, shall, once in each month, upon the request of the assessor or assistant assessor for the district in which his business as a distiller or brewer may be carried on, respectively, furnish the said assessor or assistant assessor with an abstract of the entries upon his books, herein provided to be made, showing the amount of spirituous liquor distilled and sold, or removed for consumption or sale, or of beer, lager beer, ale, porter, or other fermented liquor made and sold, or removed for consumption or sale, during the preceding month, respectively; the truth and correctness of which abstract shall be verified by the oath of the party so furnishing the same. And the said assessor or assistant assessor shall have the right to examine the books of such person for the purpose of ascertaining the correctness of such abstract. And for any neglect to furnish such abstract when requested, or refusal to furnish an examination of the books as aforesaid, the person so neglecting shall forfeit the sum of five hundred dollars.

LICENCES.

Sec. 57. *And be it further enacted*, That from and after the first day of August, eighteen hundred and sixty-two, no person, association of persons, or corporation, shall be engaged in, prosecute, or carry on, either of the trades or occupations mentioned in section sixty-four of this act, until he or they shall have obtained a license therefor in the manner hereinafter provided.

Sec. 58. *And be it further enacted*, That every person, association of persons, partnership or corporation, desiring to obtain a license to engage in any of the trades or occupations named in the sixty-fourth section of this act, shall register with the assistant assessor of the assessment district in which he shall design to carry on such trade or occupation, first, his or their name or style; and in case of an association or partnership, the names of the several persons constituting such association or partnership and their places of residence; second, the trade or occupation for which a license is desired; third, the place where such trade or occupation is to be carried on; fourth, if a rectifier, the number of barrels he designs to rectify; if a peddler, whether he designs to travel on foot, or with one, two, or more horses; if an inn-keeper, the yearly rental of the house and property to be occupied for said purpose; or, if not rented, the assistant assessor shall value the same. All of which facts shall be returned duly certified by such assistant assessor, both to the assessor and collector of the district; and thereupon, upon payment to the collector or deputy collector of the district the amount as hereinafter provided, such collector or deputy collector shall make out and deliver a license for such trade or occupation, which license shall continue in force for one year, at the place or premises described therein.

Sec. 59. *And be it further enacted*, That if any person or persons shall exercise or carry on any trade or business hereinafter mentioned for the exercising or carrying on of which trade or business a license is required by this act, without taking out such license as is in that behalf required, he, she, or they shall, for every such offence, respectively, forfeit a penalty equal to three times the amount of the duty or sum of money imposed for such license, one moiety thereof to the use of the United States, the
other moiety to the use of the person who, if a collector, shall first discover, and if other than a collector, shall first give information of the fact whereby said forfeiture was incurred.

SEC. 60. And be it further enacted, That in every license to be taken out under or by authority of this act shall be contained and set forth the purpose, trade, or business for which such license is granted, and the true name and place of abode of the person or persons taking out the same; if for a rectifier, the quantity of spirits authorized to be rectified; if by a peddler, whether authorized to travel on foot, or with one, or two, or more horses, the time for which such license is to run, and the true date or time of granting such license, and (except in the case of auctioneers and peddlers) the place at which the trade or business for which such license is granted shall be carried on. Provided, That a license granted under this act shall not authorize the person or persons, association or corporation mentioned therein, to exercise or carry on the trade or business specified in such license in any other place than that mentioned therein, but nothing herein contained shall prohibit the storage of goods, wares, or merchandise in other places than the place of business.

SEC. 61. And be it further enacted, That in every case where more than one of the pursuits, employments, or occupations, hereinafter described, shall be pursued or carried on in the same place by the same person at the same time, except as therein mentioned, license must be taken out for each according to the rates severally prescribed.

SEC. 62. And be it further enacted, That no auctioneer shall be authorized by virtue of his license as such auctioneer to sell any goods or other property at private sale; and if any such person shall sell any such goods or commodities, as aforesaid, otherwise than by auction, without having taken out such license as aforesaid for that purpose, he or she shall be subject and liable to the penalty in that behalf imposed upon persons dealing in or retailing, trading, or selling any such goods or commodities without license, notwithstanding any license to him or her before granted, as aforesaid, for the purpose of exercising or carrying on the trade or business of an auctioneer, or selling any goods or chattels, lands, tenements, or hereditaments by auction, anything herein contained to the contrary notwithstanding: Provided, always, That where such goods or commodities as aforesaid are the property of any person or persons duly licensed to deal in or retail, or trade in, or sell the same, such person or persons having made lawful entry of his, her, or their house or premises for such purpose, it shall and may be lawful for any person exercising or carrying on the trade or business of an auctioneer, or selling any goods or chattels, lands, tenements, or hereditaments, by auction as aforesaid, being duly licensed for that purpose, to sell such goods or commodities as aforesaid, at auction, for and on behalf of such person or persons, and upon his, her, or their entered house or premises, without taking out a separate license for such sale. The provisions of this section shall not apply to judicial or executive officers making auction sales by virtue of any judgment or decree of any court, nor public sales made by executors and administrators.

SEC. 63. And be it further enacted, That upon the death of any person or persons licensed under or by virtue of this act, or upon the removal of any such person or persons from the house or premises at which he, she, or they were authorized by such license to exercise or carry on the trade or business mentioned in such license, it shall and may be lawful for the person or persons authorized to grant licenses to authorize and empower, by indorsement on such license, or otherwise, as the Commissioner of Internal Revenue shall direct, the executors or administrators, or the wife or child of such deceased person, or the assignee or assigns of such person or persons so removing as aforesaid, who shall be possessed of and occupy the house or premises before used for such purpose as aforesaid, in like
manner to exercise or carry on the same trade or business mentioned in
such license, in or upon the same house or premises at which such person
or persons as aforesaid deceased, or removing as before mentioned, by
virtue of such license to him, her, or them, in that behalf granted, before
exercised or carried on such trade or business for or during the residue
of the term for which such license was originally granted, without taking
out any fresh license or payment of any additional duty, or any fee there-
upon for the residue of such term, and until expiration thereof: Pro-
vided, always, That a fresh entry of the premises at which such trade or
business shall continue to be so exercised or carried on as aforesaid shall
thereupon be made by and in the name or names of the person or persons
to whom such authority as aforesaid shall be granted.

Sec. 64. And be it further enacted, That on and after the first day of
August, eighteen hundred and sixty-two, for each license granted the sum
herein stated shall be respectively and annually paid. Any number of
persons carrying on such business in copartnership may transact such
business at such place under such license, and not otherwise.

1. Bankers shall pay one hundred dollars for each license. Every
person shall be deemed a banker within the meaning of this act who
keeps a place of business where credits are opened in favor of any per-
son, firm, or corporation, by the deposit or collection of money or cur-
cency, and the same, or any part thereof, shall be paid out or remitted
upon the draft, check, or order of such creditor, but not to include incor-
porated banks or other banks legally authorized to issue notes as circula-
ion, nor agents for the sale of merchandise for account of producers or
manufacturers.

2. Auctioneers shall pay twenty dollars for each license. Every per-
son shall be deemed an auctioneer within the meaning of this act whose
occupation it is to offer property for sale to the highest or best bidder.

3. Wholesale dealers in liquors of any and every description, including
distilled spirits, fermented liquors, and wines of all kinds, shall pay one
hundred dollars for each license. Every person, other than the distiller,
or brewer, who shall sell, or offer for sale, any such liquors or wines in
quantities of more than three gallons at one time, to the same purchaser,
shall be regarded as a wholesale dealer in liquors within the meaning of
this act.

4. Retail dealers in liquors, including distilled spirits, fermented liquors,
and wines of every description, shall pay twenty dollars for each license.
Every person who shall sell or offer for sale such liquors in less quantities
than three gallons at one time, to the same purchaser, shall be regarded as
a retail dealer in liquors under this act. But this shall not authorize
any spirits, liquors, wines, or malt liquors, to be drank on the premises.

5. Retail dealers shall pay ten dollars for each license. Every person
whose business or occupation is to sell or offer to sell groceries, or any
goods, wares, or merchandise, or foreign or domestic production, in less
quantities than a whole original piece or package at one time, to the same
person, (not including wines, spirituous or malt liquors, but not excluding
drugs, medicines, cigars, snuff or tobacco,) shall be regarded as a retail
dealer under this act.

6. Wholesale dealers shall pay fifty dollars for each license. Every
person whose business or occupation is to sell, or offer to sell, groceries,
or any goods, wares, or merchandise of foreign or domestic production,
by one or more original package or piece at one time, to the same pur-
chaser, not including wines, spirituous or malt liquors, shall be deemed a
wholesale dealer under this act; but having taken out a license as a
wholesale dealer, such person may also sell, as aforesaid, as a retailer.

7. Pawnbrokers shall pay fifty dollars for each license. Every person
whose business or occupation is to take or receive, by way of pledge,
pawn, or exchange, any goods, wares, or merchandise, or any kind of per-
sonal property whatever, for the repayment or security of money lent thereon, shall be deemed a pawnbroker under this act.

8. Rectifiers shall pay twenty-five dollars for each license to rectify any quantity of spirituous liquors, not exceeding five hundred barrels or casks, containing not more than forty gallons to each barrel or cask of liquor so rectified; and twenty-five dollars additional for each additional five hundred such barrels, or any fractional part thereof. Every person who rectifies, purifies, or refines spirituous liquors or wines by any process, or mixes distilled spirits, whiskey, brandy, gin, or wine, with any other materials for sale under the name of whiskey, rum, brandy, gin, wine, or any other name or names, shall be regarded as a rectifier under this act.

9. Distillers shall pay fifty dollars for each license, and every person or copartnership who distils or manufactures spirituous liquors for sale, shall be deemed a distiller under this act: Provided, That any person or copartnership distilling or manufacturing less than three hundred barrels per year shall pay twenty-five dollars for a license. And provided further, That no license shall be required for any still, stills, or other apparatus used by druggists and chemists for the recovery of alcohol for pharmaceutical and chemical purposes which has been used in those processes. And provided further, That distillers of apples and peaches, distilling or manufacturing less than one hundred and fifty barrels per year from the same, shall pay twelve and one-half dollars for a license for that purpose, and for a greater quantity as other distillers.

10. Brewers shall pay fifty dollars for each license. Every person who manufactures fermented liquors of any name or description, for sale, from malt, wholly or in part, shall be deemed a brewer under this act: Provided, That any person who manufactures less than five hundred barrels per year shall pay the sum of twenty-five dollars for a license.

11. Hotels, inns, and taverns shall be classified and rated according to the yearly rental, or, if not rented, according to the estimated yearly rental of the house and property intended to be occupied for said purposes, as follows, to wit: All cases where the rent or the valuation of the yearly rental of said house and property shall be ten thousand dollars or more shall constitute the first class, and shall pay two hundred dollars for each license; where the rent or the valuation of the yearly rental shall be five thousand dollars and less than ten thousand dollars, the second class, and shall pay one hundred dollars for each license; where the rent or the valuation of the yearly rental shall be twenty-five hundred dollars and less than five thousand dollars, the third class, and shall pay seventy-five dollars for each license; where the rent or the valuation of the yearly rental shall be one thousand dollars and less than twenty-five hundred dollars, the fourth class, and shall pay fifty dollars for each license; where the rent or the valuation of the yearly rental shall be five hundred dollars and less than one thousand dollars, the fifth class, and shall pay twenty-five dollars for each license; where the rent or the valuation of the yearly rental shall be three hundred dollars and less than five hundred dollars, the sixth class, and shall pay fifteen dollars for each license; where the rent or the valuation of the yearly rental shall be one hundred dollars and less than three hundred dollars, the seventh class, and shall pay ten dollars for each license; where the rent or the valuation of the yearly rental shall be less than one hundred dollars, the eighth class, and shall pay five dollars for each license. Every place where food and lodging are provided for and furnished to travellers and sojourners, in view of payment therefor, shall be regarded as a hotel, inn, or tavern under this act. All steamers and vessels upon waters of the United States, on board of which passengers or travellers are provided with food or lodging, shall be required to take out a license of the fifth class, as aforesaid, under this act. The rental or estimated rental shall be fixed
and established by the assessor of the proper district at its proper value, but at not less than the actual rent agreed on by the parties: Provided, That if there be any fraud or collusion in the return of actual rent to the assessor, there shall be a penalty equal to double the amount of licenses required by this section, to be collected as other penalties under this act are collected.

12. Eating-houses shall pay ten dollars for each license. Every place where food or refreshments of any kind are provided for casual visitors and sold for consumption therein, shall be regarded as an eating-house under this act. But the keeper of any eating-house having taken out a license therefor shall not be required to take out a license as a confectioner, anything in this act to the contrary notwithstanding.

13. Brokers shall pay fifty dollars for each license. Any person whose business is to purchase or sell stocks, coined money, bank-notes, or other securities for themselves or others, or who deals in exchanges relating to money, shall be regarded a broker under this act.

14. Commercial brokers shall pay fifty dollars for each license. Any person or firm, except one holding a license as wholesale dealer or bank, er, whose business it is, as the agent of others, to purchase or sell goods, or seek orders therefor, in original or unbroken packages or produce, or to manage business matters for the owners of vessels, or for the shippers or consignors of freight carried by vessels, or whose business it is to purchase, rent, or sell real estate for others, shall be regarded a commercial broker under this act.

15. Land warrant brokers shall pay twenty-five dollars for each license. Any person shall be regarded as a land warrant broker within the meaning of this act who makes a business of buying and selling land warrants, and of furnishing them to settlers or other persons under contracts to have liens upon the land procured by means of them according to the value agreed on for the warrants at the time they are furnished.

16. Tobaccoists shall pay ten dollars for each license. Any person whose business it is to sell, at retail, cigars, snuff, or tobacco in any form, shall be regarded a tobaccoist under this act. But wholesale and retail dealers, and keepers of hotels, inns, taverns, having taken out a license therefor, shall not be required to take out a license as tobaccoists, anything in this act to the contrary notwithstanding.

17. Theatres shall pay one hundred dollars for each license. Every edifice erected for the purpose of dramatic or operatic representations, plays, or performances, and not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theatre under this act.

18. Circuses shall pay fifty dollars for each license. Every building, tent, space, or area where feats of horsemanship or acrobatic sports are exhibited, shall be regarded as a circus under this act.

19. Jugglers shall pay for each license twenty dollars. Every person who performs by sleight of hand shall be regarded as a juggler under this act. The proprietors or agents of all other public exhibitions or shows for money, not enumerated in this section, shall pay for each license ten dollars: Provided, That no license procured in one State shall be held to authorize exhibitions in another State; and but one license shall be required under this act to authorize exhibitions within any one State.

20. Bowling-alleys and billiard-rooms shall pay according to the number of alleys or tables belonging to or used in the building or place to be licensed. When not exceeding one alley or table, five dollars for each license; and when exceeding one alley or table, five dollars for each additional alley or table. Every place or building where bowls are thrown or billiards played, and open to the public with or without price, shall be regarded as a bowling-alley or billiard-room, respectively, under this act.

21. Confectioners shall pay ten dollars for each license. Every per-
son who sells at retail confectionery, sweetmeats, comfits, or other con-
fects, in any building, shall be regarded as a confectioner under this act.
But wholesale and retail dealers having taken out a license therefor, shall
not be required to take out a license as confectioner, anything in this act
to the contrary notwithstanding.

22. Horse-dealers shall pay for each license the sum of ten dollars.
Any person whose business it is to buy and sell horses or mules shall be
regarded a horse-dealer under this act: Provided, That if such horse-
dealer shall have taken out a license as a livery-stable keeper no new
license shall be required.

23. Livery-stable keepers shall pay ten dollars for each license. Any
person whose occupation or business is to keep horses for hire or to let
shall be regarded as a livery-stable keeper under this act.

24. Cattle brokers shall pay for each license the sum of ten dollars.
Any person whose business it is to buy and sell and deal in cattle, hogs,
or sheep, shall be considered as a cattle broker.

25. Tallow-chandler and soap-makers shall pay for each license the
sum of ten dollars. Any person whose business it is to make or manu-
facture candles or soap shall be regarded a tallow-chandler and soap-
maker under this act.

26. Coal-oil distillers shall pay for each license the sum of fifty dollars.
Any person who shall refine, produce, or distill crude petroleum or rock
oil, or crude coal oil, or crude oil made of asphaltum, shale, peat, or other
bituminous substances, shall be regarded a coal-oil distiller under this act.

27. Peddlers shall be classified and rated as follows, to wit: when
travelling with more than two horses, the first class, and shall pay twenty
dollars for each license; when travelling with two horses, the second
class, and shall pay fifteen dollars for each license; when travelling with
one horse, the third class, and shall pay ten dollars for each license; when
travelling on foot, the fourth class, and shall pay five dollars for each li-
cense. Any person, except persons peddling newspapers, bibles, or religious
tracts, who sells or offers to sell, at retail, goods, wares, or other com-
modities, travelling from place to place, in the street, or through different
parts of the country, shall be regarded a peddler under this act: Pro-
vided, That any peddler who sells, or offers to sell, dry goods, foreign and
domestic, by one or more original packages or pieces, at one time, to the
same person or persons, as aforesaid, shall pay fifty dollars for each li-
cense. And any person who peddles jewelry shall pay twenty-five dollars
for each license: Provided, That manufacturers and producers of agri-
cultural tools and implements, garden seeds, stoves, and hollow ware,
brooms, wooden ware, and powder, delivering and selling at wholesale
any of said articles, by themselves or their authorized agents at places
other than the place of manufacture, shall not be required, for any sale
thus made, to take out any additional license therefor.

28. Apothecaries shall pay ten dollars for each license. Every person
who keeps a shop or building where medicines are compounded or pre-
pared according to prescriptions of physicians, and sold, shall be regarded
an apothecary under this act. But wholesale and retail dealers, who
have taken out a license therefor, shall not be required to take out a
license as apothecary, anything in this act to the contrary notwith-
standing.

29. Manufacturers shall pay ten dollars for each license. Any person
or persons, firms, companies, or corporations, who shall manufacture by
hand or machinery, and offer for sale any goods, wares, or merchandise,
exceeding annually the sum of one thousand dollars, shall be regarded a
manufacturer under this act.

30. Photographers shall pay ten dollars for each license when the
receipts do not exceed five hundred dollars; when over five hundred
dollars and under one thousand dollars, fifteen dollars; when over one
thousand dollars, twenty-five dollars. Any person or persons who make for sale photographs, ambrotypes, daguerreotypes, or pictures on glass, metal, or paper, by the action of light, shall be regarded a photographer under this act.

31. Lawyers shall pay ten dollars for each license. Every person whose business it is, for fee or reward, to prosecute or defend causes in any court of record or other judicial tribunal of the United States or of any of the States, or give advice in relation to causes or matters pending therein, shall be deemed to be a lawyer within the meaning of this act.

32. Physicians, surgeons, and dentists shall pay ten dollars for each license. Every person (except apothecaries) whose business it is, for fee and reward, to prescribe remedies or perform surgical operations for the cure of any bodily disease or ailing, shall be deemed a physician, surgeon, or dentist, as the case may be, within the meaning of this act.

33. Claim agents and agents for procuring patents shall pay ten dollars for each license. Every person whose business it is to prosecute claims in any of the executive departments of the federal government, or procure patents, shall be deemed a claim or patent agent, as the case may be, under this act.

SEC. 65. And be it further enacted, That where the annual gross receipts or sales of any apothecaries, confectioners, eating-houses, tobacconists, or retail dealers, shall not exceed the sum of one thousand dollars, such apothecaries, confectioners, eating-houses, and retail dealers shall not be required to take out or pay for license, anything in this act to the contrary notwithstanding; the amount or estimated amount of such annual sales to be ascertained or estimated in such manner as the Commissioner of Internal Revenue shall prescribe, and so of all other annual sales or receipts, where the rate of the license is graduated by the amount of sales or receipts.

SEC. 66. And be it further enacted, That nothing contained in the preceding sections of this act, laying duties on licenses, shall be construed to require a license for the sale of goods, wares, and merchandise made or produced and sold by the manufacturer or producer at the manufactory or place where the same is made or produced; to vintners who sell, at the place where the same is made, wine of their own growth; nor to apothecaries, as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines for sick, lame, or diseased persons; nor shall the provisions of paragraph number twenty-seven extend to physicians who keep on hand medicines solely for the purpose of making up their own prescriptions for their own patients.

SEC. 67. And be it further enacted, That no license hereinafter provided for, if granted, shall be construed to authorize the commencement or continuation of any trade, business, occupation, or employment therein mentioned, within any State or Territory of the United States in which it is or shall be specially prohibited by the laws thereof, or in violation of the laws of any State or Territory: Provided, Nothing in this act shall be held or construed so as to prevent the several States, within the limits thereof, from placing a duty, tax, or license, for State purposes, on any business matter or thing on which a duty, tax, or license is required to be paid by this act.

MANUFACTURES, ARTICLES, AND PRODUCTS.

SPECIFIC AND AD VALOREM DUTY.

SEC. 68. And be it further enacted, That on and after the first day of August, eighteen hundred and sixty-two, every individual, partnership, firm, association, or corporation, (and any word or words in this act indicating or referring to person or persons shall be taken to mean and include the

Lawyers.

Post, pp. 714 727.

Physicians, surgeons, dentists.

Post, p. 727.

Claim and patent agents.

Certain apothecaries, &c. need not take out license.

Licenses not to be required for sale of certain articles by certain persons.

Licenses under this act not to authorize any traffic prohibited by the laws of any State.

States may tax, &c. any article taxed, &c. herein.

Manufactures, articles, and products.

Specific and ad valorem duty.

Word "person" to include partnerships, corporations, &c.
Before commencing manufacture, persons to furnish to assistant assessor sworn statement, &c.

To make monthly returns.

Form of statements and returns.

Duties on manufactures to be paid monthly.

Proviso as to thread.

To whom duties are to be assessed.

Penalty for neglect to pay duties, &c.

Duties, &c. to be a lien.

Duties on goods manufactured on commission, &c.

on articles manufactured and sold prior to the passage of this act.

Goods, &c. to be forfeited for neglect, &c. to pay duties.

Before commencing manufacture, persons to furnish to assistant assessor sworn statement, &c.

To make monthly returns.

Form of statements and returns.

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To whom duties are to be assessed.

Penalty for neglect to pay duties, &c.

Duties, &c. to be a lien.

Duties on goods manufactured on commission, &c.

on articles manufactured and sold prior to the passage of this act.

Goods, &c. to be forfeited for neglect, &c. to pay duties.

THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 119. 1862.

partnerships, firms, associations, or corporations, when not otherwise designated or manifestly incompatible with the intent thereof,) shall comply with the following requirements, that is to say:

First. Before commencing, or, if already commenced, before continuing, any such manufacture for which he, she, or they may be liable to be assessed, under the provisions of this act, and which shall not be differently provided for elsewhere, within thirty days after the date when this act shall take effect, he, she, or they shall furnish to the assistant assessor a statement, subscribed and sworn to, or affirmed, setting forth the place where the manufacture is to be carried on, name of the manufactured article, the proposed market for the same, whether foreign or domestic, and generally the kind and quality manufactured or proposed to be manufactured.

Second. He shall within ten days after the first day of each and every month, after the day on which this act takes effect, as hereinbefore mentioned, or on or before a day prescribed by the Commissioner of Internal Revenue, make return of the products and sales or delivery of such manufacture in form and detail as may be required, from time to time, by the Commissioner of Internal Revenue.

Third. All such returns, statements, descriptions, memoranda, oaths and affirmations, shall be in form, scope, and detail as may be prescribed, from time to time, by the Commissioner of Internal Revenue.

SEC. 69. And be it further enacted, That upon the amounts, quantities, and values of produce, goods, wares, merchandise, and articles manufactured and sold, or delivered, hereinafter enumerated, the manufacturer thereof, whether manufactured for himself or for others, shall pay to the collector of internal revenue within his district, monthly, or on or before a day to be prescribed by the Commissioner of Internal Revenue, the duties on such manufactures: Provided, That when thread is manufactured and sold or delivered exclusively for knitted fabrics, or for weaving or spooling, as provided for in the seventy-fifth section of this act, the duties shall be assessed on the articles finished and prepared for use or consumption to the party so finishing or preparing the same, and any party so finishing or preparing any cloth or other fabrics of cotton, wool, or other materials, whether imported or otherwise, shall be considered the manufacturer thereof for the purposes of this act; and for neglect to pay such duties within ten days after demand, either personal or written, left at his, her, or their house or place of business, or manufactory, the amount of such duties may be levied upon the real and personal property of any such manufacturer. And such duties, and whatever shall be the expenses of levy, shall be a lien from the day prescribed by the Commissioner for their payment aforesaid, in favor of the United States upon the said real and personal property of such manufacturer, and such lien may be enforced by distraint, as provided in the general provisions of this act. And provided, further, That in all cases of goods manufactured, in whole or in part, upon commission, or where the material is furnished by one party and manufactured by another, if the manufacturer shall be required to pay under this act the tax hereby imposed, such person or persons paying the same shall be entitled to collect the amount thereof of the owner or owners, and shall have a lien for the amount thus paid upon the manufactured goods: And provided, further, That the taxes on all articles manufactured and sold, in pursuance of contracts bona fide made before the passage of this act, shall be paid by the purchasers thereof, under regulations to be established by the Commissioner of Internal Revenue.

SEC. 70. And be it further enacted, That, for neglect or refusal to pay the duties provided by this act on manufactured articles, as aforesaid, the goods, wares, and merchandise manufactured and unsold by such manufacturer, shall be forfeited to the United States, and may be sold or disposed of for the benefit of the same, in manner as shall be prescribed by
the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury. In such case the collector or deputy collector may take possession of said articles, and may maintain such possession in the premises and buildings where they may have been manufactured, or deposited, or may be. He shall summon, giving notice of not less than two, nor more than ten days, the parties in possession of said goods, enjoining them to appear before the assessor, or assistant assessor, at a day and hour in such summons fixed, then and there to show cause, if any there be, why, for such neglect or refusal, such articles should not be declared forfeited to the United States. Such persons or parties interested shall be deemed to be the manufacturers of the same, if the articles shall be at the time of taking such possession upon the premises where manufactured; if they shall at such time have been removed from the place of manufacture, the parties interested shall be deemed to be the person in whose custody or possession the articles shall then be. Such summons shall be served upon such parties in person, or by leaving a copy thereof at the place of abode or business of the party to whom the same may be directed. In case no such party or place can be found, which fact shall be determined by the collector's return on the summons, such notice, in the nature of a summons, shall be given by advertisement for the term of three weeks in one newspaper in the county nearest to the place of such sale. If, at or before such hearing, such duties shall not have been paid, and the assessor or assistant assessor shall adjudge the summons and notice, service and return of the same, to be sufficient, the said articles shall be declared forfeit, and shall be sold, disposed of, or turned over to the use of any department of the government, as may be directed by the Secretary of the Treasury, who may require of any officer of the government into whose possession the same may be turned over the proper voucher therefor: Provided, That the proceeds of the sale of said articles, if any there be after deducting the duties thereon, together with the expenses of summons, advertising, and sale, or the excess of the value of said articles, after deducting the duties and expenses accrued thereon, when turned over to the use of any department of the government, shall be refunded and paid to the manufacturer, or to the person in whose custody or possession the articles were when seized. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may review any such case of forfeiture, and do justice in the premises. If the forfeiture shall have been wrongly declared, and sale made, the Secretary is hereby authorized, in case the specific articles cannot be restored to the party aggrieved in as good order and condition as when seized, to make up to such party in money his loss and damage from the contingent fund of his department. Immediate return of seizures so forfeited shall be made to the Commissioner of Internal Revenue by the collector or deputy collector who shall make any such seizure. Articles which the collector may adjudge perishable may be sold or disposed of before declaration of forfeiture. Said sales shall be made at public auction, and notice thereof shall be given in the same manner as is provided in this section in case of forfeiture.

Sec. 71. And be it further enacted, That any violation of, or refusal to comply with, the provisions of the sixty-eighth section of this act, shall be good cause for seizure and forfeiture, substantially in manner as detailed in the section next preceding this, of all manufactured articles liable to be assessed under the provisions of this act, and not otherwise provided for; and such violation or refusal to comply shall further make any party so violating or refusing to comply liable to a fine of five hundred dollars, to be recovered in manner and form as provided in this act.

Sec. 72. And be it further enacted, That in case of the manufacture and sale or delivery of any goods, wares, merchandise, or articles as hereinafter mentioned, without compliance on the part of the party manufac-

Proceedings in case of forfeiture.
Seizure.

Notice to owners.

Who to be deemed manufacturers of the goods.

Summons, how served.

Sale.

Excess of proceeds to be refunded.

Commissioners may review cases of forfeitures.

Perishable articles.

Sales to be by public auction.

Penalty for refusal to comply with, &c., provisions of 68th section of this act.

If goods, &c., are manufactured and sold, &c., without paying
duties, value may be estimated and duties assessed.

Goods exempt from duty.

Proviso.

Value, &c., to be estimated by actual sales, &c.

Duties on certain manufactured articles.

Post, p. 729.

Candles.

Mineral coals.

Post, p. 716.

Lard oil, &c.

Post, p. 729.

Red oil exempt.

Illuminating gas.

380. And be it further enacted, That all goods, wares, and merchandise, or articles manufactured or made by any person or persons not for sale, but for his, her, or their own use or consumption, and all goods, wares, and merchandise, or articles manufactured or made and sold, exceptspirituous and malt liquors, and manufactured tobacco, where the annual product shall not exceed the sum of six hundred dollars, shall be and are exempt from duty: Provided, That this shall not apply to any business or transaction where one party furnishes the materials, or any part thereof, and employs another party to manufacture, make, or finish the goods, wares, and merchandise or articles, paying or promising to pay therefor, and receiving the goods, wares, and merchandise or articles.

381. And be it further enacted, That the value and quantity of the goods, wares, and merchandise required to be stated, as aforesaid, and subject to an ad valorem duty, shall be estimated by the actual sales made by the manufacturer, or by his, her, or their agent, or person or persons acting in his, her, or their behalf; and where such goods, wares, and merchandise have been removed for consumption, or for delivery to others, or placed on shipboard, or are no longer within the custody and control of the manufacturer or manufacturers, or his or her agent, or not being in his, her, or their factory, store or warehouse, the value shall be estimated by the average of the market value of the like goods, wares, and merchandise, during the time when the same would have become liable to and charged with duty.

382. And be it further enacted, That from and after the said first day of August, eighteen hundred and sixty-two, upon the articles, goods, wares, and merchandise, hereinafter mentioned, which shall thereafter be produced and sold, or be manufactured or made and sold, or removed for consumption, or for delivery to others than agents of the manufacturer or producer within the United States or Territories thereof, there shall be levied, collected, and paid the following duties, to be paid by the producer or manufacturer thereof, that is to say:

On candles, of whatever material made, three per centum ad valorem.

On all mineral coals, except such as are known in the trade as pea coal and dust coal, three and a half cents per ton: Provided, That for all contracts of lease of coal lands made before the first day of April, eighteen hundred and sixty-two, the lessee shall pay the tax.

On lard oil, mustard-seed oil, linseed oil, and on all animal or vegetable oils not exempted nor provided for elsewhere, whether pure or adulterated, two cents per gallon: Provided, That red oil or oleic acid, produced in the manufacture of candles, and used as a material in the manufacture of soap, paraffine, whale and fish oil, shall be exempted from this duty.

On gas, illuminating, made of coal, wholly or in part, or any other material, when the product shall be not above five hundred thousand cubic feet per month, five cents per one thousand cubic feet; when the product shall be above five hundred thousand, and not exceeding five millions of cubic feet per month, ten cents per one thousand cubic feet; when the product shall be above five millions, fifteen cents per one thousand cubic feet; and the general average of the monthly product for the year preceding the return required by this act shall regulate the rate of duty herein imposed; and where any gas company shall not have been in operation for the year next preceding the return as aforesaid, then the rate shall be
regulated upon the estimated average of the monthly product: Provided, That the product required to be returned by this act shall be understood to be the product charged in the bills actually rendered by any gas company during the month preceding the return, and all gas companies are hereby authorized to add the duty or tax imposed by this act to the price per thousand cubic feet on gas sold: Provided, further, That all gas furnished for lighting street lamps, and not measured, and all gas made for and used by any hotel, inn, tavern, and private dwelling-house, shall be subject to duty, and may be estimated; and if the returns in any case shall be understated or underestimated, it shall be the duty of the assistant assessor of the district to increase the same as he shall deem just and proper: And provided, further, That coal tar produced in the manufacture of illuminating gas, and the products of the redistillation of coal tar thus produced, shall be exempt from duty: And provided, further, That gas companies so located as to compete with each other shall pay the rate imposed by this act upon the company having the largest production;

On coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, and all other bituminous substances, used for like purposes, ten cents per gallon: Provided, That such oil refined and produced by the distillation of coal exclusively shall be subject to pay a duty of eight cents per gallon, anything in this act to the contrary notwithstanding: And provided, further, That distillers of coal-oil shall be subject to all the provisions of this act, hereinafter set forth and specified, applicable to distillers of spirituous liquors, with regard to licenses, bonds, returns, and all other provisions designed for the purpose of ascertaining the quantity distilled, and securing the payment of duties, so far as the same may, in the judgment of the Commissioner of Internal Revenue, and under regulations prescribed by him, be necessary for that purpose;

On ground coffee, and all preparations of which coffee forms a part, or which is prepared for sale as a substitute for coffee, three mills per pound;

On ground pepper, ground mustard, ground pimento, ground cloves, ground cassia, and ground ginger, and all imitations of the same, one cent per pound;

On sugar, refined, whether loaf, lump, granulated, or pulverized, two mills per pound;

On sugar, refined or made from molasses, sirup of molasses, melado or concentrated melado, two mills per pound;

On all brown, Muscovado, or clarified sugars produced directly from the sugar cane, and not from sorghum or imphee, other than those produced by the refiner, one cent per pound;

On sugar candy and all confectionery, made wholly or in part of sugar, one cent per pound;

On chocolate, and cocoa prepared, one cent per pound;

On saleratus, and bicarbonate of soda, five mills per pound;

On starch, made of potatoes, one mill per pound; made of corn or wheat, one and a half mills per pound; made of rice or any other material, four mills per pound;

On tobacco, cavendish, plug, twist, fine cut, and manufactured of all descriptions, (not including snuff, cigars, and smoking tobacco prepared with all the stems in, or made exclusively of stems,) valued at more than thirty cents per pound, fifteen cents per pound; valued at any sum not exceeding thirty cents per pound, ten cents per pound;

On smoking tobacco prepared with all the stems in, five cents per pound;

On smoking tobacco made exclusively of stems, two cents per pound;

On snuff manufactured of tobacco, ground dry or damp, of all descriptions, twenty cents per pound;
Cigars.

On cigars, valued at not over five dollars per thousand, one dollar and fifty cents per thousand;

On cigars, valued at over five and not over ten dollars per thousand, two dollars per thousand;

On cigars, valued at over ten and not over twenty dollars per thousand, two dollars and fifty cents per thousand;

On cigars, valued at over twenty dollars per thousand, three dollars and fifty cents per thousand;

Gunpowder.

On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, when valued at eighteen cents per pound or less, five mills per pound; when valued at above eighteen cents per pound, and not exceeding thirty cents per pound, one cent per pound; and when valued at above thirty cents per pound, six cents per pound;

White Lead.

On white lead, twenty-five cents per one hundred pounds;

On oxide of zinc, twenty-five cents per one hundred pounds;

On sulphate of barytes, ten cents per one hundred pounds: Provided, That white lead, oxide of zinc, and sulphate of barytes, or any one of them, shall not be subject to any additional duty in consequence of being mixed or ground with linseed oil, when the duties upon all the materials so mixed or ground shall have been previously actually paid;

On all paints and painters' colors, dry or ground in oil, or in paste with water, not otherwise provided for, five per centum ad valorem;

On clock movements made to run one day, five cents each; made to run more than one day, ten cents each;

On pins, solid head or other, five per centum ad valorem;

On umbrellas and parasols made of cotton, silk, or other material, five per centum ad valorem;

On screws, commonly called wood screws, one and a half cent per pound;

On railroad iron, and all other iron advanced beyond slabs, blooms, or loops, and not advanced beyond bars or rods, and band, hoop, and sheet iron, not thinner than number eighteen wire-gauge, and plate iron not less than one-eighth of an inch in thickness, one dollar and fifty cents per ton; on railroad iron, re-rolled, seventy-five cents per ton; on band, hoop, and sheet iron, thinner than number eighteen wire-gauge, plate iron less than one-eighth of an inch in thickness, and cut nails and spikes, two dollars per ton: Provided, That bars, rods, bands, hoops, sheets, plates, nails, and spikes, manufactured from iron upon which the duty of one dollar and fifty cents has been levied and paid, shall be subject only to a duty of fifty cents per ton in addition thereto, anything in this act to the contrary notwithstanding; On stoves and hollow ware, one dollar and fifty cents per ton of two thousand pounds; cast iron used for bridges, buildings, or other permanent structures, one dollar per ton: Provided, That bar iron used for like purposes shall be charged no additional duty beyond the specific duty imposed by this act; On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton; valued above eleven cents per pound, ten dollars per ton;

On paper of all descriptions, including pasteboard and binders' boards, three per centum ad valorem;

On soap, castile, palm-oil, erasive, and soap of all other descriptions, white or colored, except soft soap and soap otherwise provided for, valued not above three and a half cents per pound, one mill per pound; valued at above three and a half cents per pound, five mills per pound;

On soap, fancy, scented, honey, cream, transparent, and all descriptions of toilet and shaving soap, two cents per pound;

On salt, four cents per one hundred pounds;

On pickles and preserved fruits, and on all preserved meats, fish, and shell-fish in cans or air-tight packages, five per centum ad valorem;
On glue and gelatine of all descriptions in the solid state, five mills per pound;  
On glue and cement, made wholly or in part of glue, to be sold in the liquid state, twenty-five cents per gallon;  
On patent or enamelled leather, five mills per square foot;  
On patent Japonned split, used for dasher leather, four mills per square foot;  
On patent or enamelled skirting leather, one and a half cent per square foot;  
On all sole and rough or harness leather, made from hides, imported east of the Cape of Good Hope, and all damaged leather, five mills per pound;  
On all other sole or rough leather, hemlock tanned, and harness leather, seven mills per pound;  
On all sole or rough leather, tanned in whole or in part with oak, one cent per pound;  
On all finished or curried upper leather, made from leather tanned in the interest of the parties finishing or currying such leather not previously taxed in the rough, except calf skins, one cent per pound;  
On bend and butt leather, one cent per pound;  
On offal leather, five mills per pound;  
On oil-dressed leather, and deer skins dressed or smoked, two cents per pound;  
On tanned calf skins, six cents each;  
On morocco, goat, kid, or sheep skins, curried, manufactured, or finished, four per centum ad valorem: Provided, That the price at which such skins are usually sold shall determine their value;  
On horse and hog skins tanned and dressed, four per centum ad valorem;  
On American patent calf skins, five per centum ad valorem;  
On conducting hose of all kinds for conducting water or other fluids, a duty of three per centum ad valorem;  
On wine, made of grapes, five cents per gallon;  
On varnish, made wholly or in part of gum copal or other gums or substances, five per centum ad valorem;  
On furs of all descriptions, when made up or manufactured, three per centum ad valorem;  
On cloth and all textile or knitted or felted fabrics of cotton, wool, or other materials, before the same has been dyed, printed, bleached, or prepared in any other manner, a duty of three per centum ad valorem: Provided, That thread or yarn manufactured and sold or delivered exclusively for knitted fabrics, or for weaving, when the spinning and weaving for the manufacture of cloth of any kind is carried on separately, shall not be regarded as manufactures within the meaning of this act; but all fabrics of cotton, wool, or other material, whether woven, knit, or felted, shall be regarded as manufactures, and be subject to the duty, as above, of three per centum ad valorem;  
On all diamonds, emeralds, and all other jewelry, a tax of three per centum ad valorem;  
On and after the first day of October, eighteen hundred and sixty-two, there shall be levied, collected, and paid, a tax of one half of one cent per pound on all cotton held or owned by any person or persons, corporation, or association of persons; and such tax shall be a lien thereon in the possession of any person whomsoever. And further, if any person or persons, corporations, or association of persons, shall remove, carry, or transport the same from the place of its production before said tax shall have been paid, such person or persons, corporation, or association of persons, shall forfeit and pay to the United States double the amount of such tax, to be recovered in any court having jurisdiction thereof: Provided, however, That the Commissioner of Internal Revenue is hereby

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Cotton held by manufacturer exempt.

Manufactures of cotton, wool, flax, silk, &c., and of non-enumerated articles.

Post, pp. 717, 792.

Cotton held by manufacturer exempt.

Manufactures of cotton, wool, flax, silk, &c., and of non-enumerated articles.

Post, pp. 717, 792.

THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 119. 1862.

Authorized to make such rules and regulations as he may deem proper for the payment of said tax at places different from that of the production of said cotton: And provided, further, That all cotton owned and held by any manufacturer of cotton fabrics on the first day of October, eighteen hundred and sixty-two, and prior thereto, shall be exempt from the tax hereby imposed;

On all manufactures of cotton, wool, silk, worsted, flax, hemp, jute, India-rubber, gutta-percha, wood, willow, glass, pottery-ware, leather, paper, iron, steel, lead, tin, copper, zinc, brass, gold, silver, horn, ivory, bone, bristles, wholly or in part, or of other materials, not in this act otherwise provided for, a duty of three per centum ad valorem: Provided, That on all cloths dyed, printed, bleached, manufactured into other fabrics, or otherwise prepared, on which a duty or tax shall have been paid before the same were so dyed, printed, bleached, manufactured, or prepared, the said duty or tax of three per centum shall be assessed only upon the increased value thereof: And provided, further, That on all oil-dressed leather, and deer skins dressed or smoked, manufactured into gloves, mittens or other articles on which a duty or tax shall have been paid before the same were so manufactured, the said duty or tax of three per centum shall be assessed only upon the increased valuation thereof: And provided, further, That in estimating the duties upon articles manufactured when removed and sold at any other place than the place of manufacture, there shall be deducted from the gross amount of sales the freight, commission, and expenses of sale actually paid, and the duty shall be assessed and paid upon the net amount after the deductions as aforesaid: And provided, further, That printed books, magazines, pamphlets, newspapers, reviews, and all other similar printed publications; boards, shingles, and all other lumber and timber; staves, hoops, headings, and timber only partially wrought and unfinished for chairs, tubs, pails, snathes, last, stove and fork handles; umbrella stretchers, pig iron, and iron not advanced beyond slabs, blooms, or loops; maps and charts; charcoal; alcohol made or manufactured of spirits or materials upon which the duties imposed by this act shall have been paid; plaster or gypsum; malt; burning fluid; printers' ink; flax prepared for textile or feltmaking purposes, until actually woven or fitted into fabrics for consumption; all flour and meal made from grain; bread and breadstuffs; pearl barley and split peas; butter; cheese; concentrated milk; bullion, in the manufacture of silverware; brick; lime; Roman cement; draining tiles; marble; slate; building stone; copper, in ingots or pigs; and lead, in pigs or bars, shall not be regarded as manufactures within the meaning of this act: Provided, That whenever, by the provisions of this act, a duty is imposed upon any article removed for consumption or sale, it shall apply only to such articles as are manufactured on or after the first day of August, eighteen hundred and sixty-two, and to such as are manufactured and not removed from the place of manufacture prior to that date.

AUCTION SALES.

Sec. 76. And it is further enacted, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid on all sales of real estate, goods, wares, merchandise, articles, or things, at auction, including all sales of stocks, bonds, and other securities, a duty of one-tenth of one per centum on the gross amount of such sales, and every auctioneer making such sales, as aforesaid, shall at the end of each and every month, or within ten days thereafter, make a list or return to the assistant assessor of the district of the gross amount of such sales, made as aforesaid, with the amount of duty which has accrued, or should accrue thereon, which list shall have annexed thereto a declaration under oath or affirmation, in form and manner as may be prescribed by the Commissioner of Internal Revenue, that the same is true and
correct, and shall at the same time, as aforesaid, pay to the collector or
deputy collector the amount of duty or tax thereupon, as aforesaid, and in
default thereof shall be subject to and pay a penalty of five hundred dol-
lars. In all cases of delinquency in making said list or payment the
assessment and collection shall be made in the manner prescribed in the
general provisions of this act: Provided, That no duty shall be levied
under the provisions of this section upon any sales by judicial or execu-
tive officers making auction sales by virtue of a judgment or decree of
any court, nor to public sales made by executors or administrators.

CARRIAGES, YACHTS, BILLIARD-TABLES, AND PLATE.

SEC. 77. And be it further enacted, That from and after the first
day of May, eighteen hundred and sixty-two, there shall be levied, col-
lected, and paid, by any person or persons owning, possessing, or keep-
ing any carriage, yacht, and billiard-table, the several duties or sums of
money set down in figures against the same respectively, or otherwise
specified and set forth in schedule marked A.

SCHEDULE A.

CARRIAGES, YACHTS, BILLIARD-TABLES, AND PLATE.

Duty.

Carriage, gig, chaise, phaeton, wagon, buggy-wagon, carryall, rock-
away, or other like carriage, the body of which rests upon
springs of any description, kept for use, and whi:h shall not be
exclusively employed in husbandry or for the transportation of
merchandise, and valued at seventy-five dollars or over, includ-
ing the harness used therewith, when drawn by one horse, one
dollar........................................................... 1 00

Carriages of like description drawn by two horses, and any coach,
hackney-coach, omnibus, or four-wheel carriage, the body of
which rests upon springs of any description, which may be kept
for use, for hire, or for passengers, and which shall not be ex-
clusively employed in husbandry or for the transportation of
merchandise, valued at seventy-five dollars, and not exceeding
. two hundred dollars, including the harness used therewith,
drawn by two horses or more, two dollars ..................... 2 00

Carriages of like description, when valued above two hundred
dollars, and not exceeding six hundred dollars, five dollars.... 5 00

Carriages of like description, valued above six hundred dollars,
ten dollars..................................................... 10 00

Pleasure or racing vessels, known as yachts, whether by sail or
steam, under the value of six hundred dollars, five dollars.... 5 00

Yachts valued above six hundred dollars, and not exceeding one
thousand dollars, ten dollars.................................. 10 00

And for each additional one thousand dollars in value of said
yachts, ten dollars.............................................. 10 00

Billiard-tables, kept for use, ten dollars........................ 10 00

Plate of gold, kept for use, per ounce troy, fifty cents........ 50

Plate of silver, kept for use, per ounce troy, three cents......... 3

Provided, That silver spoons or plate of silver, to an amount not
exceeding forty ounces, as aforesaid, belonging to any one
person, shall be exempt from duty.

SLAUGHTERED CATTLE, HOGS, AND SHEEP.

SEC. 78. And be it further enacted, That on and after the first day of
August, eighteen hundred and sixty-two, there shall be levied, collected,
and paid by any person or persons, firms, companies, or agents or em-
ployees thereof, the following duties or taxes, that is to say:

Auction sales.

Certain sales exempt.

Carriages, yachts, billiard-
tables, and plate.

Post, pp. 627, 717.

Post, p. 717.

Billiard-tables.

Plate.

Post, p. 718.
Cattle.  
On all horned cattle exceeding eighteen months old, slaughtered for sale, thirty cents per head;  

Post, p. 718.  
On all calves and cattle under eighteen months old, slaughtered for sale, five cents per head;  

Hogs.  
On all hogs, exceeding six months old, slaughtered for sale, when the number thus slaughtered exceeds twenty in any one year, ten cents per head;  

Sheep.  
On all sheep, slaughtered for sale, five cents per head: Provided, That all cattle, hogs, and sheep, slaughtered by any person for his or her own consumption, shall be exempt from duty.  

SEC. 79. And be it further enacted, That on and after the date on which this act shall take effect, any person or persons, firms, or companies, or agents or employees thereof, whose business or occupation it is to slaughter for sale any cattle, calves, sheep, or hogs, shall be required to make and render a list at the end of each and every month to the assistant assessor of the district where the business is transacted, stating the number of cattle, calves, if any, the number of hogs, if any, and the number of sheep, if any, slaughtered, as aforesaid, with the several rates of duty as fixed therein in this act, together with the whole amount thereof, which list shall have annexed thereto a declaration of said person or persons, agents or employees thereof, as aforesaid, under oath or affirmations, in such manner and form as may be prescribed by the Commissioner of Internal Revenue, that the same is true and correct, and shall, at the time of rendering said list, pay the full amount of duties which have accrued or should accrue, as aforesaid, to the collector or deputy collector of the district, as aforesaid; and in case of default in making the return or payment of the duties, as aforesaid, the assessment and collection shall be made as in the general provisions of this act required, and in case of fraud or evasion, the party offending shall forfeit and pay a penalty of ten dollars per head for any cattle, calves, hogs, or sheep so slaughtered upon which the duty is fraudulently withheld, evaded, or attempted to be evaded: Provided, That the Commissioner of Internal Revenue shall prescribe such further rules and regulations as he may deem necessary for ascertaining the correct number of cattle, calves, hogs, and sheep, liable to be taxed under the provisions of this act.  

RAILROADS, STEAMBOATS, AND FERRY-BOATS.  

SEC. 80. And be it further enacted, That on and after the first day of August, eighteen hundred and sixty-two, any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any railroad or railroads upon which steam is used as a propelling power, or of any steamboat or other vessel propelled by steam-power, shall be subject to and pay a duty of three per centum on the gross amount of all the receipts of such railroad or railroads or steam-vessel for the transportation of passengers over and upon the same; and any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any railroad or railroads using any other power than steam thereon, or owning, possessing, or having the care or management of any ferry-boat, or vessel used as a ferry-boat, propelled by steam or horse power, shall be subject to and pay a duty of one and a half per centum upon the gross receipts of such railroad or ferry-boat, respectively, for the transportation of passengers over and upon said railroads, steamboats, and ferry-boats, respectively; and any person or persons, firms, companies, or corporations, owning, possessing, or having the care or management of any bridge authorized by law to receive toll for the transit of passengers, beasts, carriages, teams, and freight of any description over such bridge, shall be subject to and pay a duty of three per centum on the gross amount of all their
receipts of every description. And the owner, possessor, or person or persons having the care and management of any such railroad, steamboat, ferry-boat, or other vessel, or bridge, as aforesaid, shall, within five days after the end of each and every month, commencing as hereinbefore mentioned, make a list or return to the assistant assessor of the district within which such owner, possessor, company, or corporation may have his or its place of business, or where any such railroad, steamboat, ferry-boat, or bridge is located or belongs, respectively, stating the gross amount of such receipts for the month next preceding, which return shall be verified by the oath or affirmation of such owner, possessor, manager, agent, or other proper officer, in the manner and form to be prescribed from time to time by the Commissioner of Internal Revenue, and shall also, monthly, at the time of making such return, pay to the collector or deputy collector of the district the full amount of duties which have accrued on such receipts for the month aforesaid; and in case of neglect or refusal to make said lists or return for the space of five days after such return should be made as aforesaid, the assessor or assistant assessor shall proceed to estimate the amount received and the duties payable thereon, as hereinbefore provided in other cases of delinquency to make return for purposes of assessment; and for the purpose of making such assessment, or of ascertaining the correctness of any such return, the books of any such person, company, or corporation shall be subject to the inspection of the assessor or assistant assessor on his demand or request therefor; and in case of neglect or refusal to pay the duties as aforesaid when the same have been ascertained as aforesaid, for the space of five days after the same shall have become payable, the owner, possessor, or person having the management as aforesaid, shall pay, in addition, five per centum on the amount of such duties; and for any attempt knowingly to evade the payment of such duties, the said owner, possessor, or person having the care or management as aforesaid, shall be liable to pay a penalty of one thousand dollars for every such attempt, to be recovered as provided in this act for the recovery of penalties; and all provisions of this act in relation to liens and collections by distraint not incompatible herewith, shall apply to this section and the objects therein embraced: Provided, That all such persons, companies, and corporations shall have the right to add the duty or tax imposed hereby to their rates of fare, whenever their liability thereto may commence, any limitations which may exist by law or by agreement with any person or company which may have paid, or be liable to pay, such fare to the contrary notwithstanding.

RAILROAD BONDS.

Sec. 81. And be it further enacted, That on and after the first day of July, eighteen hundred and sixty-two, any person or persons owning or possessing, or having the care or management of any railroad company or railroad corporation, being indebted for any sum or sums of money for which bonds or other evidences of indebtedness have been issued, payable in one or more years after date, upon which interest is, or shall be, stipulated to be paid, or coupons representing the interest shall be or shall have been issued to be paid, and all dividends in scrip or money or sums of money thereafter declared due or payable to stockholders of any railroad company, as part of the earnings, profits, or gains of said companies, shall be subject to and pay a duty of three per centum on the amount of all such interest or coupons or dividends whenever the same shall be paid; and said railroad companies or railroad corporations, or any person or persons owning, possessing, or having the care or management of any railroad company or railroad corporation, are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, after the first day of July, as aforesaid, on account of any interest
Railroad bonds, or coupons or dividends due and payable as aforesaid, the said duty or sum of three per centum; and the duties deducted as aforesaid, and certified by the president or other proper officer of said company or corporation, shall be a receipt and discharge, according to the amount thereof, of said railroad companies or railroad corporations, and the owners, possessors, and agents thereof, on dividends and on bonds or other evidences of their indebtedness, upon which interest or coupons are payable, held by any person or party whatsoever, and a list or return shall be made and rendered within thirty days after the time fixed when said interest or coupons or dividends become due or payable, and as often as every six months, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the duties received and chargeable, as aforesaid, during the time when such duties have accrued or should accrue, and remaining unaccounted for; and there shall be annexed to every such list or return a declaration under oath or affirmation, in manner and form as may be prescribed by the Commissioner of Internal Revenue, of the president, treasurer, or some proper officer of said railroad company or railroad corporation, that the same contains a true and faithful account of the duties so withheld and received during the time when such duties have accrued or should accrue, and not accounted for, and for any default in the making or rendering of such list or return, with the declaration annexed, as aforesaid, the person or persons owning, possessing, or having the care or management of such railroad company or railroad corporation, making such default, shall forfeit, as a penalty, the sum of five hundred dollars; and in case of any default in making or rendering said list, or of any default in the payment of the duty, or any part thereof, accruing or which should accrue, the assessment and collection shall be made according to the general provisions of this act.

BANKS, TRUST COMPANIES, SAVINGS INSTITUTIONS, AND INSURANCE COMPANIES.

SEC. 82. And be it further enacted, That on and after the first day of July, eighteen hundred and sixty-two, there shall be levied, collected, and paid by all banks, trust companies, and savings institutions, and by all fire, marine, life, inland, stock, and mutual insurance companies, under whatever style or name known or called, of the United States or Territories, specially incorporated or existing under general laws, or which may be hereafter incorporated or exist as aforesaid, on all dividends in scrip or money thereafter declared due or paid to stockholders, to policy holders, or to depositors, as part of the earnings, profits, or gains of said banks, trust companies, savings institutions, or insurance companies, and on all sums added to their surplus or contingent funds, a duty of three per centum: Provided, That the duties upon the dividends of life insurance companies shall not be deemed due, or to be collected until such dividends shall be payable by such companies. And said banks, trust companies, savings institutions, and insurance companies are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, on account of any dividends or sums of money that may be due and payable, as aforesaid, after the first day of July, eighteen hundred and sixty-two, the said duty of three per centum. And a list or return shall be made and rendered within thirty days after the time fixed when such dividends or sums of money shall be declared due and payable, and as often as every six months, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the amount of duties accrued or which should accrue from time to time, as aforesaid, during the time when such duties remain unaccounted for, and there shall be annexed to every such list or return a declaration, under oath or affirmation, to be made in form and manner as shall be prescribed by the Commissioner of Internal Revenue, of the president, or some other proper
officer of said bank, trust company, savings institution, or insurance company, respectively, that the same contains a true and faithful account of the duties which have accrued or should accrue, and not accounted for, and for any default in the delivery of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company making such default shall forfeit, as a penalty, the sum of five hundred dollars.

SEC. 83. And be it further enacted, That any person or persons owning or possessing, or having the care or management of any railroad company or railroad corporation, bank, trust company, savings institution, or insurance company, as heretofore mentioned, required under this act to make and render any list or return to the Commissioner of Internal Revenue, shall, upon rendering the same, pay to the said Commissioner of Internal Revenue the amount of the duties due on such list or return, and in default thereof shall forfeit as a penalty the sum of five hundred dollars; and in case of neglect or refusal to make such list or return as aforesaid, or to pay the duties as aforesaid, for the space of thirty days after the time when said list should have been made and rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions heretofore prescribed in this act.

SEC. 84. And be it further enacted, That on the first day of October, anno Domini eighteen hundred and sixty-two, and on the first day of each quarter of a year thereafter, there shall be paid by each insurance company, whether inland or marine, and by each individual or association engaged in the business of insurance from loss or damage by fire, or by the perils of the sea, the duty of one per centum upon the gross receipts for premiums and assessments by such individual, association, or company during the quarter then preceding; and like duty shall be paid by the agent of any foreign insurance company having an office or doing business within the United States.

SEC. 85. And be it further enacted, That on the first day of October next, and on the first day of each quarter thereafter, an account shall be made and rendered to the Commissioner of Internal Revenue by all insurance companies, or their agents, or associations or individuals making insurance, except life insurance, including agents of all foreign insurance companies, which shall contain a true and faithful account of the insurance made, renewed, or continued, or indorsed upon any open policy by said companies, or their agents, or associations, or individuals during the preceding quarter, setting forth the amount insured, and the gross amount received, and the duties accruing thereon under this act; and there shall be annexed to and delivered with every such quarterly account an affidavit, in the form to be prescribed by the Commissioner of Internal Revenue, made by one of the officers of said company or association, or individual, or by the agent in the case of a foreign company, that the statements in said accounts are in all respects just and true; and such quarterly accounts shall be rendered to the Commissioner of Internal Revenue within thirty days after the expiration of the quarter for which they shall be made up, and upon rendering such account, with such affidavit, as aforesaid, thereto annexed, the amount of the duties due by such quarterly accounts shall be paid to the Commissioner of Internal Revenue; and for every default in the delivery of such quarterly account, with such affidavit annexed thereto, or in the payment of the amount of the duties due by such quarterly account, the company, or agent, or association, or individual making such default shall forfeit and pay, in addition to such duty, the sum of five thousand dollars.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 119. 1862.

Salaries, &c. Passports.

Salaries and pay of officers and persons in the service of the United States, and passports.

Sec. 86. And be it further enacted, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid on all salaries of officers, or payments to persons in the civil, military, naval, or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of six hundred dollars per annum, a duty of three per centum on the excess above the said six hundred dollars; and it shall be the duty of all paymasters, and all disbursing officers, under the government of the United States, or in the employ thereof, when making any payments to officers and persons as aforesaid, or upon settling and adjusting the accounts of such officers and persons, to deduct and withhold the aforesaid duty of three per centum, and shall, at the same time, make a certificate stating the name of the officer or person from whom such deduction was made, and the amount thereof, which shall be transmitted to the office of the Commissioner of Internal Revenue, and entered as part of the internal duties; and the pay-roll, receipts, or account of officers or persons paying such duty, as aforesaid, shall be made to exhibit the fact of such payment.

Passports.

Sec. 87. And be it further enacted, That for every passport issued from the office of the Secretary of State, after the thirtieth day of June, eighteen hundred and sixty-two, there shall be paid the sum of three dollars; which amount may be paid to any collector appointed under this act, and his receipt therefor shall be forwarded with the application for such passport to the office of the Secretary of State, or any agent appointed by him. And the collectors shall account for all moneys received for passports in the manner hereinbefore provided, and a like amount shall be paid for every passport issued by any minister or consul of the United States, who shall account therefor to the treasury.

Advertisements.

Sec. 88. And be it further enacted, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid by any person or persons, firm, or company, publishing any newspaper, magazine, review, or other literary, scientific, or news publication, issued periodically, on the gross receipts for all advertisements, or all matters for the insertion of which in said newspaper or other publication, as aforesaid, or in extras, supplements, sheets, or fly-leaves accompanying the same, pay is required or received, a duty of three per centum; and the person or persons, firm or company, owning, possessing, or having the care or management of any and every such newspaper or other publication, as aforesaid, shall make a list or return quarterly, commencing as heretofore mentioned, containing the gross amount of receipts as aforesaid, and the amount of duties which have accrued thereon, and render the same to the assistant assessor of the respective districts where such newspaper, magazine, review, or other literary or news publication is or may be published, which list or return shall have annexed a declaration, under oath or affirmation, to be made according to the manner and form which may be from time to time prescribed by the Commissioner of Internal Revenue, of the owner, possessor, or person having the care or management of such newspaper, magazine, review, or other publication, as aforesaid, that the same is true and correct, and shall also, quarterly, and at the time of making said list or return, pay to the collector or deputy collector of the district, as aforesaid, the full amount of said duties; and in case of neglect or refusal to comply with any of the provisions contained in this section, or to make and render said list or return, as aforesaid, for

Duty.

Returns under oath.

Duties, when payable.

Penalty for neglect.
the space of thirty days after the time when said list or return ought to have been made, as aforesaid, the assistant assessor of the respective districts shall proceed to estimate the duties, as heretofore provided in other cases of delinquency; and in case of neglect or refusal to pay the duties, as aforesaid, for the space of thirty days after said duties become due and payable, said owner, possessor, or person or persons having the care or management of said newspapers or publications, as aforesaid, shall pay, in addition thereto, a penalty of five per centum on the amount due; and in case of fraud or evasion, whereby the revenue is attempted to be defrauded, or the duty withheld, said owners, possessors, or person or persons having the care or management of said newspapers or other publications, as aforesaid, shall forfeit and pay a penalty of five hundred dollars for each offence, or for any sum fraudulently unaccounted for; and all provisions in this act in relation to liens, assessments, and collection, not incompatible herewith shall apply, to this section and the objects herein embraced: Provided, That in all cases where the rate or price of advertising is fixed by any law of the United States, State, or Territory, it shall be lawful for the company, person or persons, publishing said advertisements, to add the duty or tax imposed by this act to the price of said advertisements, any law, as aforesaid, to the contrary notwithstanding: Provided, further, That the receipts for advertisements to the amount of one thousand dollars, by any person or persons, firm, or company, publishing any newspaper, magazine, review, or other literary, scientific, news publication, issued periodically, shall be exempt from duty: And provided, further, That all newspapers whose circulation does not exceed two thousand copies shall be exempted from all taxes for advertisements.

INCOME DUTY.

Sec. 89. And be it further enacted, That for the purpose of modifying and reënacting, as hereinafter provided, so much of an act, entitled "An act to provide increased revenue from imports to pay interest on the public debt, and for other purposes," approved fifth of August, eighteen hundred and sixty-one, as relates to income tax; that is to say, sections forty-nine, fifty, (except so much thereof as relates to the selection and appointment of depositaries,) and fifty-one, be, and the same are hereby, repealed.

Sec. 90. And be it further enacted, That there shall be levied, collected, and paid annually, upon the annual gains, profits, or income of every person residing in the United States, whether derived from any kind of property, rents, interest, dividends, salaries, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, or from any other source whatever, except as hereinafter mentioned, if such annual gains, profits, or income exceed the sum of six hundred dollars, and do not exceed the sum of ten thousand dollars, a duty of three per centum on the amount of such annual gains, profits, or income over and above the said sum of six hundred dollars; if said income exceeds the sum of ten thousand dollars, a duty of five per centum upon the amount thereof exceeding six hundred dollars; and upon the annual gains, profits, or income, rents, and dividends accruing upon any property, securities, and stocks owned in the United States by any citizen of the United States residing abroad, except as hereinafter mentioned, and in the employment of the government of the United States, there shall be levied, collected, and paid a duty of five per centum.

Sec. 91. And be it further enacted, That in estimating said annual gains, profits, or income, whether subject to a duty, as provided in this act, of three per centum, or of five per centum, all other national, state, and local taxes, lawfully assessed upon the property or other sources of income of any person as aforesaid, from which said annual gains, profits, or income of such person is or should be derived, shall be first deducted from the...
gains, profits, or income of the person or persons who actually pay the same, whether owner or tenant, and all gains, profits, or income derived from salaries of officers, or payments to persons in the civil, military, naval, or other service of the United States, including senators, representatives, and delegates in Congress, above six hundred dollars, or derived from interest or dividends on stock, capital, or deposits in any bank, trust company, or savings institution, insurance, gas, bridge, express, telegraph, steamboat, ferry-boat, or railroad company, or corporation, or on any bonds or other evidences of indebtedness of any railroad company or other corporation, which shall have been assessed and paid by said banks, trust companies, savings institutions, insurance, gas, bridge, telegraph, steamboat, ferry-boat, express, or railroad companies, as aforesaid, or derived from advertisements, or on any articles manufactured, upon which specific, stamp or ad valorem duties shall have been directly assessed or paid, shall also be deducted; and the duty herein provided for shall be assessed and collected upon the income for the year ending the thirty-first day of December next preceding the time for levying and collecting said duty, that is to say, on the first day of May, eighteen hundred and sixty-three, and in each year thereafter: Provided, That upon such portion of said gains, profits, or income, whether subject to a duty as provided in this act of three per centum or of five per centum, which shall be derived from interest upon notes, bonds, or other securities of the United States, there shall be levied, collected, and paid a duty not exceeding one and one-half of one per centum, anything in this act to the contrary notwithstanding.

SEC. 92. And be it further enacted, That the duties on incomes herein imposed shall be due and payable on or before the thirtieth day of June, in the year eighteen hundred and sixty-three, and in each year thereafter until and including the year eighteen hundred and sixty-six and no longer; and to any sum or sums annually due and unpaid for thirty days after the thirtieth of June, as aforesaid, and for ten days after demand thereof by the collector, there shall be levied in addition thereto, the sum of five per centum on the amount of duties unpaid, as a penalty, except from the estates of deceased and insolvent persons; and if any person or persons, or party, liable to pay such duty, shall neglect or refuse to pay the same, the amount due shall be a lien in favor of the United States from the time it was so due until paid, with the interest, penalties, and costs that may accrue in addition thereto, upon all the property, and rights to property, stocks, securities, and debts of every description from which the income upon which said duty is assessed or levied shall have accrued, or may or should accrue; and in default of the payment of said duty for the space of thirty days, after the same shall have become due, and be demanded, as aforesaid, said lien may be enforced by distraint upon such property, rights to property, stocks, securities, and evidences of debt, by whomsoever holden; and for this purpose the Commissioner of Internal Revenue, upon the certificate of the collector or deputy collector that said duty is due and unpaid for the space of ten days after notice duly given or the levy of such duty, shall issue a warrant in form and manner to be prescribed by said Commissioner of Internal Revenue, under the directions of the Secretary of the Treasury, and by virtue of such warrant there may be levied on such property, rights to property, stocks, securities, and evidences of debt, a further sum, to be fixed and stated in such warrant, over and above the said annual duty, interest, and penalty for non-payment, sufficient for the fees and expenses of such levy. And in all cases of sale, as aforesaid, the certificate of such sale by the collector or deputy collector of the sale, shall give title to the purchaser, of all right, title, and interest of such delinquent in and to such property, whether the property be real or personal; and where the subject of sale shall be stocks, the certificate of said sale shall be lawful authority and notice to the
proper corporation, company, or association, to record the same on the books or records, in the same manner as if transferred or assigned by the person or party holding the same, to issue new certificates of stock therefor in lieu of any original or prior certificates, which shall be void whether cancelled or not; and said certificates of sale of the collector or deputy collector, where the subject of sale shall be securities or other evidences of debt, shall be good and valid receipts to the person or party holding the same, as against any person or persons, or other party holding, or claiming to hold, possession of such securities or other evidences of debt.

Sec. 93. And be it further enacted, That it shall be the duty of all persons of lawful age, and all guardians and trustees, whether such trustees are so by virtue of their office as executors, administrators, or other fiduciary capacity, to make return in the list or schedule, as provided in this act, to the proper officer of internal revenue, of the amount of his or her income, or the income of such minors or persons as may be held in trust as aforesaid, according to the requirements hereinbefore stated, and in case of neglect or refusal to make such return, the assessor or assistant assessor shall assess the amount of his or her income, and proceed thereafter to collect the duty thereon in the same manner as is provided for in other cases of neglect and refusal to furnish lists or schedules in the general provisions of this act, where not otherwise incompatible, and the assistant assessor may increase the amount of the list or return of any party making such return, if he shall be satisfied that the same is understated: Provided, That any party, in his or her own behalf, or as guardian or trustee, as aforesaid, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, that he or she was not possessed of an income of six hundred dollars, liable to be assessed according to the provisions of this act, or that he or she has been assessed elsewhere and the same year for an income duty, under authority of the United States, and shall thereupon be exempt from an income duty; or, if the list or return of any party shall have been increased by the assistant assessor, in manner as aforesaid, he or she may be permitted to declare, as aforesaid, the amount of his or her annual income, or the amount held in trust, as aforesaid, liable to be assessed, as aforesaid, and the same so declared shall be received as the sum upon which duties are to be assessed and collected.

STAMP DUTIES.

Sec. 94. And be it further enacted, That on and after the first day of October, eighteen hundred and sixty-two, there shall be levied, collected, and paid, for and in respect of the several instruments, matters, and things mentioned, and described in the schedule (marked B) hereunto annexed, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, shall be written or printed, by any person or persons, or party who shall make, sign, or issue the same, or for whose use or benefit the same shall be made, signed, or issued, the several duties or sums of money set down in figures against the same, respectively, or otherwise specified or set forth in the said schedule.

Sec. 95. And be it further enacted, That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, any instrument, document, or paper of any kind, or description whatsoever, without the same being duly stamped for denoting the duty hereby imposed thereon, or without having thereupon an adhesive stamp to denote said duty, such person or persons shall incur a penalty of fifty dollars, and such instrument, document, or paper, as aforesaid, shall be deemed invalid and of no effect.
SEC. 96. And be it further enacted, That no stamp appropriated to
denote the duty charged on any particular instrument, and bearing the
name of such instrument on the face thereof, shall be used for denoting
any other duty of the same amount, or if so used the same shall be of no avail.

SEC. 97. And be it further enacted, That no vellum, parchment, or
paper, bearing a stamp appropriated by name to any particular instrument,
shall be used for any other purpose, or if so used the same shall be of no avail.

SEC. 98. And be it further enacted, That if any person shall forge or
counterfeit, or cause or procure to be forged or counterfeited, any stamp
or die, or any part of any stamp or die, which shall have been provided, made, or used in pursuance of this act, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, the impression, or any part of the impression, of any such stamp or die, as aforesaid, upon any vellum, parchment, or paper, or shall stamp or mark, or cause or procure to be stamped or marked, any vellum, parchment, or paper, with any such forged or counterfeited stamp or die, or part of any stamp or die, as aforesaid, with intent to defraud the United States of any of the duties hereby imposed, or any part thereof, or if any person shall utter, or sell, or expose to sale, any vellum, parchment, or paper, article or thing, having thereupon the impression of any such counterfeited stamp or die, or any part of any stamp or die, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same respectively to be forged, counterfeited, or resembled; or if any person shall knowingly use any stamp or die which shall have been so provided, made or used, as aforesaid, with intent to defraud the United States; or if any person shall fraudulently cut, tear, or get off, or cause or procure to be cut, torn, or get off, the impression of any stamp or die which shall have been provided, made, or used in pursuance of this act, from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the duties hereby imposed, then, and in every such case, every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting in committing any such offence as aforesaid, shall be deemed guilty of felony, and shall, on conviction thereof, forfeit the said counterfeit stamps and the articles upon which they are placed, and be punished by fine not exceeding one thousand dollars, and by imprisonment and confinement to hard labor not exceeding five years.

SEC. 99. And be it further enacted, That in any and all cases where
an adhesive stamp shall be used for denoting any duty imposed by this act, except as hereinafter provided, the person using or affixing the same shall write thereupon the initials of his name, and the date upon which the same shall be attached or used, so that the same may not again be used. And if any person shall fraudulently make use of an adhesive stamp to denote any duty imposed by this act without so effectually cancelling and obliterating such stamp, except as before mentioned, he, she, or they shall forfeit the sum of fifty dollars: Provided, nevertheless, That any proprietor or proprietors of proprietary articles, or articles subject to stamp duty under schedule C of this act, shall have the privilege of furnishing, without expense to the United States, in suitable form, to be approved by the Commissioner of Internal Revenue, his or their own dies or designs for stamps to be used thereon, to be retained in the possession of the Commissioner of Internal Revenue, for his or their separate use, which shall not be duplicated to any other person. That in all cases where such stamp is used, instead of his or their writing, his or their initials and the date thereon, the said stamp shall be so affixed on the box, bottle, or package, that in opening the same, or using the contents thereof, the said stamp shall be effectually destroyed; and in default thereof shall...
be liable to the same penalty imposed for neglect to affix said stamp as hereinafore prescribed in this act. Any person who shall fraudulently obtain or use any of the aforesaid stamps or designs therefor, and any person forging, or counterfeiting, or causing or procuring the forging or counterfeiting any representation, likeness, similitude or colorable imitation of the said last-mentioned stamp, or any engraver or printer who shall sell or give away said stamps, or selling the same, or, being a merchant, broker, peddler, or person dealing, in whole or in part, in similar goods, wares, merchandise, manufactures, preparations, or articles, or those designed for similar objects or purposes, shall have knowingly or fraudulently in his, her, or their possession any such forged, counterfeited likeness, similitude, or colorable imitation of the said last-mentioned stamp, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to all the penalties, fines, and forfeitures prescribed in section ninety-three [eight] of this act.

Sec. 100. And be it further enacted, That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, or shall accept or pay, or cause to be accepted or paid, with design to evade the payment of any stamp duty, any bill of exchange, draft or order, or promissory note for the payment of money, liable to any of the duties imposed by this act, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the duty hereby charged thereon, he, she, or they shall, for every such bill, draft, order, or note, forfeit the sum of two hundred dollars.

Sec. 101. And be it further enacted, That the acceptor or acceptors of any bill of exchange or order for the payment of any sum of money drawn, or purporting to be drawn, in any foreign country, but payable in the United States, shall, before paying or accepting the same, place thereupon a stamp indicating the duty upon the same, as the law requires for inland bills of exchange, or promissory notes; and no bill of exchange shall be paid or negotiated without such stamp; and if any person shall pay or negotiate, or offer in payment, or receive or take in payment, any such draft or order, the person or persons so offending shall forfeit the sum of one hundred dollars.

Sec. 102. And be it further enacted, That the Commissioner of Internal Revenue, be, and is hereby, authorized to sell to and supply collectors, deputy collectors, postmasters, stationers, or any other persons, at his discretion, with adhesive stamps or stamped paper, vellum, or parchment, as herein provided for, upon the payment, at the time of delivery, of the amount of duties said stamps, stamped paper, vellum, or parchment, so sold or supplied, represent, and may thereupon allow and deduct from the aggregate amount of such stamps, as aforesaid, the sum of not exceeding five per centum as commission to the collectors, postmasters, stationers, or other purchasers; but the cost of any paper, vellum, or parchment shall be added to the amount, after deducting the allowance of per centum, as aforesaid: Provided, That no commission shall be allowed on any sum or sums so sold or supplied of less amount than fifty dollars. And provided, further, That any proprietor or proprietors of articles named in schedule C, who shall furnish his or their own die or design for stamps, to be used especially for his or their own proprietary articles, shall be allowed the following discount, namely: on amounts purchased at one time of not less than fifty nor more than five hundred dollars, five per centum; on amounts over five hundred dollars, ten per cent. The Commissioner of Internal Revenue may from time to time make regulations for the allowance of such of the stamps issued under the provisions of this act as may have been spoiled or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which through mistake may have been improperly or unnecessarily used, or where the rates or duties represented thereby have been paid in error or remitted; and such allowance is hereby paid or so paid, shall be allowed a like deduction as aforesaid.
shall be made either by giving other stamps in lieu of the stamps so allowed for, or by repaying the amount or value, after deducting therefrom, in case of repayment, the sum of five per centum to the owner thereof.

Sec. 103. And be it further enacted, That it shall be lawful for any person to present to the Commissioner of Internal Revenue any instrument, and require his opinion whether or not the same is chargeable with any duty; and if the said commissioner shall be of opinion that such instrument is not chargeable with any stamp duty, it shall be lawful for him, and he is hereby required, to impress thereon a particular stamp, to be provided for that purpose, with such word or words or device thereon as he shall judge proper, which shall signify and denote that such instrument is not chargeable with any stamp duty; and every such instrument upon which the said stamp shall be impressed shall be deemed to be not so chargeable, and shall be received in evidence in all courts of law or equity, notwithstanding any objections made to the same, as being chargeable with stamp duty, and not stamped to denote the same.

Sec. 104. And be it further enacted, That on and after the date on which this act shall take effect, no telegraph company or its agent or employee shall receive from any person, or transmit to any person, any despatch or message without an adhesive stamp denoting the duty imposed by this act being affixed to a copy thereof, or having the same stamped thereupon, and in default thereof shall incur a penalty of ten dollars: Provided, That only one stamp shall be required, whether sent through one or more companies.

Sec. 105. And be it further enacted, That on and after the date on which this act shall take effect, no express company or its agent or employee shall receive for transportation from any person any bale, bundle, box, article, or package of any description, without either delivering to the consignor thereof a printed receipt, having stamped or affixed thereon a stamp denoting the duty imposed by this act, or without affixing thereto an adhesive stamp or stamps denoting such duty, and in default thereof shall incur a penalty of ten dollars: Provided, That but one stamped receipt or stamp shall be required for each shipment from one party to another party at the same time, whether such shipment consists of one or more packages: And provided, also, That no stamped receipts or stamp shall be required for any bale, bundle, box, article, or package transported for the government, nor for such bales, bundles, boxes, or packages as are transported by such companies without charge thereon.

Sec. 106. And be it further enacted, That all the provisions of this act relating to dies, stamps, adhesive stamps, and stamp duties, shall extend to and include (except where manifestly inapplicable) all the articles or objects enumerated in schedule marked C, subject to stamp duties, and apply to the provisions in relation thereto.

Sec. 107. And be it further enacted, That on and after the first day of August, eighteen hundred and sixty-two, no person or persons, firms, companies, or corporations, shall make, prepare, and sell, or remove for consumption or sale, drugs, medicines, preparations, compositions, articles, or things, including perfumes, cosmetics, and playing-cards, upon which a duty is imposed by this act, as enumerated and mentioned in schedule C, without affixing thereto an adhesive stamp or label denoting the duty before mentioned, and in default thereof shall incur a penalty of ten dollars: Provided, That nothing in this act contained shall apply to any uncompounded medicinal drug or chemical, nor to any medicine compounded according to the United States or other national pharmacopoeia, nor of which the full and proper formula is published in either of the dispensatories, formularies, or text-books in common use among physicians and apothecaries, including homeopathic and eclectical, or in any pharmaceutical journal now used by any incorporated college of pharmacy, and
not sold or offered for sale, or advertised under any other name, form, or
guise, than that under which they may be severally denominated and laid
down in said pharmacopoeias, dispensaries, text-books, or journals, as
aforesaid, nor to medicines sold to or for the use of any person, which may
be mixed and compounded specially for said persons, according to the writ-
ten recipe or prescription of any physician or surgeon.

Sec. 108. _And be it further enacted_, That every manufacturer or
maker of any of the articles for sale mentioned in schedule C, after the
same shall have been so made, and the particulars hereinbefore required
as to stamps have been complied with, who shall take off, remove, or de-
tach, or cause or permit, or suffer to be taken off, or removed or detached,
any stamp, or who shall use any stamp, or any wrapper or cover to which
any stamp is affixed, to cover any other article or commodity than that
originally contained in such wrapper or cover, with such stamp when
first used, with the intent to evade the stamp duties, shall for every such
article, respectively, in respect of which any such offence shall be com-
mitted, be subject to a penalty of fifty dollars, to be recovered, together
with the costs thereupon accruing, and every such article or commodity
as aforesaid shall also be forfeited.

Sec. 109. _And be it further enacted_, That every maker or manufac-
turer of any of the articles or commodities mentioned in schedule C, as
aforesaid, who shall sell, send out, remove, or deliver any article or com-
modity, manufactured as aforesaid, before the duty thereon shall have
been fully paid, by affixing thereon the proper stamp, as in this act pro-
vided, or who shall hide or conceal, or cause to be hidden or concealed,
or who shall remove or convey away, or deposit, or cause to be removed
or conveyed away from or deposited in any place, any such article or
commodity, to evade the duty chargeable thereon, or any part thereof,
shall be subject to a penalty of one hundred dollars, together with the for-
feiture of any such article or commodity: _Provided_, That medicines,
preparations, compositions, perfumery, and cosmetics, upon which stamp
duties are required by this act, may, when intended for exportation, be
manufactured and sold, or removed without having stamps affixed thereto,
and without being charged with duty, as aforesaid; and every manufac-
turer or maker of any article, as aforesaid, intended for exportation, shall
give such bonds and be subject to such rules and regulations to protect
the revenue against fraud as may be from time to time prescribed by the
Secretary of the Treasury.

Sec. 110. _And be it further enacted_, That every manufacturer or
maker of any of the articles or commodities, as aforesaid, or his chief
workman, agent, or superintendent, shall at the end of each and every
month make and sign a declaration in writing that no such article or com-
modity, as aforesaid, has, during such preceding month, or time when the
last declaration was made, been removed, carried, or sent, or caused, or
suffered, or known to have been removed, carried, or sent from the prems-
ises of such manufacturer or maker, other than such as have been duly
taken account of and charged with the stamp duty, on pain of such manufa-
cur or maker forfeiting for every refusal or neglect to make such
declaration one hundred dollars; and if any such manufacturer or maker,
or his chief workman, agent, or superintendent, shall make any false or
untrue declaration, such manufacturer or maker, or chief workman, agent,
or superintendent, making the same, shall forfeit five hundred dollars.

**SCHEDULE B.**

**STAMP DUTIES.**

Agreement or contract, other than those specified in this schedule; 
any appraisement of value or damage, or for any other purpose;
for every sheet or piece of paper upon which either of the same shall be written ........................................ 5

Bank checks.

Bank check, draft, or order for the payment of any sum of money exceeding twenty dollars, drawn upon any bank, trust company, or any person or persons, companies, or corporations at sight or on demand, two cents .............. 2

Bills of exchange, inland.

Bill of exchange, (inland,) draft, or order for the payment of any sum of money exceeding twenty and not exceeding one hundred dollars, otherwise than at sight or on demand, or any promissory note except bank notes issued for circulation, for a sum exceeding twenty and not exceeding one hundred dollars, five cents ........................................ 5

Exceeding one hundred dollars and not exceeding two hundred dollars, ten cents ........................................ 10

Exceeding two hundred dollars and not exceeding three hundred and fifty dollars, fifteen cents .............. 15

Exceeding three hundred and fifty dollars and not exceeding five hundred dollars, twenty cents ..................... 20

Exceeding five hundred dollars and not exceeding seven hundred and fifty dollars, thirty cents .................. 30

Exceeding seven hundred and fifty dollars and not exceeding one thousand dollars, forty cents ..................... 40

Exceeding one thousand dollars and not exceeding fifteen hundred dollars, sixty cents ...................... 60

Exceeding fifteen hundred dollars and not exceeding twenty-five hundred dollars, one dollar ...................... 1 00

Exceeding twenty-five hundred dollars and not exceeding five thousand dollars, one dollar and fifty cents ............ 1 50

And for every twenty-five hundred dollars, or part of twenty-five hundred dollars in excess of five thousand dollars, one dollar .............. 1 00

Bill of exchange (foreign) or letter of credit, drawn in but payable out of the United States, if drawn singly, or otherwise than in a set of three or more, according to the custom of merchants and bankers, shall pay the same rates of duty as inland bills of exchange or promissory notes.

If drawn in sets of three or more: For every bill of each set, where the sum made payable shall not exceed one hundred and fifty dollars, or the equivalent thereof, in any foreign currency in which such bills may be expressed, according to the standard of value fixed by the United States, three cents .................. 3

Above one hundred and fifty dollars and not above two hundred and fifty dollars, five cents ...................... 5

Above two hundred and fifty dollars and not above five hundred dollars, ten cents ...................... 10

Above five hundred dollars and not above one thousand dollars, fifteen cents ................................. 15

Above one thousand dollars and not above one thousand five hundred dollars, twenty cents ...................... 20

Above one thousand five hundred dollars and not above two thousand two hundred and fifty dollars, thirty cents ............. 30

Above two thousand two hundred and fifty dollars and not above three thousand five hundred dollars, fifty cents ...................... 50

Above three thousand five hundred dollars and not above five thousand dollars, seventy cents ................................. 70

Above five thousand dollars and not above seven thousand five hundred dollars, one dollar ...................... 1 00
And for every two thousand five hundred dollars, or part thereof, in excess of seven thousand five hundred dollars, thirty cents.

Bill of lading or receipt, (other than charter-party,) for any goods, merchandise, or effects, to be exported from a port or place in the United States to any foreign port or place, ten cents.

Express.—For every receipt or stamp issued, or issued by any express company, or carrier, or person whose occupation it is to act as such, for all boxes, bales, packages, articles, or bundles, for the transportation of which such company, carrier, or person, shall receive a compensation of not over twenty-five cents, one cent.

When such compensation exceeds the sum of twenty-five cents, and not over one dollar, two cents.

When one or more packages are sent to the same address at the same time, and the compensation therefor exceeds one dollar, five cents.

Bond.—For indemnifying any person who shall have become bound or engaged as surety for the payment of any sum of money, or for the due execution or performance of the duties of any office, and to account for money received by virtue thereof, fifty cents.

Bond of any description other than such as may be required in legal proceedings and such as are not otherwise charged in this schedule, twenty-five cents.

Certificate of stock in any incorporated company, twenty-five cents.

Certificate of profits, or any certificate or memorandum showing an interest in the property or accumulations of any incorporated company, if for a sum not less than ten dollars and not exceeding fifty dollars, ten cents.

For a sum exceeding fifty dollars, twenty-five cents.

Certificate.—Any certificate of damage, or otherwise, and all other certificates or documents issued by any port warden, marine surveyor, or other person acting as such, twenty-five cents.

Certificate of deposit of any sum of money in any bank or trust company, or with any banker or person acting as such.

If for a sum not exceeding one hundred dollars, two cents.

For a sum exceeding one hundred dollars, five cents.

Certificate of any other description than those specified, ten cents.

Charter-party.—Contract or agreement for the charter of any ship or vessel, or steamer, or any letter, memorandum, or other writing between the captain, master, or owner, or person acting as agent of any ship or vessel, or steamer, and any other person or persons for or relating to the charter of such ship or vessel or steamer, if the registered tonnage of such ship or vessel, or steamer, does not exceed three hundred tons, three dollars.

Exceeding three hundred tons, and not exceeding six hundred tons, five dollars.

Exceeding six hundred tons, ten dollars.

Contract.—Broker’s note, or memorandum of sale of any goods or merchandise, stocks, bonds, exchange, notes of hand, real estate, or property of any kind or description issued by brokers or persons acting as such, ten cents.

Conveyance.—Deed, instrument, or writing, whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons by his, her, or their direction, when the consideration or value exceeds one hundred dollars and does not exceed five hundred dollars, fifty cents.
When the consideration exceeds five hundred dollars and does not exceed one thousand dollars, one dollar
Exceeding one thousand dollars and not exceeding two thousand five hundred dollars, two dollars
Exceeding two thousand five thousand [hundred] dollars and not exceeding five thousand dollars, five dollars
Exceeding five thousand dollars and not exceeding ten thousand dollars, ten dollars
Exceeding ten thousand dollars and not exceeding twenty thousand dollars, twenty dollars
And for every additional ten thousand dollars, or fractional part thereof, in excess of twenty thousand dollars, twenty dollars

Despatch, telegraphic. — Any despatch or message, the charge for which the first ten words does not exceed twenty cents, one cent
When the charge for the first ten words exceeds twenty cents, three cents

Entry.
Entry of any goods, wares, or merchandise at any custom-house, either for consumption or warehousing, not exceeding one hundred dollars in value, twenty-five cents
Exceeding one hundred dollars and not exceeding five hundred dollars in value, fifty cents
Exceeding five hundred dollars in value, one dollar
Entry for the withdrawal of any goods or merchandise from bonded warehouse, fifty cents

Insurance, life; Insurance (life). — Policy of insurance, or other instrument by whatever name the same shall be called, whereby any insurance shall be made upon any life or lives
When the amount insured shall not exceed one thousand dollars, twenty-five cents
Exceeding one thousand and not exceeding five thousand dollars, fifty cents
Exceeding five thousand dollars, one dollar

Insurance, (marine and inland) — Each policy of insurance or other instrument, by whatever name the same shall be called, by which insurance shall be made or renewed, upon property of any description, whether against perils by the sea or by fire, or other peril of any kind, made by any insurance company, or its agents, or by any other company or person, twenty-five cents

Lease, &c. Lease, agreement, memorandum, or contract for the hire, use, or rent of any land, tenement, or portion thereof —
If for a period of time not exceeding three years, fifty cents
If for a period exceeding three years, one dollar

Manifest. Manifest for custom-house entry or clearance of the cargo of any ship, vessel, or steamer, for a foreign port —
If the registered tonnage of such ship, vessel, or steamer does not exceed three hundred tons, one dollar
Exceeding three hundred tons, and not exceeding six hundred tons, three dollars
Exceeding six hundred tons, five dollars

Mortgage. Mortgage of lands, estate, or property, real or personal, heritable or movable whatsoever, where the same shall be made as a security for the payment of any definite and certain sum of money lent at the time, or previously due and owing or forborne to be paid, being payable; also any conveyance of any lands, estate, or property whatsoever, in trust to be sold or otherwise converted into money, which shall be intended only as security,
and shall be redeemable before the sale or other disposal thereof, either by express stipulation or otherwise; or any personal bond given as security for the payment of any definite or certain sum of money exceeding one hundred dollars, and not exceeding five hundred dollars, fifty cents ................................... 50
Exceeding five hundred dollars, and not exceeding one thousand dollars, one dollar ........................................... 1 00
Exceeding one thousand dollars, and not exceeding two thousand five hundred dollars, two dollars ........................................... 2 00
Exceeding two thousand five hundred dollars, and not exceeding five thousand dollars, five dollars ........................................... 5 00
Exceeding five thousand dollars, and not exceeding ten thousand dollars, ten dollars ........................................... 10 00
Exceeding ten thousand dollars, and not exceeding twenty thousand dollars, fifteen dollars ........................................... 15 00
And for every additional ten thousand dollars, or fractional part thereof, in excess of twenty thousand dollars, ten dollars Passage ticket, by any vessel from a port in the United States to a foreign port, if less than thirty dollars, fifty cents ........................................... 50 10 00
Exceeding thirty dollars, one dollar ........................................... 1 00 Power of attorney for the sale or transfer of any stock, bonds, or scrip, or for the collection of any dividends or interest thereon, twenty-five cents ........................................... 25 Power of attorney or proxy for voting at any election for officers of any incorporated company or society except religious, charitable, or literary societies, or public cemeteries, ten cents ........................................... 10 Power of attorney to receive or collect rent, twenty-five cents ........................................... 25 Power of attorney to sell and convey real estate, or to rent or lease the same, or to perform any and all other acts not hereinbefore specified, one dollar ........................................... 1 00 Probate of will, or letters of administration: Where the estate and effects for or in respect of which such probate or letters of administration applied for shall be sworn or declared not to exceed the value of two thousand five hundred dollars, fifty cents ........................................... 50 To exceed two thousand five hundred dollars and not exceeding five thousand dollars, one dollar ........................................... 1 00 To exceed five thousand dollars and not exceeding twenty thousand dollars, two dollars ........................................... 2 00 To exceed twenty thousand dollars and not exceeding fifty thousand dollars, five dollars ........................................... 5 00 To exceed fifty thousand dollars and not exceeding one hundred thousand dollars, ten dollars ........................................... 10 00 Exceeding one hundred thousand dollars and not exceeding one hundred and fifty thousand dollars, twenty dollars ........................................... 20 00 And for every additional fifty thousand dollars, or fractional part thereof, ten dollars ........................................... 10 00 Protest.—Upon the protest of every note, bill of exchange, acceptance, check or draft, or any marine protest, whether protested by a notary public or by any other officer who may be authorized by the law of any State or States to make such protest, twenty-five cents ........................................... 25 Warehouse receipt for any goods, merchandise, or property of any kind held on storage in any public or private warehouse or yard, twenty-five cents ........................................... 25 Legal documents:
Writ, or other original process by which any suit is commenced in any court of record, either law or equity, fifty cents ........................................... 50
Provided, That no writ, summons, or other process issued by a justice of the peace, or issued in any criminal or other suits commenced by the United States or any State, shall be subject to the payment of stamp duties: And provided, further, That the stamp duties imposed by the foregoing schedule B on manifests, bills of lading, and passage tickets, shall not apply to steamboats or other vessels plying between ports of the United States and ports in British North America.

SCHEDULE C.

Medicines or preparations. — For and upon every packet, box, bottle, pot, phial, or other enclosure, containing any pills, powders, tinctures, troches or lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or other preparations or compositions whatsoever, made and sold, or removed for consumption and sale, by any person or persons whatever, wherein the person making or preparing the same has, or claims to have, any private formula or occult secret or art for the making or preparing the same, or has, or claims to have, any exclusive right or title to the making or preparing the same, or which are prepared, uttered, vended, or exposed for sale under any letters-patent, or held out or recommended to the public by the makers, venders, or proprietors thereof as proprietary medicines, or as remedies or specifics for any disease, diseases, or affections whatever affecting the human or animal body, as follows: where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall not exceed, at the retail price or value, the sum of twenty-five cents, one cent.

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of twenty-five cents, and not exceed the retail price or value of fifty cents, two cents.

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of fifty cents, and shall not exceed the retail price or value of seventy-five cents, three cents.

When such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of seventy-five cents, and shall not exceed the retail price or value of one dollar, four cents.

When such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, for each and every fifty cents or fractional part thereof over and above one dollar, as before mentioned, an additional two cents.

Perfumery and cosmetics. — For and upon every packet, box, bottle, pot, phial, or other enclosure, containing any essence, extract, toilet, water, cosmetic, hair oil, pomade, hairdressing, hair restorative, hair dye, toothwash, dentifrice, tooth paste, aromatic cachous, or any similar articles, by whatsoever name the same heretofore have been, now are, or may hereafter be called, known, or distinguished, used or applied, or to be used or applied as perfumes or applications to the hair, mouth, or skin, made, prepared, and sold or removed for consumption and sale in the United States, where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall not exceed
at the retail price or value the sum of twenty-five cents, one cent................................................ 1

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of twenty-five cents, and shall not exceed the retail price or value of fifty cents, two cents........................................ 2

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of fifty cents, and shall not exceed the retail price or value of seventy-five cents, three cents........................................ 3

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, four cents.................................................. 4

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, for each and every fifty cents or fractional part thereof over and above the one dollar, as before mentioned, an additional two cents.................................................. 2

Playing cards.—For and upon every pack of whatever number, when the price per pack does not exceed eighteen cents, one cent.................................................. 1

Over eighteen cents and not exceeding twenty-five cents per pack, two cents........................................ 2

Over twenty-five and not exceeding thirty cents per pack, three cents........................................ 3

Over thirty and not exceeding thirty-six cents per pack, four cents........................................ 4

Over thirty-six cents per pack, five cents........................................ 5

LEGACIES AND DISTRIBUTIVE SHARES OF PERSONAL PROPERTY.

SEC. 111. And be it further enacted, That any person or persons having in charge or trust, as administrators, executors, or trustees of any legacies or distributive shares arising from personal property, of any kind whatsoever, where the whole amount of such personal property, as aforesaid, shall exceed the sum of one thousand dollars in actual value, passing from any person who may die after the passage of this act possessed of such property, either by will or by the intestate laws of any State or Territory, or any part of such property or interest therein, transferred by deed, grant, bargain, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the grantor or bargainor, to any person or persons, or to any body or bodies politic or corporate, in trust or otherwise, shall be, and hereby are, made subject to a duty or tax, to be paid to the United States, as follows, that is to say:

First. Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue or lineal ancestor, brother or sister, to the person who died possessed of such property, as aforesaid, at and after the rate of seventy-five cents for each and every hundred dollars of the clear value of such interest in such property.

Second. Where the person or persons entitled to any beneficial interest in such property shall be a descendant of a brother or sister of the person who died possessed, as aforesaid, at and after the rate of one dollar and fifty cents for each and every hundred dollars of the clear value of such interest.

Third. Where the person or persons entitled to any beneficial interest in such property shall be a brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother of the person who
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Legacies or distributive shares of personal property.

Died possessed, as aforesaid, at and after the rate of three dollars for each and every hundred dollars of the clear value of such interest.

Fourth. Where the person or persons entitled to any beneficial interest in such property shall be a brother or sister of the grandfather or grandmother, or a descendant of the brother or sister of the grandfather or grandmother of the person who died possessed, as aforesaid, at and after the rate of four dollars for each and every hundred dollars of the clear value of such interest.

Fifth. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died possessed, as aforesaid, or shall be a body politic or corporate, at and after the rate of five dollars for each and every hundred dollars of the clear value of such interest: Provided, That all legacies or property passing by will, or by the laws of any State or Territory, to husband or wife of the person who died possessed, as aforesaid, shall be exempt from tax or duty.

Sec. 119. And be it further enacted, That the tax or duty aforesaid shall be a lien and charge upon the property of every person who may die as aforesaid, until the same shall be fully paid to and discharged by the United States; and every executor, administrator, or other person who may take the burden or trust of administration upon such property shall, after taking such burden or trust, and before paying and distributing any portion thereof to the legatees or any parties entitled to beneficial interest therein, pay to the collector or deputy collector of the district the amount of the duty or tax, as aforesaid, and shall also make and render to the assistant assessor of the district a schedule, list, or statement of the amount of such property, together with the amount of duty which has accrued or should accrue thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, which schedule, list, or statement shall be by him delivered to such collector; and upon such payment and delivery of such schedule, list, or statement, said collector or deputy collector, shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as is hereinafter provided; such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle the person who paid such duty or tax as having taken the burden or trust of administering such property or personal estate to be allowed for such payment by the person or persons entitled to the beneficial interest in respect to which such tax or duty was paid; and such person administering such property or personal estate shall be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is or may be empowered to decide upon and settle the accounts of executors and administrators; and in case such person who has taken the burden or trust of administering upon any such property or personal estate shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the schedule, list, or statement of such legacies, property, or personal estate under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administra-
tion upon such property or personal estate shall have been granted or allowed under existing laws, the proper officer of the United States shall commence such proceedings in law or equity before any court of the United States as may be proper and necessary to enforce and realize the lien or charge upon such property or personal estate, or any part thereof, for which such tax or duty has not been truly and justly paid. Under such proceedings the rate of duty or tax enforced shall be the highest rate imposed or assessed by this act, and shall be in the name of the United States against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale, the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish their lawful title to the same. The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this act. And every person or persons who shall have in his possession, charge, or custody, any record, file, or paper, containing or supposed to contain any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector of the revenue, his deputy, or agent, and to any law officer of the United States, in the performance of his duty under this act, his deputy or agent, who may desire to examine the same; and if any such person, having in his possession, charge, or custody, any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of five hundred dollars; and in case of any delinquency in making the schedule, list, or statement, or in the payment of the duty or tax accruing, or which should accrue thereon, the assessment and collection shall be made as provided for in the general provisions of this act: Provided, In all legal controversies where such deed or title shall be the subject of judicial investigation the recital in said deed shall be presumed to be true, and that the requirements of the law had been complied with by the officers of the government.

Sec. 113. And be it further enacted, That whenever by this act any license, duty, or tax of any description has been imposed on any corporate body, or property of any incorporated company, it shall be lawful for the Commissioner of Internal Revenue to prescribe and determine in what district such tax shall be assessed and collected, and to what officer thereof the official notices required in that behalf shall be given, and of whom payment of such tax shall be demanded.

Sec. 114. And be it further enacted, That all articles upon which duties are imposed by the provisions of this act, which shall be found in the possession of any person or persons for the purpose of being sold by such person or persons in fraud thereof and with the design to avoid payment of said duties, may be seized by any collector or deputy collector who shall have reason to believe that the same are possessed for the purpose aforesaid, and the same shall be forfeited to the United States. And the proceedings to enforce said forfeiture shall be in the nature of a proceeding in rem in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction. And any person who shall have in his possession any such
articles for the purpose of selling the same with the design of avoiding payment of the duties imposed thereon by this act, shall be liable to a penalty of one hundred dollars, to be recovered as hereinbefore provided.

APPROPRIATION.

SEC. 115. And be it further enacted, That the pay of the assessors, assistant assessors, collectors, and deputy collectors, shall be paid out of the accruing internal duties or taxes before the same is paid into the treasury, according to such regulations as the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, shall prescribe; and for the purpose of paying the Commissioner of Internal Revenue and clerks, procuring dies, stamps, adhesive stamps, paper, printing forms and regulations, advertising, and any other expenses of carrying this act into effect, the sum of five hundred thousand dollars be, and hereby is, appropriated, or so much thereof as may be necessary.

ALLOWANCE AND DRAWBACK.

SEC. 116. And be it further enacted, That from and after the date on which this act takes effect there shall be an allowance or drawback on all articles on which any internal duty or tax shall have been paid, except raw or unmanufactured cotton, equal in amount to the duty or tax paid thereon, and no more, when exported, the evidence that any such duty or tax has been paid, to be furnished to the satisfaction of the Commissioner of Internal Revenue, by such person or persons as shall claim the allowance or drawback, and the amount to be ascertained under such regulations as shall, from time to time, be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, and the same shall be paid by the warrant of the Secretary of the Treasury on the Treasurer of the United States, out of any money arising from internal duties not otherwise appropriated: Provided, That no allowance or drawback shall be made or had for any amount claimed or due less than twenty dollars, anything in this act to the contrary notwithstanding: And provided, further, That any certificate of drawback for goods exported, issued in pursuance of the provisions of this act, may, under such regulations as may be prescribed by the Secretary of the Treasury, be received by the collector or his deputy in payment of duties under this act. And the Secretary of the Treasury may make such regulations with regard to the form of said certificates and the issuing thereof as, in his judgment, may be necessary: And provided, further, That in computing the allowance or drawback upon articles manufactured exclusively of cotton when exported, there shall be allowed, in addition to the three per centum duty which shall have been paid on such articles, a drawback of five mills per pound upon such articles, in all cases where the duty imposed by this act upon the cotton used in the manufacture thereof has been previously paid; the amount of said allowance to be ascertained in such manner as may be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury.

SEC. 117. And be it further enacted, That if any person or persons shall fraudulently claim or seek to obtain an allowance or drawback on goods, wares, or merchandise, on which no internal duty shall have been paid, or shall fraudulently claim any greater allowance or drawback than the duty actually paid, as aforesaid, such person or persons shall forfeit triple the amount wrongfully or fraudulently claimed or sought to be obtained, or the sum of five hundred dollars, at the election of the Secretary of the Treasury, to be recovered as in other cases of forfeiture provided for in the general provisions of this act.

SEC. 118. And be it further enacted, That the sum of sixty thousand
dollars, appropriated to complete the capitol in New Mexico, by the second section of an act of Congress approved June twenty-five, eighteen hundred and sixty, and the sum of fifty thousand dollars, appropriated for military roads in New Mexico, by act of Congress approved March two, eighteen hundred and sixty-one, be, and the same are hereby, credited to the Territory of New Mexico in payment of the direct annual tax of sixty-two thousand six hundred and forty-eight dollars levied upon said Territory under the eighth section of an act of Congress approved August five, eighteen hundred and sixty-one, to be taken up on account of said direct tax under said [act] as the same may fall due to the United States from said Territory.

SEC. 119. And be it further enacted, That so much of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, as imposes a direct tax of twenty millions of dollars on the United States, shall be held to authorize the levy and collection of one tax to that amount; and no other tax shall be levied under and by virtue thereof, until the first day of April, eighteen hundred and sixty-five, when the same shall be in full force and effect.

Approved, July 1, 1862.

CHAP. CXX.—An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and Other Purposes.


Certain sums credited to New Mexico on account of direct tax.
1860, ch. 211. 
Ante, p. 110.
1861, ch. 78. 
Ante, p. 208.
1861, ch. 45, § 8. 
Ante, p. 296.

Only one direct tax to be laid under act 1861, ch. 45, until April 1, 1865.
Ante, p. 294.

July 1, 1862.
Pacific Railroad.
Corporators.
 Benjamin F. Harding, of Oregon; William Bunn, junior, John Catlin, 
Levi Sterling, John Thompson, Elihu L. Phillips, Walter D. McIndoe, 
T. B. Stoddard, E. H. Brodhead, A. H. Virgin, of Wisconsin; Charles 
Paine, Thomas A. Morris, David C. Branham, Samuel Hanna, Jonas 
Votaw, Jesse L. Williams, Isaac C. Elston, of Indiana; Thomas Sloan, 
Chauncey Brooks, Edward Wilkins, of Maryland; Francis K. E. Corn-
nell, David Blakely, A. D. Seward, Henry A. Swift, Dwight Woodbury, 
John Mckusick, John R. Jones, of Minnesota; Joseph A. Gilmore, 
Charles W. Woodman, of New Hampshire; W. H. Grimes, J. C. Stone, 
Chester Thomas, John Kerr, Werter R. Davis, Luther C. Chaliss, Josiah 
Miller, of Kansas; Gilbert C. Monell and Augustus Kountz, T. M. Mar-
quett, William H. Taylor, Alvin Saunders, of Nebraska; John Evans, 
of Colorado; together with five commissioners to be appointed by the 
Secretary of the Interior, and all persons who shall or may be associated 
with them, and their successors, are hereby created and erected into a 
body corporate and politic in deed and in law, by the name, style, and 
title of "The Union Pacific Railroad Company;" and by that name shall 
have perpetual succession, and shall be able to sue and to be sued, plead 
and be impleaded, defend and be defended, in all courts of law and equity 
within the United States, and may make and have a common seal; and 
the said corporation is hereby authorized and empowered to lay out, 
locate, construct, furnish, maintain, and enjoy a continuous railroad and 
telegraph, with the appurtenances, from a point on the one hundredth 
meridian of longitude west from Greenwich, between the south margin 
of the valley of the Republican River and the north margin of the valley 
of the Platte River, in the Territory of Nebraska, to the western bound-
ary of Nevada Territory, upon the route and terms hereinafter provided, 
and is hereby vested with all the powers, privileges, and immunities neces-
sary to carry into effect the purposes of this act as herein set forth. The 
capital stock of said company shall consist of one hundred thousand shares 
of one thousand dollars each, which shall be subscribed for and held in 
not more than two hundred shares by any one person, and shall be trans-
ferrable in such manner as the by-laws of said corporation shall provide. 
The persons hereinbefore named, together with those to be appointed by 
the Secretary of the Interior, are hereby constituted and appointed com-
missioners, and such body shall be called the Board of Commissioners of 
the Union Pacific Railroad and Telegraph Company, and twenty-five 
shall constitute a quorum for the transaction of business. The first meet-
ing of said board shall be held at Chicago at such time as the commision-
ers from Illinois herein named shall appoint, not more than three nor less 
than one month after the passage of this act, notice of which shall be given 
by them to the other commissioners, by depositing a call thereof in the 
post office at Chicago, post paid, to their address at least forty days before 
said meeting, and also by publishing said notice in one daily newspaper in 
each of the cities of Chicago and Saint Louis. Said board shall organize 
by the choice from its number of a president, secretary, and treasurer, 
and they shall require from said treasurer such bonds as may be deemed 
proper, and may from time to time increase the amount thereof as they 
may deem proper. It shall be the duty of said board of commissioners to 
open books, or cause books to be opened, at such times and in such prin-
cipal cities in the United States as they or a quorum of them shall deter-
mine, to receive subscriptions to the capital stock of said corporation, and 
a cash payment of ten per centum on all subscriptions, and to receipt 
therefor. So soon as two thousand shares shall be in good faith sub-
scribed for, and ten dollars per share actually paid into the treasury of 
the company, the said president and secretary of said board of commis-
sioners shall appoint a time and place for the first meeting of the sub-
scribers to the stock of said company, and shall give notice thereof in at 
least one newspaper in each State in which subscription books have been
opened at least thirty days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by proxy, shall then and there elect by ballot not less than thirteen directors for said corporation; and in such election each share of said capital shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners shall act as inspectors of said election, and shall certify under their hands the names of the directors elected at said meeting; and the said commissioners, treasurer, and secretary shall then deliver over to said directors all the properties, subscription books and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. At the time of the first and each triennial election of directors by the stockholders two additional directors shall be appointed by the President of the United States, who shall act with the body of directors, and to be denominated directors on the part of the government; any vacancy happening in the government directors at any time may be filled by the President of the United States. The directors to be appointed by the President shall not be stockholders in the Union Pacific Railroad Company. The directors so chosen shall, as soon as may be after their election, elect from their own number a president and vice-president, and shall also elect a treasurer and secretary. No person shall be a director in said company unless he shall be a bona fide owner of at least five shares of stock in the said company, except the two directors to be appointed by the President as aforesaid. Said company, at any regular meeting of the stockholders called for that purpose, shall have power to make by-laws, rules, and regulations as they shall deem needful and proper, touching the disposition of the stock, property, estate, and effects of the company, not inconsistent herewith, the transfer of shares, the term of office, duties, and conduct of their officers and servants, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of this act, and to do all acts and things touching the location and construction of said road and telegraph. Said directors may require payment of subscriptions to the capital stock, after due notice, at such times and in such proportions as they shall deem necessary to complete the railroad and telegraph within the time in this act prescribed. Said president, vice-president, and directors shall hold their office for three years, and until their successors are duly elected and qualified, or for such less time as the by-laws of the corporation may prescribe; and a majority of said directors shall constitute a quorum for the transaction of business. The secretary and treasurer shall give such bonds, with such security, as the said board shall from time to time require, and shall hold their offices at the will and pleasure of the directors. Annual meetings of the stockholders of the said corporation, for the choice of officers (when they are to be chosen) and for the transaction of annual business, shall be held at such time and place and upon such notice as may be prescribed in the by-laws.

Sec. 2. And be it further enacted, That the right of way through the public lands be, and the same is hereby, granted to said company for the construction of said railroad and telegraph line; and the right, power, and authority is hereby given to said company to take from the public lands adjacent to the line of said road, earth, stone, timber, and other materials for the construction thereof; said right of way is granted to said railroad to the extent of two hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, and depots, machine shops, switches, side tracks, turntables, and water stations. The United States

Directors.
Votes.
Stockholders to constitute the body corporate.
Directors on the part of the government.
President, vice-president, treasurer, and secretary.
Who may be directors.

By-laws.

Directors may appoint engineers, agents, &c.

Term of office of president, directors, &c.
Quorum of directors.
Bonds of secretary and treasurer.
Term of office.
Annual meetings.

Right of way for road and telegraph.
Materials for construction.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 120. 1862.

Indian titles to be extinguished.

Alternate sections on each side of railroad, &c., granted to company.

Mineral lands excepted.

Timber.

Lands when to be subject to settlement and preemption.

Patents for said lands when and how to issue.

Commissioners.

Company to render statement on oath.

United States bonds when and how to issue to said company.

Interest.

shall extinguish as rapidly as may be, the Indian titles to all lands falling under the operation of this act and required for the said right of way and grants hereinafter made.

SEC. 3. And be it further enacted, That there be, and is hereby, granted to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores thereon, every alternate section of public land, designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad, on the line thereof; and within the limits of ten miles on each side of said road, not sold, reserved, or otherwise disposed of by the United States, and to which a preemption or homestead claim may not have attached, at the time the line of said road is definitely fixed:

Provided, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company. And all such lands, so granted by this section, which shall not be sold or disposed of by said company within three years after the entire road shall have been completed, shall be subject to settlement and preemption, like other lands, at a price not exceeding one dollar and twenty-five cents per acre, to be paid to said company.

SEC. 4. And be it further enacted, That whenever said company shall have completed forty consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by this act, and supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipments, furniture, and all other appurtenances of a first class railroad, the rails and all the other iron used in the construction and equipment of said road to be American manufacture of the best quality, the President of the United States shall appoint three commissioners to examine the same and report to him in relation thereto; and if it shall appear to him that forty consecutive miles of said railroad and telegraph line have been completed and equipped in all respects as required by this act, then, upon certificate of said commissioners to that effect, patents shall issue conveying the right and title to said lands to said company, on each side of the road as far as the same is completed, to the amount aforesaid; and patents shall in like manner issue as each forty miles of said railroad and telegraph line are completed, upon certificate of said commissioners. Any vacancies occurring in said board of commissioners by death, resignation, or otherwise, shall be filled by the President of the United States: Provided, however, That no such commissioners shall be appointed by the President of the United States unless there shall be presented to him a statement, verified on oath by the president of said company, that such forty miles have been completed, in the manner required by this act, and setting forth with certainty the points where such forty miles begin and where the same end; which oath shall be taken before a judge of a court of record.

SEC. 5. And be it further enacted, That for the purposes herein mentioned the Secretary of the Treasury shall, upon the certificate in writing of said commissioners of the completion and equipment of forty consecutive miles of said railroad and telegraph, in accordance with the provisions of this act, issue to said company bonds of the United States of one thousand dollars each, payable in thirty years after date, bearing six per centum per annum interest, (said interest payable semi-annually,) which interest may be paid in United States treasury notes or any other money or currency which the United States have or shall declare lawful money and a legal tender, to the amount of sixteen of said bonds per mile for such section of forty miles; and to secure the repayment to the United States, as hereinafter provided, of the amount of said bonds so issued and delivered to said company, together with all interest thereon which shall have been paid by the United States, the issue of said bonds and delivery
to the company shall ipso facto constitute a first mortgage on the whole line of the railroad and telegraph, together with the rolling stock, fixtures and property of every kind and description, and in consideration of which said bonds may be issued; and on the refusal or failure of said company to redeem said bonds, or any part of them, when required so to do by the Secretary of the Treasury, in accordance with the provisions of this act, the said road, with all the rights, functions, immunities, and appurtenances thereunto belonging, and also all lands granted to the said company by the United States, which, at the time of said default, shall remain in the ownership of the said company, may be taken possession of by the Secretary of the Treasury, for the use and benefit of the United States: Provided, This section shall not apply to that part of any road now constructed.

SEC. 6. And be it further enacted, That the grants aforesaid are made upon condition that said company shall pay said bonds at maturity, and shall keep said railroad and telegraph line in repair and use, and shall at all times transmit despatches over said telegraph line, and transport mails, troops, and munitions of war, supplies, and public stores upon said rail- road for the government, whenever required to do so by any department thereof, and that the government shall at all times have the preference in the use of the same for all the purposes aforesaid, (at fair and reasonable rates of compensation, not to exceed the amounts paid by private parties for the same kind of service;) and all compensation for services rendered for the government shall be applied to the payment of said bonds and interest until the whole amount is fully paid. Said company may also pay the United States, wholly or in part, in the same or other bonds, treasury notes, or other evidences of debt against the United States, to be allowed at par; and after said road is completed, until said bonds and interest are paid, at least five per centum of the net earnings of said road shall also be annually applied to the payment thereof.

SEC. 7. And be it further enacted, That said company shall file their assent to this act, under the seal of said company, in the Department of the Interior, within one year after the passage of this act, and shall complete said railroad and telegraph from the point of beginning as herein provided, to the western boundary of Nevada Territory before the first day of July, one thousand eight hundred and seventy-four: Provided, That within two years after the passage of this act said company shall designate the general route of said road, as near as may be, and shall file a map of the same in the Department of the Interior, whereupon the Secretary of the Interior shall cause the lands within fifteen miles of said designated route or routes to be withdrawn from preemption, private entry, and sale; and when any portion of said route shall be finally located, the Secretary of the Interior shall cause the said lands hereinbefore granted to be surveyed and set off as fast as may be necessary for the purposes herein named: Provided, That in fixing the point of connection of the main trunk with the eastern connections, it shall be fixed at the most practicable point for the construction of the Iowa and Missouri branches, as hereinafter provided.

SEC. 8. And be it further enacted, That the line of said railroad and telegraph shall commence at a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the Territory of Nebraska, at a point to be fixed by the President of the United States, after actual surveys; thence running westerly upon the most direct, central, and practicable route, through the territories of the United States, to the western boundary of the Territory of Ne- vada, there to meet and connect with the line of the Central Pacific Railroad Company of California.

SEC. 9. And be it further enacted, That the Leavenworth, Pawnee,
and Western Railroad Company of Kansas are hereby authorized to construct a railroad and telegraph line, from the Missouri River, at the mouth of the Kansas River, on the south side thereof; so as to connect with the Pacific railroad of Missouri, to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, as herein provided, upon the same terms and conditions in all respects as are provided in this act for the construction of the railroad and telegraph line first mentioned, and to meet and connect with the same at the meridian of longitude aforesaid; and in case the general route or line of road from the Missouri River to the Rocky Mountains should be so located as to require a departure northwardly from the proposed line of said Kansas railroad before it reaches the meridian of longitude aforesaid, the location of said Kansas road shall be made so as to conform thereto; and said railroad through Kansas shall be so located between the mouth of the Kansas River, as aforesaid, and the aforesaid point, on the one hundredth meridian of longitude, that the several railroads from Missouri and Iowa, herein authorized to connect with the same, can make connection within the limits prescribed in this act, provided the same can be done without deviating from the general direction of the whole line to the Pacific coast. The route in Kansas, west of the meridian of Fort Riley, to the aforesaid point, on the one hundredth meridian of longitude, to be subject to the approval of the President of the United States, and to be determined by him on actual survey. And said Kansas company may proceed to build said railroad to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, in the territory of Nebraska. The Central Pacific Railroad Company of California, a corporation existing under the laws of the State of California, are hereby authorized to construct a railroad and telegraph line from the Pacific coast, at or near San Francisco, or the navigable waters of the Sacramento River, to the eastern boundary of California, upon the same terms and conditions, in all respects, as are contained in this act for the construction of said railroad and telegraph line first mentioned, and to meet and connect with the first mentioned railroad and telegraph line on the eastern boundary of California. Each of said companies shall file their acceptance of the conditions of this act in the Department of the Interior within six months after the passage of this act.

SEC. 10. And be it further enacted, That the said company chartered by the State of Kansas shall complete one hundred miles of their said road, commencing at the mouth of the Kansas River as aforesaid, within two years after filing their assent to the conditions of this act, as herein provided, and one hundred miles per year thereafter until the whole is completed; and the said Central Pacific Railroad Company of California shall complete fifty miles of their said road within two years after filing their assent to the provisions of this act, as herein provided, and fifty miles per year thereafter until the whole is completed; and after completing their roads, respectively, said companies, or either of them, may unite upon equal terms with the first-named company in constructing so much of said railroad and telegraph line and branch railroads and telegraph lines in this act hereinafter mentioned, through the Territories from the State of California to the Missouri River, as shall then remain to be constructed, on the same terms and conditions as provided in this act in relation to the said Union Pacific Railroad Company. And the Hannibal and St. Joseph R. R. and Pacific R. R. Co. of Missouri, &c., may unite with the Kansas company.

Leavenworth, Pawnee, &c. R. R. Co. may construct railroad and telegraph from Missouri River to Pacific railroad.

Location.

To be subject to approval of President.

Central Pacific Railroad Company may construct railroad and telegraph line.

Companies to file acceptance of this act.

Said railroads, how and when to be completed.

May be united after completion.
said State by the Central Pacific Railroad Company of California, said first-named company is hereby authorized to continue in constructing the same through California, with the consent of said State, upon the terms mentioned in this act, until said roads shall meet and connect, and the whole line of said railroad and telegraph is completed; and the Central Pacific Railroad Company of California, after completing its road across said State, is authorized to continue the construction of said railroad and telegraph through the Territories of the United States to the Missouri River, including the branch roads specified in this act, upon the routes hereinbefore and hereinafter indicated, on the terms and conditions provided in this act in relation to the said Union Pacific Railroad Company, until said roads shall meet and connect, and the whole line of said railroad and branches and telegraph is completed.

SEC. 11. And be it further enacted, That for three hundred miles of said road most mountainous and difficult of construction, to wit: one hundred and fifty miles westwardly from the eastern base of the Rocky Mountains, and one hundred and fifty miles eastwardly from the western base of the Sierra Nevada mountains, said points to be fixed by the President of the United States, the bonds to be issued to aid in the construction thereof shall be treble the number per mile hereinbefore provided, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed; and between the sections last named of one hundred and fifty miles each, the bonds to be issued to aid in the construction thereof shall be double the number per mile first mentioned, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed: Provided, That no more than fifty thousand of said bonds shall be issued under this act to aid in constructing the main line of said railroad and telegraph.

SEC. 12. And be it further enacted, That whenever the route of said railroad shall cross the boundary of any State or Territory, or said meridian of longitude, the two companies meeting or uniting there shall agree upon its location at that point, with reference to the most direct and practicable through route, and in case of difference between them as to said location the President of the United States shall determine the said location; the companies named in each State and Territory to locate the road across the same between the points so agreed upon, except as herein provided. The track upon the entire line of railroad and branches shall be of uniform width, to be determined by the President of the United States, so that, when completed, cars can be run from the Missouri River to the Pacific coast; the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio railroad; the whole line of said railroad and branches and telegraph shall be operated and used for all purposes of communication, travel, and transportation, so far as the public and government are concerned, as one connected, continuous line; and the companies herein named in Missouri, Kansas, and California, filing their assent to the provisions of this act, shall receive and transport all iron rails, chairs, spikes, ties, timber, and all materials required for constructing and furnishing said first-mentioned line between the aforesaid point, on the one hundredth meridian of longitude and western boundary of Nevada Territory, whenever the same is required by said first-named company, at cost, over that portion of the roads of said companies constructed under the provisions of this act.

SEC. 13. And be it further enacted, That the Hannibal and Saint Joseph Railroad Company of Missouri may extend its roads from Saint Joseph, via Atchison, to connect and unite with the road through Kansas, upon

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Central Pacific may continue construction, &c.

Aid for the most mountainous and difficult parts of roads to be treble, &c.

Location, where route crosses boundary of any State, &c.

Track to be of uniform width. 1863, ch. 112. Post, p. 807.

Grades and curves.

Road and branches, &c., to be one line.

Hannibal and St. Joseph Company may extend its road, &c.
filing its assent to the provisions of this act, upon the same terms and conditions, in all respects, for one hundred miles in length next to the Missouri River, as are provided in this act for the construction of the railroad and telegraph line first mentioned, and may for this purpose, use any railroad charter which has been or may be granted by the legislature of Kansas; Provided, That if actual survey shall render it desirable, the said company may construct their road, with the consent of the Kansas legislature, on the most direct and practicable route west from St. Joseph, Missouri, so as to connect and unite with the road leading from the western boundary of Iowa at any point east of the one hundredth meridian of west longitude, or with the main trunk road at said point; but in no event shall lands or bonds be given to said company, as herein directed, to aid in the construction of their said road for a greater distance than one hundred miles. And the Leavenworth, Pawnee, and Western Railroad Company of Kansas may construct their road from Leavenworth to unite with the road through Kansas.

SEC. 14. And be it further enacted, That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States, upon the most direct and practicable route, to be subject to his approval, so as to form a connection with the lines of said company at some point on the one hundredth meridian of longitude aforesaid, from the point of commencement on the western boundary of the State of Iowa, upon the same terms and conditions, in all respects, as are contained in this act for the construction of the said railroad and telegraph first mentioned; and the said Union Pacific Railroad Company shall complete one hundred miles of the road and telegraph in this section provided for, in two years after filing their assent to the conditions of this act, as by the terms of this act required, and at the rate of one hundred miles per year thereafter, until the whole is completed: Provided, That a failure upon the part of said company to make said connection in the time aforesaid, and to perform the obligations imposed on said company by this section and to operate said road in the same manner as the main line shall be operated, shall forfeit to the government of the United States all the rights, privileges, and franchises granted to and conferred upon said company by this act. And whenever there shall be a line of railroad completed through Minnesota or Iowa to Sioux City, then the said Pacific Railroad Company is hereby authorized and required to construct a railroad and telegraph from said Sioux City upon the most direct and practicable route to a point on, and so as to connect with, the branch railroad and telegraph in this section hereinbefore mentioned, or with the said Union Pacific Railroad, said point of junction to be fixed by the President of the United States, not further west than the one hundredth meridian of longitude aforesaid, and on the same terms and conditions as provided in this act for the construction of the Union Pacific Railroad as aforesaid, and to complete the same at the rate of one hundred miles per year; and should said company fail to comply with the requirements of this act in relation to the said Sioux City railroad and telegraph, the said company shall suffer the same forfeitures prescribed in relation to the Iowa branch railroad and telegraph hereinbefore mentioned.

SEC. 15. And be it further enacted, That any other railroad company now incorporated, or hereafter to be incorporated, shall have the right to connect their road with the road and branches provided for by this act, at such places and upon such just and equitable terms as the President of the United States may prescribe. Wherever the word company is used in this act it shall be construed to embrace the words their associates, successors, and assigns, the same as if the words had been properly added thereto.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 120. 1862.

Sec. 16. And be it further enacted, That at any time after the passage of this act all of the railroad companies named herein, and assenting hereto, or any two or more of them, are authorized to form themselves into one consolidated company; notice of such consolidation, in writing, shall be filed in the Department of the Interior, and such consolidated company shall thereafter proceed to construct said railroad and branches and telegraph line upon the terms and conditions provided in this act.

Sec. 17. And be it further enacted, That in case said company or companies shall fail to comply with the terms and conditions of this act, by not completing said road and telegraph and branches within a reasonable time, or by not keeping the same in repair and use, but shall permit the same, for an unreasonable time, to remain unfinished, or out of repair, and unfit for use, Congress may pass any act to insure the speedy completion of said road and branches, or put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereto-after devoted to the use of the United States, to repay all such expenditures caused by the default and neglect of such company or companies: Provided, That if said roads are not completed, so as to form a continuous line of railroad, ready for use, from the Missouri River to the navigable waters of the Sacramento River, in California, by the first day of July, eighteen hundred and seventy-six, the whole of all of said railroads before mentioned and to be constructed under the provisions of this act, together with all their furniture, fixtures, rolling stock, machine shops, lands, tenements, and hereditaments, and property of every kind and character, shall be forfeited to and be taken possession of by the United States: Provided, That of the bonds of the United States in this act provided to be delivered for any and all parts of the roads to be constructed east of the one hundredth meridian of west longitude from Greenwich, and for any part of the road west of the west foot of the Sierra Nevada mountain, there shall be reserved of each part and instalment twenty-five per centum, to be and remain in the United States treasury, undelivered, until said road and all parts thereof provided for in this act are entirely completed; and of all the bonds provided to be delivered for the said road, between the two points aforesaid, there shall be reserved out of each instalment fifteen per centum, to be and remain in the treasury until the whole of the road provided for in this act is fully completed; and if the said road or any part thereof shall fail of completion at the time limited therefor in this act, then and in that case the said part of said bonds so reserved shall be forfeited to the United States.

Sec. 18. And be it further enacted, That whenever it appears that the net earnings of the entire road and telegraph, including the amount allowed for services rendered for the United States, after deducting all expenditures, including repairs, and the furnishing, running, and managing of said road, shall exceed ten per centum upon its cost, exclusive of the five per centum to be paid to the United States, Congress may reduce the rates of fare thereon, if unreasonable in amount, and may fix and establish the same by law. And the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the government at all times (but particularly in time of war) the use and benefits of the same for postal, military and other purposes, Congress may, at any time, having due regard for the rights of said companies named herein, add to, alter, amend, or repeal this act.

Sec. 19. And be it further enacted, That the several railroad companies herein named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or arranged with telegraph companies.
along the line of said railroad and branches as fast as said roads and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfilment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated without prejudice to the rights of said railroad companies named herein.

**Annual report of corporation.**

SEC. 20. And be it further enacted, That the corporation hereby created and the roads connected therewith, under the provisions of this act, shall make to the Secretary of the Treasury an annual report wherein shall be set forth—

First. The names of the stockholders and their places of residence, so far as the same can be ascertained;

Second. The names and residences of the directors, and all other officers of the company;

Third. The amount of stock subscribed, and the amount thereof actually paid in;

Fourth. A description of the lines of road surveyed, of the lines thereof fixed upon for the construction of the road, and the cost of such surveys;

Fifth. The amount received from passengers on the road;

Sixth. The amount received for freight thereon;

Seventh. A statement of the expense of said road and its fixtures;

Eighth. A statement of the indebtedness of said company, setting forth the various kinds thereof. Which report shall be sworn to by the president of the said company, and shall be presented to the Secretary of the Treasury on or before the first day of July in each year.

**APPROVED, July 1, 1862.**

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**July 1, 1862.**

**CHAP. CXXI. — An Act changing the Name of the American-built Schooner "Curtis Mann" to that of "Supply."**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs of the port of Detroit be, and he is hereby, authorized, under the direction of the Secretary of the Treasury, to issue a new register, license, or enrolment to the American-built schooner "Curtis Mann," in the name of the "Supply," the same being owned by H. N. Strong.

**APPROVED, July 1, 1862.**

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**July 1, 1862.**

**CHAP. CXXII. — An Act changing the Name of the American-built Schooner "Tom Dyer" to that of "Dolphin."**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs of the port of Detroit be, and he is hereby, authorized, under the direction of the Secretary of the Treasury, to issue a new register, license, or enrolment, to the American-built schooner "Tom Dyer," in the name of the "Dolphin," the same being owned by H. N. Strong.

**APPROVED, July 1, 1862.**

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**July 1, 1862.**

**CHAP. CXXIII. — An Act to provide for the Appointment of an Indian Agent in Colorado Territory.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 123, 124, 125. 1862. 499

Senate, or during the recess thereof and until the end of its next session after such appointment, an agent for the Grand River and Winnebago bands of Indians, in the Territory of Colorado, at a salary of fifteen hundred dollars per annum.

Approved, July 1, 1862.

CHAP. CXXIV.—An Act for the Relief of William B. Dodd and others.

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, directed to pay out of the appropriation to complete the road from Mendota to the Big Sioux River, contained in the act approved March third, eighteen hundred and fifty-five, entitled “An act making appropriations for the support of the army for the year ending the thirtieth of June, eighteen hundred and fifty-six, and for other purposes,” into the hands of Horace Austin, of Saint Peter, Minnesota, who is hereby appointed a commissioner to dispose of the same, the sum of three thousand two hundred and seventy dollars, the same having been estimated for in said appropriation, and for completing a part of said road, to be paid out by him as follows, to wit: The said commissioner shall give notice to all persons having claims against William B. Dodd for labor or materials furnished in the construction of said road, by publication in a newspaper of general circulation in the neighborhood where said road is situated, for ninety days, and by posting written or printed notices in three public places in each county through which said road passes, to present and prove their claims within the ninety days aforesaid; and all such claims, so presented and proved within the time limited, he shall pay to the parties respectively, and the residue, after the liquidation of such claims, and the payment of the expenses of this commission, he shall pay to the said William B. Dodd.

Approved, July 1, 1862.

CHAP. CXXV.—An Act to incorporate the Guardian Society and reform Juvenile Fencers in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Amos Kendall, John M. Broadhead, Zenas C. Robbins, Sayles J. Bowen, Nehemiah B. Northrup, Benjamin B. French, Joseph Bryan, Peter N. Higinbotham, Thomas C. Jenner, David W. Heath, James R. Barr, Matthew Waite, Samuel A. H. McKim, John R. Nourse, and Stephen Prentiss, and their associates and successors, being members of said society, by paying into its treasury the sum of two dollars annually, or life members, by paying fifty dollars at one time, or ten dollars annually, for six years, are hereby incorporated and made a body politic by the name of the “Guardian Society” for the purpose of encouraging and aiding impartially such of the poor, the ignorant, and the vicious, as can be induced to make such efforts as they ought for the improvement of their condition, and by that name shall have perpetual succession, with the power to use a common seal, to sue and be sued, to plead and be impleaded, in any court of the United States, to collect subscriptions, make by-laws and rules needful for the government of said corporation not repugnant to the laws of the United States; may have, hold, and receive real and personal estate, by purchase, gift, or devise; may use, sell, or convey the same for the purposes and benefit of said corporation; may choose such officers and teachers as they may deem necessary, prescribe their duties, and fix their compensation.

Sec. 2. And be it further enacted, That they may, at their discretion, receive into a house of industry provided by said society any minors under the age of eighteen years, who shall be convicted of any crime;
offence, or misdemeanor, other than such as are capital or punishable by imprisonment for life; and such person[s] shall be committed by the court, or magistrate before whom the conviction shall be had, to said house of industry, with an alternate sentence to the jail or penitentiary of the District of Columbia if the trustees decline to receive or keep them, and to the commitments shall be annexed the names and residences of the witnesses examined and the substance of the evidence given.

**SEC. 3. And be it further enacted,** That the court may, with the consent of accused persons, or their parents or guardians in writing, arrest proceedings at any time, and commit them to the house of industry.

**SEC. 4. And be it further enacted,** That the trustees may receive any children at the request of the parents or guardians, or next friend, or the mother, if the father be dead, or has abandoned his family, or does not provide for their support, or is an habitual drunkard; such parents, guardians, or next friend, or mother, making a written surrender of such children.

**SEC. 5. And be it further enacted,** That the trustees shall not be required to receive any offenders known to be extremely vicious, nor to keep any who may prove incorrigible, or whose continuance may be deemed injurious; and those whom any two of the trustees or the superintendent, if duly authorized by the board, shall refuse to receive or keep, shall be disposed of according to their alternate sentences.

**SEC. 6. And be it further enacted,** That persons committed as witnesses, and those under the age of eighteen years committed for trial, shall be placed in the house of industry instead of the jail or penitentiary, unless they are so vicious that placing them in it should be deemed injurious.

**SEC. 7. And be it further enacted,** That no commitment shall be for a shorter term than until the offender is reformed or twenty-one years of age, except such as may be committed for trial or as witnesses; but any of them who may be deemed to be thoroughly reformed may be discharged during good behavior, on the order of the board of trustees, duly entered upon their record.

**SEC. 8. And be it further enacted,** That the superintendent may, with the concurrence of the board of trustees, govern the inmates, preserve order, enforce discipline, impart instruction in the veneration and love of God, in morality, useful knowledge, and some regular course of labor, and establish rules for the preservation of health and their proper physical, intellectual, and moral training, until they are reformed and discharged, or twenty-one years of age, or remanded as incorrigible. The trustees may bind out, with their consent, by indenture, any who may appear to be sufficiently reformed, where they will have the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society. They may appoint a committee of one or more of their own number to execute and deliver indentures, which shall be filed and kept in the office of the house of industry. The superintendent may let out inmates to hire during the daytime to employers whose work is not too distant from the house of industry for him to have the general inspection of their conduct and the treatment they receive.

**SEC. 9. And be it further enacted,** That if any apprentices, prove untrustworthy and unreformed, the trustees may, at their discretion, permit their return, and order the indentures cancelled. Fugitives from the house of industry, or from apprenticeship, may be arrested and returned to the house of industry by a sheriff; constable, police officer, or an officer of the house of industry, on the written order of any two of the trustees or the superintendent.

**SEC. 10. And be it further enacted,** That persons under the age of eighteen years shall be entitled to a private examination and trial, if they
request it in writing, at which only the parties shall be admitted, their
parents, guardians, or other legal representatives.

Sec. 11. And be it further enacted, That the expenses of maintenance
of the inmates committed for offences against the people, or for trial, or as
witnesses, shall be paid by the county, and those of persons committed by
parents, guardians, or next friends, shall be paid by the persons commit-
ting them, unless the trustees shall otherwise determine. The rates of
expenses shall be fixed by the board of trustees.

Sec. 12. And be it further enacted, That the grounds, and the build-
ings thereon, for the use of said society, shall be exempt from taxation.

Approved, July 1, 1862.

Chap. CXXVI.—An Act to punish and prevent the Practice of Polygamy in the Territories
of the United States and other Places, and disapproving and annulling certain Acts of
the Legislative Assembly of the Territory of Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person having a
husband or wife living, who shall marry any other person, whether mar-
rried or single, in a Territory of the United States, or other place over
which the United States have exclusive jurisdiction, shall, except in the
cases specified in the proviso to this section, be adjudged guilty of bigamy,
and, upon conviction thereof, shall be punished by a fine not exceeding
five hundred dollars, and by imprisonment for a term not exceeding five
years: Provided, nevertheless, That this section shall not extend to any
person by reason of any former marriage whose husband or wife by such
marriage shall have been absent for five successive years without being
known to such person within that time to be living; nor to any person
by reason of any former marriage which shall have been dissolved by
the decree of a competent court; nor to any person by reason of any
former marriage which shall have been annulled or pronounced void by
the sentence or decree of a competent court on the ground of the nullity
of the marriage contract.

Sec. 2. And be it further enacted, That the following ordinance of
the provisional government of the State of Deseret, so called, namely:
"An ordinance incorporating the Church of Jesus Christ of Latter Day
Saints," passed February eight, in the year eighteen hundred and fifty-
one, and adopted, reenacted, and made valid by the governor and legis-
latively assembly of the Territory of Utah by an act passed January
nineteen, in the year eighteen hundred and fifty-five, entitled "An act
in relation to the compilation and revision of the laws and resolutions
in force in Utah Territory, their publication, and distribution," and all
other acts and parts of acts heretofore passed by the said legislative
assembly of the Territory of Utah, which establish, support, maintain,
shield, or countenance polygamy, be, and the same hereby are, disap-
proved and annulled: Provided, That this act shall be so limited and
construed as not to affect or interfere with the right of property legally
acquired under the ordinance heretofore mentioned, nor with the right
to worship God according to the dictates of conscience," but only to
annul all acts and laws which establish, maintain, protect, or countenance
the practice of polygamy, evasively called spiritual marriage, however
disguised by legal or ecclesiastical solemnities, sacraments, ceremonies,
consecrations, or other contrivances.

Sec. 3. And be it further enacted, That it shall not be lawful for
any corporation or association for religious or charitable purposes to
acquire or hold real estate in any Territory of the United States during
the existence of the territorial government of a greater value than fifty
thousand dollars; and all real estate acquired or held by any such
corporation or association contrary to the provisions of this act shall be

Expenses of maintenance of
inmates, how paid.

Rates.

Bigamy in the
territories of the United States,
how punished.

Act not to ap-
ply to certain

cases.

Certain acts of
the territory of
Utah, &c., an-
nullled and dis-
approved.

Rights of prop-
erty acquired un-
der these acts,
&c., not to be in-
terfered with, &c.

Religious, &c.,
corporations in
territories not to
hold more than
$60,000 of real
estate.
Vested rights not impaired hereby.

forfeited and escheat to the United States: Provided, That existing vested rights in real estate shall not be impaired by the provisions of this section.

APPROVED, July 1, 1862.

July 2, 1862.

CHAP. CXXVII. — An Act to provide for additional Medical Officers of the Volunteer Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, forty surgeons and one hundred and twenty assistant surgeons of volunteers, who shall have the rank, pay and emoluments of officers of corresponding grades in the regular army; Provided, That no one shall be appointed to any position under this act unless he shall previously have been examined by a board of medical officers to be appointed by the Secretary of War, and that vacancies in the grade of surgeon shall be filled by selection from the grade of assistant surgeon on the ground of merit only: And provided, further, That this act shall continue in force only during the existence of the present rebellion.

SEC. 2. And be it further enacted, That from and after the passage of this act, Brigade Surgeons shall be known and designated as Surgeons of Volunteers, and shall be attached to the general medical staff under the direction of the Surgeon General; and hereafter such appointments for the medical service of the army shall be appointed Surgeons of Volunteers.

SEC. 3. And be it further enacted, That instead of "one assistant surgeon," as provided by the second section of the act of July 22nd, 1861, each regiment of Volunteers in the service of the United States shall have two Assistant Surgeons.

APPROVED, July 2, 1862.

July 2, 1862.

CHAP. CXXVIII. — An Act to prescribe an Oath of Office, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God;" which said oath, so taken and signed, shall be preserved among the files of the court, House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now
Thirty
prescribed
for that offence, shall be deprived of his office and rendered
incapable forever after of holding any office or place under the United
States.
Approved, July 2, 1862.

Chap. CXXIX. — An Act to establish a Land District in the Territory of Nevada, and
for other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the public lands of the
United States in the Territory of Nevada shall constitute a land district
to be called the District of Nevada, the office for which shall be estab-
lished at such place within said district as the President of the United
States may from time to time direct, and the preemption laws are hereby
extended to said Territory.

Sec. 2. And be it further enacted, That the President be, and he is
hereby, authorized to appoint, by and with the advice and consent of the
Senate, a register and receiver for said district, who shall be required to
reside at the site of said office, and who shall have the same powers and
perform the same duties as are now or may hereafter be prescribed by
law for other land officers, and whose compensation shall be the same as
allowed to such officers by the act approved April twenty, eighteen hun-
dred and eighteen, entitled "An act for changing the compensation of
receivers and registers of the land offices."

Sec. 3. And be it further enacted, That when the settlers in any town-
ship or townships, not mineral or reserved by government, shall desire
a survey made of the same under the authority of the Surveyor-General
of the United States, and shall file an application therefor in writing, and
deposit in a proper United States depository to the credit of the United
States a sum sufficient to pay for such survey, together with all expenses
incident thereto, without cost or claim for indemnity on the United States,
it shall and may be lawful for said Surveyor-General, under such instruc-
tions as may be given him by the Commissioner of the General Land
Office, and in accordance with existing laws and instructions, to survey
such township or townships, and make return thereof to the general and
proper local land office: Provided, That the townships so proposed to be
surveyed are within the range of the regular progress of the public sur-
veys embraced by existing standard lines or bases for the township and
sub-divisional surveys.

Approved, July 2, 1862.

Chap. CXXX. — An Act donating Public Lands to the several States and Territories
which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That there be granted to the
several States, for the purposes hereinafter mentioned, an amount of pub-
lic land, to be apportioned to each State a quantity equal to thirty thou-
sand acres for each senator and representative in Congress to which the
States are respectively entitled by the apportionment under the census of
eighteen hundred and sixty: Provided, That no mineral lands shall be
selected or purchased under the provisions of this act.

Sec. 2. And be it further enacted, That the land aforesaid, after being
surveyed, shall be apportioned to the several States in sections or subdi-
visions of sections, not less than one quarter of a section; and whenever
there are public lands in a State subject to sale at private entry at one
dollar and twenty-five cents per acre, the quantity to which said State
shall be entitled shall be selected from such lands within the limits of such
State, and the Secretary of the Interior is hereby directed to issue to each

Penalty.

July 2, 1862.

Land district
of Nevada established.

Register and
receiver to be
appointed.

1618, ch. 123.

Settlers in
townships not
mineral or re-
served may have
surveys made,
&c.

Provido.

Public lands,
not mineral, to
be given to each
State.

How appor-
tioned.

To be selected
from those sub-
ject to sale at
private entry,
&c. if any.
of the States in which there is not the quantity of public lands subject to
sale at private entry at one dollar and twenty-five cents per acre, to which
said State may be entitled under the provisions of this act, land scrip to
the amount in acres for the deficiency of its distributive share: said scrip
to be sold by said States and the proceeds thereof applied to the uses
and purposes prescribed in this act, and for no other use or purpose what-
soever: Provided, That in no case shall any State to which land scrip
may thus be issued be allowed to locate the same within the limits of any
other State, or of any Territory of the United States, but their assignees
may thus locate said land scrip upon any of the unappropriated lands of
the United States subject to sale at private entry at one dollar and twenty-
five cents, or less, per acre: And provided, further, That not more than
one million acres shall be located by such assignees in any one of the
States: And provided, further, That no such location shall be made before
one year from the passage of this act.

Sec. 3. And be it further enacted, That all the expenses of manage-
ment, superintendence, and taxes from date of selection of said lands,
previous to their sales, and all expenses incurred in the management and
disbursement of the moneys which may be received therefrom, shall be
paid by the States to which they may belong, out of the treasury of said
States, so that the entire proceeds of the sale of said lands shall be
applied without any diminution whatever to the purposes hereinafter
mentioned.

Sec. 4. And be it further enacted, That all moneys derived from the
sale of the lands aforesaid by the States to which the lands are appor-
tioned, and from the sales of land scrip hereinbefore provided for, shall be
invested in stocks of the United States, or of the States, or some other
safe stocks, yielding not less than five per centum upon the par value of
said stocks; and that the moneys so invested shall constitute a perpetual
fund, the capital of which shall remain forever undiminished, (except so
far as may be provided in section fifth of this act,) and the interest of
which shall be inviolably appropriated, by each State which may take and
claim the benefit of this act, to the endowment, support, and maintenance
of at least one college where the leading object shall be, without excluding
other scientific and classical studies, and including military tactics, to
teach such branches of learning as are related to agriculture and the me-
chanic arts, in such manner as the legislatures of the States may respec-
tively prescribe, in order to promote the liberal and practical education of
the industrial classes in the several pursuits and professions in life.

Sec. 5. And be it further enacted, That the grant of land and land
scrip hereby authorized shall be made on the following conditions, to
which, as well as to the provisions hereinbefore contained, the previous
assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the forego-
ing section, or any portion of the interest thereon, shall, by any action or
contingency, be diminished or lost, it shall be replaced by the State to
which it belongs, so that the capital of the fund shall remain forever un-
diminished; and the annual interest shall be regularly applied without
diminution to the purposes mentioned in the fourth section of this act,
except that a sum, not exceeding ten per centum upon the amount re-
ceived by any State under the provisions of this act, may be expended for
the purchase of lands for sites or experimental farms, whenever author-
ized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be ap-
plied, directly or indirectly, under any pretence whatever, to the purchase,
erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provis-
ions of this act shall provide, within five years, at least not less than one
college, as described in the fourth section of this act, or the grant to such
State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful; one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price, and the number of acres proportionally diminished.

Sixth. No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. And be it further enacted, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. And be it further enacted, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws; Provided, their maximum compensation shall not be thereby increased.

SEC. 8. And be it further enacted, That the Governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862.

CHAP. CXXXIII. — An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-three:

For the recruiting service of the army, namely: For the enlistment of recruits, for quarters, fuel, stationery, straw, postage, bunks, compensation to citizen surgeons for medical attendance, transportation from rendezvous to depots, and all other expenses until put in march to join regiments, one hundred and eighty thousand dollars.

For purchase of books of tactics and instructions for volunteers, fifty thousand dollars.

For pay of the army, eight million nine hundred and five thousand three hundred and eighteen dollars.

For commutation of officers' subsistence, one million five hundred and seventy-four thousand one hundred and eighty-six dollars and fifty cents.

For commutation of forage for officers' horses, two hundred and eighty-three thousand four hundred and fourteen dollars.

For payments for discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.
For payments in lieu of clothing for officers’ servants, seventy-one thousand six hundred and thirty dollars.

For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and twenty-six million two hundred and eighty-three thousand and eighty-two dollars: Provided, That the President shall not be authorized to appoint more than forty major-generals, nor more than two hundred brigadier-generals. And all acts and parts of acts authorizing a greater number of major and brigadier-generals than are above provided for, are hereby repealed.

For subsistence in kind for regulars and volunteers, seventy-eight million three hundred and eighty-six thousand six hundred and forty dollars and eighty cents.

For the regular supplies of the quartermaster’s department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen, of the quartermaster’s department at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers’ horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers’ bedding, and of stationery, including blank books for the quartermaster’s department, certificates for discharged soldiers, blank forms for the pay and quartermaster’s departments; and for the printing of division and department orders and reports, thirty-six million nine hundred and twelve thousand dollars.

For the incidental expenses of the quartermaster’s department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster’s department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department head-quarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster’s department, including the hire of interpreters, spies, and guides for the army; compensation of clerks of the officers of the quartermaster’s department; compensation for forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight, for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmith’s and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, pickets, ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, twenty million eight hundred and thirty-six thousand seven hundred and fifty dollars.

For the purchase of cavalry and artillery horses, five million four hundred thousand dollars.
For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one million two hundred and ninety-one thousand six hundred dollars.

For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp and garrison equipage, from the depots at Philadelphia and New York to the several posts and army depots, and from those depots to the troops in the field; and subsistence from the places of purchase and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships, and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require that it be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, forty million dollars.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe-keeping of military stores, of grounds for summer cantonments, for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, four million two hundred and thirty-four thousand dollars.

For heating and cooking stoves, ninety thousand dollars.

For maintenance of gunboat fleet proper, two millions one hundred and sixty thousand dollars.

For maintenance of steam rams, one hundred and eighty thousand dollars.

For contingencies of the army, five hundred thousand dollars.

For clothing for the army, camp and garrison equipage, and for expenses of offices and arsenals, thirty-nine million three hundred and twenty-two thousand five hundred and thirteen dollars and twenty-five cents.

For constructing and extending the telegraph for military purposes, and for expenses in operating the same, five hundred thousand dollars.

For the medical and hospital department, including pay of private physicians, purchase and repair of surgical instruments, purchase of extra hospital bedding, clothing, ice, pay of male citizens as hospital attendants; the maintenance of sick and wounded soldiers, placed in private houses or hospitals; and other necessary comforts for the sick and convalescing in the various military hospitals, five million seven hundred and five thousand nine hundred and eighty-four dollars.

For contingent expenses of the adjutant-general's department at department headquarters, two thousand dollars.

For supplies, transportation, and care of prisoners of war, three million three hundred and seventy-three thousand seven hundred and twenty-eight dollars.

For armament of fortifications, one million sixty-two thousand five hundred dollars.

For the current expenses of the ordnance service, seven hundred and thirty-two thousand six hundred dollars.

For ordnance, ordnance stores, and supplies, including horse equip-
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 133. 1862.

Manufacture of arms.

Repairs, &c., of machinery at armory.

Gunpowder and lead.

Extension, &c., of arsenals.

Purchase and manufacture of arms, &c.

Military surveys.

Purchase, &c., of instruments.

Lake surveys.

Fort Clinch.

Secret service fund, &c.

Bounty to volunteers, &c.

1861, ch. 9, §§ 4, 5. Ante, p. 269.

Collecting, &c., volunteers.

Discharged soldiers.

Northwest Executive Building.

Judiciary Square.


Designation of enlisted men in Ordnance Department.

ments for all mounted troops, seven million three hundred and eighty thousand dollars.

For the manufacture of arms at the national armory; one million eight hundred thousand dollars.

For repairs and improvements and new machinery at the national armory at Springfield, Massachusetts, one hundred and fifty thousand dollars.

For the purchase of gunpowder and lead, one million one hundred thousand dollars.

For additions to and extension of shop-room, machinery, tools, and fixtures at arsenals, five hundred thousand dollars.

For the purchase and manufacture of arms for volunteers and regulars, and ordnance and ordnance stores, thirteen million dollars.

For surveys of military defences, one hundred and fifty thousand dollars.

For purchase and repair of instruments, ten thousand dollars.

For printing charts of lake surveys, ten thousand dollars.

For continuing the survey of the Northern and Northwestern lakes, including Lake Superior, one hundred and five thousand dollars.

For completion of Fort Clinch, Amelia Island, Florida, one hundred and fifty thousand dollars.

For secret service fund, and to reimburse the contingent fund of the army, five hundred thousand dollars.

For payment of bounty to volunteers, and to the widows and legal heirs of such as may die or be killed in the service of the United States, authorized by the fifth and sixth sections of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, twenty millions of dollars, or so much thereof as may be found necessary.

For collecting, organizing, and drilling volunteers, in addition to any sums heretofore appropriated for that purpose, five millions of dollars.

For providing for the comfort of discharged soldiers who may arrive in the principal cities of the United States so disabled by disease or by wounds received in the service as to be unable to proceed to their homes, and for forwarding destitute soldiers to their homes, two millions of dollars, to be applied and expended under the direction of the President of the United States.

For enlarging, repairing, and furnishing the Northwest Executive Building, twenty thousand dollars.

For grading and improving that part of Judiciary Square, in the city of Washington, upon which the general hospital of the United States is located, four thousand dollars, to be expended under the direction of the Surgeon-General.

Sec. 2. And be it further enacted, That so much of the seventh section of the act approved third March, eighteen hundred and fifty-one, entitled "An act to found a military asylum for the relief and support of invalid and disabled soldiers of the army of the United States," as requires that "all moneys, not exceeding two thirds of the balance on hand, of the hospital fund and of the post fund of each military station, after deducting the necessary expenses," shall be set apart for the support of the military asylum, be and the same is hereby repealed.

Sec. 3. And be it further enacted, That the enlisted men of the Ordnance Department now designated as master-workmen shall hereafter be designated and mustered as sergeants; those now designated as armorers, carriage-makers, and blacksmiths shall be designated and mustered as corporals; those now designated as artificers shall be designated and mustered as privates of the first class; and those now designated as laborers shall be designated and mustered as privates of the second
class: Provided, That the pay, rations, and clothing now authorized by law to the respective grades of enlisted ordnance men shall not be changed.

SEC. 4. And be it further enacted, That in all cases where recruiting officers have in good faith paid the two dollars for bringing accepted recruits to the rendezvous, before receiving notice of the repeal of the regulation allowing the same, the accounts of such officers shall be allowed in settlement by the Treasury Department.

SEC. 5. And be it further enacted, That there shall be added to the clerical force of the Surgeon-General’s office one clerk of class one and one clerk of class two; and there shall be added to the clerical force of the Paymaster-General’s office twenty clerks of class two and twenty clerks of class one; and there shall be added to the clerical and other force of the Adjutant-General’s office four clerks of class two, six clerks of class one, and ten other clerks, at a monthly compensation of sixty dollars each; and the Adjutant-General may detail ten more non-commissioned officers of the army as clerks in his office; and the sum of fifty-one thousand two hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay the salaries of the clerks hereby authorized.

SEC. 6. And be it further enacted, That section five of the act “to authorize the employment of volunteers to aid in enforcing the laws and protecting public property,” approved July twenty-second, eighteen hundred and sixty-one, and section five of the act “to increase the present military establishment of the United States,” approved July twenty-nine, eighteen hundred and sixty-one, shall be so construed as to allow twenty-five dollars of the bounty of one hundred dollars therein provided to be paid immediately after enlistment to every soldier of the regular and volunteer forces hereafter enlisted during the continuance of the existing war, and the sum of seven millions five hundred thousand dollars is hereby appropriated for such payment.

SEC. 7. And be it further enacted, That all the aides-de-camp appointed by authority of the act approved fifth August, eighteen hundred and sixty-one, entitled “An act supplementary to an act entitled an act to increase the present military establishment of the United States,” approved July twenty-nine, eighteen hundred and sixty-one, shall be nominated to the Senate for its advice and consent.

SEC. 8. And be it further enacted, That the President of the United States be, and he hereby is authorized, by and with the consent of the Senate, to appoint as many military storekeepers in the Quartermaster’s Department of the army as the exigencies of the service may require; provided the whole number of military storekeepers in that department shall not exceed twelve.

SEC. 9. And be it further enacted, That the following sums be, and the same are hereby, in like manner, appropriated out of any money in the treasury not otherwise appropriated, for the service of the year ending the thirtieth of June, eighteen hundred and sixty-two:

For the construction and maintenance of the gunboat fleet proper, four hundred thousand dollars.

For purchasing, construction, and maintenance of steam rams, four hundred thousand dollars.

For pay of private physicians, purchase and repair of surgical instruments, purchase of extra hospital bedding, clothing, ice, and other necessary comforts for the sick and convalescing in the various military hospitals, one hundred and twenty-five thousand dollars.

For compensation of chaplains of hospitals, from the date of the commencement of their service to the thirtieth of June, eighteen hundred and sixty-two, twelve thousand dollars.

For the contingent expenses of the Paymaster-General’s office for the Pay, &c., not to be changed.

Payment to recruiting officers for recruits.

Additional clerks in office of Surgeon-General; of Paymaster-General; of Adjutant-General; non-commissioned officers. Appropriation.

$25 of the bounty of $100, to be paid to volunteer after enlistment.

Appropriation.

Certain aides-de-camp to be nominated to Senate for consent, &c.

Military storekeepers in Quartermaster’s Department. Limit to number.

Appropriation for year ending June 30, 1862.

Gunboats.

Steam rams.

Private physicians, surgical instruments, &c.

Chaplains of hospitals.

Office of Paymaster-General.
year ending thirtieth of June, eighteen hundred and sixty-two, one thousand dollars.

**SEC. 10. And be it further enacted,** That the Secretary of War be authorized to commute the army ration of coffee and sugar, for the extract of coffee, combined with milk and sugar, to be procured in the same manner and under like restrictions and guarantees as preserved meats, pickles, butter, and desiccated vegetables are procured for the navy, if he shall believe it will be conducive to the health and comfort of the army, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

**SEC. 11. And be it further enacted,** That the restriction or limitation contained in the proviso to the joint resolution, approved April sixteenth, eighteen hundred and sixty-two, transferring the superintendency of the Capitol extension from the War Department to the Department of the Interior, shall not be so construed or applied as to prevent the completion of, and the payment for, the painting now in progress on the wall over the stairway on the western side of the south wing agreeably to the terms of the contract made between General M. C. Meigs, on behalf of the Government, and E. Leutze, the artist, on the ninth day of July, eighteen hundred and sixty-one.

Approved, July 5, 1862.

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**July 5, 1862.**

**CHAP. CXXXIV.** — _An Act to reorganize the Navy Department of the United States._

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be established in the Navy Department the following bureaus, to wit:

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<th>Bureau</th>
<th>Description</th>
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<tr>
<td>Yards and Docks</td>
<td>First. A Bureau of Yards and Docks.</td>
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<tr>
<td>Steam Engineering,</td>
<td>Sixth. A Bureau of Steam Engineering.</td>
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**SEC. 2. And be it further enacted,** That the President of the United States, by and with the advice and consent of the Senate, shall appoint from the list of officers of the navy, not below the grade of commander, a chief for each of the Bureaus of Yards and Docks, Navigation, Equipment and Recruiting, and of Ordnance, and shall in like manner appoint a chief of the Bureau of Construction and Repair, who shall be a skillful naval constructor; and shall also appoint a chief of the Bureau of Steam Engineering, who shall be a skillful engineer, and be selected from the list of chief engineers of the navy; and shall also appoint a chief of the Bureau of Medicine and Surgery, who shall be selected from the list of the surgeons of the navy, and a chief of the Bureau of Provisions and Clothing, who shall be selected from the list of paymasters of the navy of not less than ten years' standing; each of which chiefs of bureaus shall receive a salary of three thousand five hundred dollars per annum, unless otherwise heretofore provided for by law, which shall be in lieu of all other compensation whatever. The said chiefs of bureaus to hold their said offices for the term of four years: Provided, That nothing herein contained shall be construed to affect any provision heretofore made by law for special cases.

**SEC. 3. And be it further enacted,** That the Secretary of the Navy shall appoint the following clerks and other officers, to wit:

For the office of the Secretary of the Navy, a chief clerk, who shall receive a salary of two thousand two hundred dollars per annum; one clerk at a salary of eighteen hundred dollars, who shall also be disbursing
clerk with a salary of two hundred dollars; five clerks with a salary of sixteen hundred dollars each; three clerks with a salary of fourteen hundred dollars each; four clerks with a salary of twelve hundred dollars each; one messenger at nine hundred dollars per annum; one assistant messenger at seven hundred dollars, and two laborers at six hundred dollars each per annum.

For the Bureau of Yards and Docks, one civil engineer, who shall receive a salary of two thousand dollars; one chief clerk at eighteen hundred dollars; one clerk at sixteen hundred dollars; three clerks at fourteen hundred dollars each; one draughtsman at fourteen hundred dollars; one clerk at twelve hundred dollars; one messenger at eight hundred and forty dollars; and two laborers at six hundred dollars each per annum.

For the Bureau of Equipment and Recruiting, one chief clerk, who shall receive a salary of eighteen hundred dollars; two clerks at a salary of fourteen hundred dollars each; one clerk at salary of twelve hundred dollars; one messenger at a salary of eight hundred and forty dollars.

For the Bureau of Navigation, one chief clerk at eighteen hundred dollars; one clerk who shall receive a salary of fourteen hundred dollars; one clerk at twelve hundred dollars; one messenger at eight hundred and forty dollars.

For the Bureau of Ordnance, one assistant, to be selected from the commissioned officers of the navy, with the pay of three thousand dollars per annum; one draughtsman at fourteen hundred dollars; one clerk at fourteen hundred dollars; one messenger at eight hundred and forty dollars per annum; and one laborer at six hundred dollars; and one laborer at four hundred and eighty dollars per annum.

For the Bureau of Construction and Repair, one chief clerk at a salary of eighteen hundred dollars a year; one draughtsman at fourteen hundred dollars each; one at twelve hundred dollars; one messenger at a salary of eight hundred and forty dollars per annum; and one laborer at six hundred dollars per annum.

For the Bureau of Steam Engineering, one chief clerk at a salary of eighteen hundred dollars; one draughtsman at fourteen hundred dollars; one clerk at fourteen hundred dollars; one assistant draughtsman at twelve hundred dollars; one messenger at eight hundred and forty dollars salary per annum; and one laborer at six hundred dollars per annum.

For the Bureau of Provisions and Clothing, one chief clerk with a salary of eighteen hundred dollars; four clerks with a salary of fourteen hundred dollars each; one clerk with a salary of twelve hundred dollars; one messenger with a salary of eight hundred and forty dollars per annum; and one laborer with a salary of six hundred dollars per annum.

For the Bureau of Medicine and Surgery, two clerks with a salary of fourteen hundred dollars each; and one messenger with a salary of eight hundred and forty dollars per annum.

For the protection of the building occupied by the department, one day watchman and two night watchmen at a salary of six hundred dollars each per annum, and for the general care of the building, furnace, and grounds, one laborer at a salary of six hundred dollars, and one laborer at a salary of three hundred and sixty dollars.

Sec. 4. And be it further enacted, That the Secretary of the Navy shall assign and distribute among the said bureaus such of the duties of the Navy Department as he shall judge to be expedient and proper; and all of the duties of the said bureaus shall be performed under the authority of the Secretary of the Navy, and their orders shall be considered as emanating from him, and shall have full force and effect as such.

Sec. 5. And be it further enacted, That all estimates for specific,
Estimates for expenses, &c., to be furnished to Secretary by heads of bureaus. Appropriations, how expended. Chiefs of bureaus to have franking privilege. Repeal of inconsistent laws.

general, and contingent expenses of the department, and of the several bureaus, shall be furnished to the Secretary of the Navy by the chiefs of the respective bureaus, and all such appropriations shall be under the control and expended by the direction of the Secretary of the Navy, and the appropriation for each bureau shall be kept separate in the treasury.

SEC. 6. And be it further enacted, That the chiefs of the respective bureaus of the Navy Department shall be authorized to frank all communications from their respective bureaus; and all communications to their bureaus on the business thereof shall be free of postage.

SEC. 7. And be it further enacted, That all acts and parts of acts conflicting or inconsistent with the provisions of this act, be, and the same are hereby, repealed.

Approved, July 5, 1862.

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CHAP. CXXXV. — An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirty-first, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with the various Indian tribes —

For the current and contingent expenses of the Indian Department, namely:

For pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty-one, and thirteenth February, eighteen hundred and sixty-one, and per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yanctons, ninety-one thousand two hundred and fifty dollars.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

For the pay of clerk to superintendent at Saint Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, and eighteenth August, eighteen hundred and fifty-six, twenty-four thousand nine hundred dollars.

For pay of twenty laborers for reservations in California, twelve thousand dollars.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian department, thirty-six thousand five hundred dollars.

For the employment of temporary clerks by superintendents of Indian affairs on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

For fulfilling treaty stipulations with the various Indian tribes

Blackfoot Nation. — For seventh of ten instalments as annuity, to be
expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.

For seventh of ten instalments as annuity, to be expended in establishing, and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and Christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.

Chasta, Scolon, and Umpqua Indians.—For eighth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

For eighth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For eighth of ten instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For eighth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of Lake Superior.—For two-thirds of twenty-first of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of twenty-first of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two-thirds of twenty-first of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two-thirds of twenty-first of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of twenty-first of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two-thirds of twenty-first of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For eighth of twenty instalments in corn, goods, household furniture, and cooking utensils, agricultural implements and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For eighth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For eighth of twenty instalments for the support of six smiths' shops,
per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For sixth of twenty instalments for the seventh smith and assistant, and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of the Mississippi. — For one-third of twenty-first of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one-third of twenty-first of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen thousand and fifty-four, three thousand five hundred dollars.

For one-third of twenty-first of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen thousand and fifty-four, six thousand and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen thousand and fifty-four, six thousand and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen thousand and fifty-four, six thousand and thirty-three dollars and thirty-three cents.

For one-third of twenty-first of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen thousand and fifty-four, three thousand and thirty-three dollars and thirty-three cents.

For eight of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnibagoshish Bands. — For eight of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For eight of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For eighth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For eighth of twenty instalments for purposes of education, per third
article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For eighth of fifteen annual instalments for the support of two smiths and smiths’ shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw mill at Leech Lake, six hundred dollars.

**Chippewas of Saginaw, Swan Creek, and Black River.** — For seventh of ten equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

For seventh of ten instalments for the support of one blacksmith shop, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

**Chippewas, Menomonees, Winnebagoes, and New York Indians.** — For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

**Chickasaws.** — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

**Choctaws.** — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum, for education, support of the government, and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

**Comanches, Kiowas, and Apaches of Arkansas River.** — For ninth of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

For expenses of transportation of the ninth of ten instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

**Creeks.** — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.
For permanent annuity in money, per second article treaty sixteenth
June, eighteen hundred and two, and fifth article treaty seventh August,
eighteen hundred and fifty-six, three thousand dollars.

For permanent annuity in money, per fourth article treaty twenty-
fourth January, eighteen hundred and twenty-six, and fifth article treaty
seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent provision for blacksmith and assistant, and for shop and
tools, per eighth article treaty twenty-fourth January, eighteen hundred
and twenty-six, and fifth article treaty seventh August, eighteen hundred
and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article
treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth
article treaty seventh August, eighteen hundred and fifty-six, two hun-
dred and seventy dollars.

For permanent provision for the pay of a wheelwright, per eighth article
treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth
article treaty seventh August, eighteen hundred and fifty-six, six hundred
dollars.

For blacksmith and assistant and shop and tools during the pleasure of
the President, per fifth article fourteenth February, eighteen
hundred and thirty-three, and fifth article treaty seventh August, eighteen
hundred and fifty-six, eight hundred and forty dollars.

For iron and steel for shop during the pleasure of the President, per fifth
article treaty fourteenth February, eighteen hundred and thirty-three,
and fifth article treaty seventh August, eighteen hundred and fifty-six;
two hundred and seventy dollars.

For wagon-maker during the pleasure of the President, per fifth article
treaty fourteenth February, eighteen hundred and thirty-three, and fifth
article treaty seventh August, eighteen hundred and fifty-six, six hundred
dollars.

For assistance in agricultural operations during the pleasure of the
President, per eighth article treaty twenty-fourth January, eighteen
hundred and twenty-six, and fifth article treaty seventh August, eighteen
hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article
 treaty fourteenth February, eighteen hundred and thirty-three, and fifth
article treaty seventh August, eighteen hundred and fifty-six, one thousand
dollars.

For the sixth of seven additional instalments for two blacksmiths,
assistants, shops, and tools, per thirteenth [thirteenth] article treaty twenty-
fourth March, eighteen hundred and thirty-two, and fifth article treaty
seventh August, eighteen hundred and fifty-six, one thousand six hundred
and eighty dollars.

For the sixth of seven additional instalments for iron and steel for
shops, per thirteenth article treaty twenty-fourth March, eighteen hundred
and thirty-two, and fifth article treaty seventh August, eighteen hundred
and fifty-six, five hundred and forty dollars.

For thirty-second of thirty-three instalments for education, per fourth
article treaty fourth January, eighteen hundred and forty-five, and fifth
article treaty seventh August, eighteen hundred and fifty-six, three thousand
dollars.

For nineteenth of twenty instalments for education, per fourth article
treaty fourth January, eighteen hundred and forty-five, and fifth article
treaty seventh August, eighteen hundred and fifty-six, three thousand
dollars.

For five per centum interest on two hundred thousand dollars for
purposes of education, per sixth article treaty seventh August, eighteen
hundred and fifty-six, ten thousand dollars.

Delawares. — For life annuity to chief, per private article to supple-
mental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty six May, eighteen hundred and fifty-four, two thousand three hundred and four dollars.

Iowas.—For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first July, eighteen hundred and sixty-three, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Kansas.—For interest in lieu of investment on two hundred thousand dollars, at five per centum, per second article treaty fourteenth January, eighteen hundred and forty-six, ten thousand dollars.

Kickapoos.—For ninth instalment of interest, at five per centum, on one hundred thousand dollars for education, per second article treaty eighteen May, eighteen hundred and fifty-four, five thousand dollars.

For ninth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-two, per second article treaty eighteen May, eighteen hundred and fifty-four, nine thousand dollars.

Menomonees.—For seventh of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

For seventh of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars for cession of lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.

For seventh of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas.—For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty six October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For third of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

Miamies of Indiana.—For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.
Miamies, Still River.
Vol. x. p. 1134.

Miamies, El River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually, Puyallup, and other tribes and bands of Indians. — For eighth instalment, in part payment for relinquishment of title to lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, fifteen hundred dollars.

For eighth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas. — For the fifth of ten instalments of this amount, being second of the series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For eighth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For eighth of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For eighth of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Ottoes and Missourias. — For fifth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

For eighth of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For eighth of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For eighth of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.
Ottawas and Chippewas of Michigan. — For seventh of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars.

For seventh of ten instalments for the support of four blacksmith shops, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

For seventh of ten instalments of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and thirty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eleven thousand eight hundred dollars.

For seventh of ten equal annual instalments on thirty-five thousand dollars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottawas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

Ottawas of Kansas. — For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars.

Pawnees. — For last of five instalments in goods and such articles as Pawnees may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, forty thousand dollars.

For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For fifth of ten instalments for farming utensils and stock during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fourth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fourth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.
For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

Pottawatomies. — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114. For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 185. For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317. For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320. For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379. For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 462. For life annuity to chiefs, per third article treaty sixteenth September, eighteen hundred and thirty-three, seven hundred dollars.

Vol. vii. p. 296. For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty, twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

Vol. ix. p. 355. For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomies of Huron. — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four thousand dollars.

Quapaws. — For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers. — For ninth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.
Sacs and Foxes of Mississippi. — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars.

Sacs and Foxes of Missouri. — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars.

Seminoles. — For the sixth of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For the sixth of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the sixth of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas. — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.

For Miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of New York. — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.

For interest at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and Shawnees. — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.
Shawnees. — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For ninth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

Six Nations of New York. — For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

Sioux of Mississippi. — For interest on three hundred thousand dollars, at five per centum, per second article treaty twenty-ninth September, eighteen hundred and thirty-seven, fifteen thousand dollars.

For twelfth of fifty instalments of interest, at five per centum, on one million three hundred and sixty thousand dollars, per fourth article treaty twenty-third July, eighteen hundred and fifty-one, sixty-eight thousand dollars.

For twelfth of fifty instalments of interest, at five per centum, on one hundred and twelve thousand dollars, being the amount in lieu of the reservations set apart in the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty twenty-third July, eighteen hundred and fifty-one, five thousand six hundred dollars.

For twelfth of fifty instalments of interest, at five per centum, on one million one hundred and sixty thousand dollars, per fourth article treaty fifth August, eighteen hundred and fifty-one, fifty-eight thousand dollars.

For twelfth of fifty instalments of interest, at five per centum, on sixty-nine thousand dollars, being the amount allowed in lieu of the reservation of lands set apart by the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty fifth August, eighteen hundred and fifty-one, three thousand four hundred and fifty dollars.

Treaty of Fort Laramie. — For second of five instalments, at the discretion of the President, in provisions and merchandise, for payment of annuities, and transportation of the same, to certain tribes of Indians, seventy thousand dollars.

Umpquas (Cow Creek Band.) — For ninth of twenty instalments in blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.

Umpquas and Calapooias, of Umpqua Valley, Oregon. — For third of five instalments, of the second series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty nineteenth September, eighteen hundred and fifty-three, two thousand three hundred dollars.

For eighth of ten instalments for the pay of a blacksmith, and furnishing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For eighth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For eighth of ten instalments for the pay of a farmer, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand dollars.

For eighth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.
Winnebagoes. — For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars.

For sixteenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirtieth [thirteenth] October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

Yancton Tribe of Sioux. — For fourth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For third of five instalments of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-eight, eight thousand dollars.

Poncas. — For fourth of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars.

For fourth of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For fourth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Dwamish and other Allied Tribes in Washington Territory. — For third instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, twelve thousand dollars.

For third of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For third of twenty instalments for the establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah Tribe. — For third instalment on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for support of a smith and carpenter shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.
For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per one hundred article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

_Walla-Walla, Cayuse, and Umatilla Tribes._—For third of five instalments of eight thousand dollars, under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For third of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books and stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For third of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For third of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For third of twenty instalments for salary for the son of Pio-pio-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

_Yakima Nation._—For third of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

For third of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For third of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one guns smith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

_Nez Perce Indians._—For third of five instalments for beneficial objects,
at the discretion of the President, per fourth article treaty eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

For third of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For third of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

Flatheads and other Confederate Tribes.—For third instalment on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, six thousand dollars.

For third of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For third of twenty instalments for keeping in repair blacksmiths' tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For third of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.
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For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Confederated Tribes and Bands of Indians in Middle Oregon.—For third of five instalments of eight thousand dollars for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, eight thousand dollars.

For third of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For third of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For third of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Moel Indians. — For third of ten instalments for keeping in repair the saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty, twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

For third of five instalments (in addition to the instalments specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias of Umpqua valley) for furnishing iron and steel and other materials for the smith and tin shops provided for in said treaty, and for the pay of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For third of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For third of five instalments for the pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, eight hundred dollars.

Qui-nai-elt and Qwil-leh-ute Indians.—For third instalment on twenty-five thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, two thousand dollars.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article
treaty first July, eighteen hundred and fifty-five, two thousand five hun-
dred dollars.

For third of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicines for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

S‘Klallams. — For third instalment on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, five thousand dollars.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Indian Service in New Mexico. — For the general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural im-
plements, and other useful articles, and to assist them to locate in perma-
nent abodes, and sustain themselves by the pursuits of civilized life, to be
expended under the direction of the Secretary of the Interior, fifty thou-
sand dollars.

Indian Service in the District of Country leased from the Choctaws for the Indians lately residing in Texas. — For the expenses of colon-
izing, supporting, and furnishing agricultural implements and stock; pay
of necessary employees; purchase of clothing, medicine, iron, and steel;
establishment and maintenance of schools, and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, twenty-
two thousand eight hundred and twenty-five dollars.

For the Wichitas and other affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural im-
plements and stock, pay of necessary employees, purchase of clothing, medi-
cines, iron, and steel, and maintenance of schools, and building agency
houses, to be expended under the direction of the Secretary of the In-
terior, thirty-seven thousand eight hundred dollars.

Indian Service in California. — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

Miscellaneous. — For transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancon Sioux annuity goods and pro-
visions, ten thousand dollars.

For transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty
thousand three hundred and fifty dollars and sixty-two cents.

For expenses of transportation and delivery of annuity goods to the Blackfeet Indians for the year, seventeen thousand dollars.

For transportation and necessary expenses of the delivery of annuities and provisions to the Chippewa of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

For transportation and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight
hundred and eighty-six dollars and seventy-five cents.

For compensation of five extra clerks employed in the Indian office, under the act of fifth August, eighteen hundred and fifty-four, and third
March, eighteen hundred and fifty-five, and, under appropriations made from year to year, seven thousand dollars.

For compensation of one clerk in the Indian office, to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of March third, eighteen hundred and fifty-five, granting bounty lands to Indians, fourteen hundred dollars.

For compensation of two extra clerks in the Indian office, employed to carry out the treaty with the Chickasaws in the adjustment of their claims, two thousand eight hundred dollars.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

For the payment to the Shawnees of the residue of seven hundred thousand dollars, to be paid after the termination of the seven years stipulated for in the third article of the treaty of tenth May, eighteen hundred and fifty-four, eighty-nine thousand dollars.

**Umpquas and Calapoias of Umpqua Valley.** — For the first and second instalments of the second series of annuities of two thousand three hundred dollars each, not heretofore asked for, for beneficial objects, to be expended as directed by the President, four thousand six hundred dollars.

For medallions of the President of the United States for distribution to Indian tribes, five thousand dollars.

For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent and sub-agents, thirty-five thousand dollars.

For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory (not parties to any treaty) and for pay of necessary employees, fifty thousand dollars: Provided, That all appropriations heretofore or hereafter made to carry into effect treaty stipulations, or otherwise, in behalf of any tribe or tribes of Indians, all or any portion of whom shall be in a state of actual hostility to the government of the United States, including the Cherokees, Creeks, Choc-taws, Chickasaws, Seminoles, Wichitas, and other affiliated tribes, may and shall be suspended and postponed wholly or in part at and during the discretion and pleasure of the President: Provided, further, That the President is authorized to expend such part of the amount heretofore appropriated and not expended and hereinafter appropriated for the benefit of the tribes named in the preceding provision as he may deem necessary, for the relief and support of such individual members of said tribes as have been driven from their homes and reduced to want on account of their friendship to the government. And an account shall be kept of the sums so paid for the benefit of such tribe, which account shall be rendered to Congress at the commencement of the next session thereof. And all purchases of articles for the purposes above set forth, shall be made on advertisement, as provided in other cases, and an account shall be rendered of all such purchases, with a statement of the prices paid therefor: And provided, further, That in cases where the tribal organization of any Indian tribe shall be in actual hostility to the United States, the President is hereby authorized, by proclamation, to declare all treaties with such tribe to be abrogated by such tribe, if, in his opinion, the same can be done consistently with good faith and legal and national obligations.

To carry into effect the treaty of February eighteen, eighteen hundred and sixty-one, with Arapahoes and Cheyenne Indians of the Upper Arkansas River, viz:

For surveying the exterior of the reservation, and dividing the same between the two tribes, estimated to be three hundred and fifty miles, at
an expense of ten dollars per mile for surveying, three thousand five hundred dollars.

For the first of fifteen instalments of annuity of thirty thousand dollars, to be expended for their benefit, that is to say, fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, for the fiscal year ending June thirty, eighteen hundred and sixty-two, thirty thousand dollars.

Also for the same object for the fiscal year ending June thirty, eighteen hundred and sixty-three, thirty thousand dollars.

For transportation and necessary expenses of delivering of annuities, goods, and provisions to the Arapahoe and Cheyenne Indians of the Upper Arkansas River for the fiscal year ending June thirty, eighteen hundred and sixty-two, five thousand dollars.

Also for the same object for the fiscal year ending June thirty, eighteen hundred and sixty-three, five thousand dollars.

For the purpose of negotiating a treaty with the Chippewas of northern Minnesota, and the extinguishing of their title to the lands in that vicinity, or so much thereof as may be needed for that purpose, to be expended under the direction of the Secretary of the Interior, fifteen thousand dollars.

For defraying the expenses of negotiating a treaty with the Shoshonees or Snake Indians, or so much thereof as may be needed, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

For amount in the hands of late agent W. W. Dennison, unaccounted for, belonging to the Ottos and Missouri, eighteen thousand nine hundred and seventy dollars and seven cents.

For deficiency in the contingent fund of the Indian department for the balance of the half year ending June thirty, eighteen hundred and sixty-two, ten thousand dollars.

Sec. 2. And be it further enacted, That after the end of the present fiscal year the salary of the superintendent of Indian affairs for the northern and for the southern districts of California shall be three thousand dollars.

Sec. 3. And be it further enacted, That the sum of forty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to enable the President to negotiate a treaty with the Nez Perce Indians of Oregon and Washington Territory, for the relinquishment of a portion or all of their present reservation, or its exchange for other lands.

Sec. 4. And be it further enacted, That under any of the appropriations contained in this act for the purpose of negotiating treaties, there shall be no new engagements entered into to pay moneys to any Indian tribe; that all payments to be made under such treaties shall be made in specific articles of clothing and agricultural implements.

Sec. 5. And be it further enacted, That hereafter no goods shall be purchased by the Indian Department, or its agents, for any tribe, except upon the written requisition of the superintendent in charge of the tribe, and only upon public bids in the mode prescribed by law for the purchase of other supplies.

Sec. 6. And be it further enacted, That the Secretary of the Interior be, and he is hereby, directed to cause settlements to be made with all persons appointed by Indian councils to receive moneys due to incompetent or orphan Indians, and to require all moneys found to be due to said incompetent or orphan Indians to be returned to the treasury of the United States; and all moneys so returned shall bear an interest at the rate of six per centum per annum, until paid by order of the Secretary of the Interior to those entitled to the same; and no money shall hereafter be paid to any person or persons appointed by any Indian council to receive

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moneys due to incompetent or orphan Indians, but the same shall remain in the treasury of the United States until ordered to be paid by the said Secretary to those entitled to receive the same, and shall bear six per centum interest until so paid.

SEC. 7. And be it further enacted, That the following sums be, and the same are hereby, in like manner appropriated, out of any money in the treasury not otherwise appropriated, for the Indian service in California:—

For salaries of clerks to superintendents of Indian Affairs for the Northern and Southern Districts of California, for three-quarters of the fiscal year ending June thirtieth, eighteen hundred and sixty-two, at eighteen hundred dollars per annum, twenty-seven hundred dollars:

For the same service for the fiscal year ending June thirty, eighteen hundred and sixty-three, at one thousand five hundred dollars per annum, three thousand dollars:

For compensation of five supervisors for the reservations in California, to instruct the Indians in husbandry, for fiscal year ending June thirty, eighteen hundred and sixty-three, authorized by act of June nineteen, eighteen hundred and sixty, nine thousand dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians, for the fiscal year ending June thirty, eighteen hundred and sixty-three, for the Northern District of California, twenty-five thousand dollars.

For the same for the Southern District of California, for the fiscal year ending June thirty, eighteen hundred and sixty-three, fifteen thousand dollars: Provided, That the Secretary of the Interior is hereby authorized and directed to inquire into the expediency of reducing the Indian reservations in California to two in number; the proper places for the same; the probable expense thereof; the propriety of disposing of any of the reservations, and the value thereof, and of the property thereon; of the manner and terms of such disposal; and, in what manner, in his judgment, the expense of the Indian Department in that State can be reduced and its system simplified without injury to the same, and report thereon to the next regular session of Congress.

Approved, July 5, 1862.

July 11, 1862.

CHAP. CXXXVIII. — An Act to grant the Right of Preemption to Settlers on certain Lots in Wisconsin.

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 be, and he is hereby, directed to cause survey to be made of that portion of lots numbered ten and eleven, lying east of the River au Diable, in township twenty-three north, of range twenty-one east, in the State of Wisconsin, and which portion was not embraced by the confirmatory provisions of the act of Congress approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan."

Approved, July 11, 1862.

July 11, 1862.

CHAP. CXXXIX. — An Act in Relation to the Post-office Department.

Be it enacted by the Senate and House of Representatives of the United States of América in Congress assembled, That the time fixed for the limitation of suits against the sureties of postmasters by the third section of the act of Congress, entitled "An act to reduce into one the several acts establishing and regulating the Post-office Department," approved March third, one thousand eight hundred and twenty-five, shall not be considered
as running in any State or part thereof, the inhabitants whereof have been by proclamation of the President declared in a state of insurrection, during the time the insurrection shall continue.

SEC. 2. And be it further enacted, That any oath required by law to be taken by any contractor, postmaster, clerk, or employee of the Post-office Department, in any part of the United States mentioned in the preceding section, may be taken before any officer, civil or military, holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath.

Approved, July 11, 1862.

CHAP. CXL.—An Act to carry into Effect the Treaty between the United States and her Britannic Majesty for the Suppression of the African Slave-Trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to carry into effect the provisions of the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, the President be, and he is hereby, authorized to nominate, and by and with the advice and consent of the Senate to appoint, a judge and also an arbitrator on the part of the United States to reside at New York; a judge and also an arbitrator to reside at Sierra Leone; and a judge and also an arbitrator to reside at the Cape of Good Hope.

SEC. 2. And be it further enacted, That the said judge at New York shall be paid at the rate of two thousand five hundred dollars, and the said arbitrator there at the rate of one thousand dollars a year, and the said judges at Sierra Leone and the Cape of Good Hope shall be paid at the rate of two thousand five hundred dollars a year, respectively, and the said arbitrators at these two places at the rate of two thousand dollars a year, respectively, the said salaries to begin with the acceptance of their commissions by the said judges and arbitrators respectively.

SEC. 3. And be it further enacted, That the judge of the court at New York, whose appointment is authorized by this act, shall have power to appoint a clerk or registrar to the said court, who shall receive such fees for his services as are allowed by law to the clerk of the court of the United States for the southern district of New York for similar services; and it shall be the duty of the marshal of the southern district of New York, and he is hereby authorized, to serve all processes and execute all orders and decrees of the said court, for which he shall be allowed fees in the discretion of the judge of the said court.

SEC. 4. And be it further enacted, That all acts and parts of acts of Congress inconsistent with the stipulations of the treaty aforesaid and with the present act be, and the same are hereby, repealed.

Approved, July 11, 1862.

CHAP. CXLI.—An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Ships "Cumberland" and "Congress."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the widow, or child, or children, in case there shall be no widow, or child, or children, and in case there shall be no widow, or child, or children, then the parent or parents, and if there be no parents, the brothers and sisters, of the officers, seamen, and marines, and others in service who were lost in the United States ships "Cumberland" and "Congress," including cap-tains' clerks, shall be entitled to and shall receive, out of any money in the treasury not otherwise appropriated, a sum equal to twelve months' pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessels.

Approved, July 11, 1862.
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CHAFT. CXII. An Act to authorize an additional Issue of United States Notes, and for other Purposes.

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 is hereby authorized to issue, in addition to the amounts heretofore authorized, on the credit of the United States, one hundred and fifty millions of dollars of United States notes, not bearing interest, payable to bearer at the treasury of the United States, and of such denominations as he may deem expedient: Provided, That no note shall be issued for the fractional part of a dollar, and not more than thirty-five millions shall be of lower denominations than five dollars; and such notes shall be receivable in payment of all loans made to the United States, and of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports and interest, and of all claims and demands against the United States, except for interest upon bonds, notes, and certificates of debt or deposit; and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest, as aforesaid. And any holder of said United States notes depositing any sum not less than fifty dollars, or some multiple of fifty dollars, with the Treasurer of the United States, or either of the assistant treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may by said holder be desired, bearing interest at the rate of six per centum per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof: Provided, however, That any notes issued under this act may be paid in coin, instead of being received in exchange for certificates of deposit as above specified, at the direction of the Secretary of the Treasury. And the Secretary of the Treasury may exchange for such notes, on such terms as he shall think most beneficial to the public interest, any bonds of the United States bearing six per centum interest, and redeemable after five and payable in twenty years, which have been or may be lawfully issued under the provisions of any existing act; may reissue the notes so received in exchange; may receive and cancel any notes heretofore lawfully issued under any act of Congress, and in lieu thereof issue an equal amount in notes such as are authorized by this act; and may purchase, at rates not exceeding that of the current market, and cost of purchase not exceeding one-eighth of one per centum, any bonds or certificates of debt of the United States as he may deem advisable.

SEC. 2. And be it further enacted, That the Secretary of the Treasury be, and is hereby, authorized, in case he shall think it inexpedient to procure said notes, or any part thereof, to be engraved and printed by contract, to cause the said notes, or any part thereof, to be engraved, printed, and executed, in such form as he shall prescribe, at the Treasury Department in Washington, and under his direction; and he is hereby empowered to purchase and provide all the machinery and materials, and to employ such persons and appoint such officers as may be necessary for this purpose.

SEC. 3. And be it further enacted, That the limitation upon temporary deposits of United States notes with any assistant treasurer, or designated depository authorized by the Secretary of the Treasury to receive such deposits, to fifty millions of dollars be, and is hereby, repealed; and the Secretary of the Treasury is authorized to receive such deposits, under such regulations as he may prescribe, to such amount as he may deem expedient, not exceeding one hundred millions of dollars, for not less than thirty days, in sum not less than one hundred dollars, at a rate of interest
not exceeding five per centum per annum; and any amount so deposited may be withdrawn from deposit, at any time after ten days’ notice, on the return of the certificate of deposit. And of the amount of United States notes authorized by this act, not less than fifty millions of dollars shall be reserved for the purpose of securing prompt payment of such deposits when demanded, and shall be issued and used only when, in the judgment of the Secretary of the Treasury, the same, or any part thereof, may be needed for that purpose. And certificates of deposit and of indebtedness issued under this or former acts may be received on the same terms as United States notes in payment for bonds redeemable after five and payable in twenty years.

Sec. 4. And be it further enacted, That the Secretary of the Treasury may, at any time until otherwise ordered by Congress, and under the restrictions imposed by the “Act to authorize a national loan, and for other purposes,” borrow, on the credit of the United States, such part of the sum of two hundred and fifty millions mentioned in said act as may not have been borrowed, under the provisions of the same, within twelve months from the passage thereof.

Sec. 5. And be it further enacted, That any part of the appropriation of ten thousand dollars for the detection and bringing to trial of persons engaged in counterfeiting the coin of the United States, made by the act entitled “An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending thirtieth of June, eighteen hundred and sixty-one,” approved June twenty-three, eighteen hundred and sixty, may be applied in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, or other securities of the United States, as well as the coin of the United States. And to carry into effect the preceding sections of this act the sum of three hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated.

Sec. 6. And be it further enacted, That all the provisions of the act entitled “An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States,” approved February twenty-five, eighteen hundred and sixty-two, so far as the same can or may be applied to the provisions of this act, and not inconsistent therewith, shall apply to the notes hereby authorized to be issued.

Approved, July 11, 1862.

CHAP. CXLIII.—An Act making further Appropriations for sundry Civil Expenses of the Government for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereafter expressed, for the fiscal year ending thirtieth of June, eighteen hundred and sixty-three, viz:

For completing the west wing of the Treasury Building, five hundred thousand dollars.

For painting the outside of the old portion of the Capitol, eight thousand dollars.

To pay the amount provided for under and by virtue of an act entitled “An act to facilitate communication between the Atlantic and Pacific States by electric telegraph,” or so much thereof as may become payable under said act, forty thousand dollars.

For the purpose of enabling the commissioner of public buildings and grounds to remove the army bakery from the basement floor of the Treasury Building.

Approved, July 11, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 143. 1862.

Capitol and to repair the damage caused by said bakery, the sum of eight thousand dollars, or so much thereof as may be necessary.

For constructing burglar-proof vaults for the assistant treasurer at New York, and fire-proof file cases for the collector at New York, and for the incidental expenses of a change of location of these offices, one hundred thousand dollars.

For annual repairs to custom houses, including a new roof for the Milwaukee custom-house, and repairing the damage by fire, ten thousand dollars.

For repairing the government warehouses, wharves, and fences, at Staten Island, fifteen thousand dollars.

For the salary of a Commissioner and Consul-General to the Republic of Hayti, seven thousand five hundred dollars.

For the salary of a Commissioner and Consul-General to the Republic of Liberia, four thousand dollars.

For compensation of four additional draw-keepers for the two draws at the Potomac Bridge, three thousand and sixty-six dollars.

SEC. 2. And be it further enacted, That the compensation of the Treasurer of the United States shall be four thousand dollars a year, to commence on the first day of July, eighteen hundred and sixty-two.

SEC. 3. And be it further enacted, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, out of any money in the treasury not otherwise appropriated.

To supply the deficiency in the appropriation for lighting the Capitol and public grounds, twelve thousand dollars.

And the act incorporating the "Washington Gas-Light Company" is hereby so amended as to prohibit the said company from receiving, after the first day of July, eighteen hundred and sixty-two, more than twenty-eight cents per hundred cubic feet of gas furnished by it to the government, and thirty cents to other customers, subject to a discount of not less than ten per centum on all bills for gas, if paid at the office of said company within five days from the rendition thereof, provided all arrears shall have been previously paid.

To supply a deficiency in the appropriation for the seventh census, three thousand dollars, or so much thereof as may be found necessary.

For compensation to Henry K. Brown, James R. Lambdin, and John F. Kensett, for thirteen months' service as art commissioners, appointed by the President of the United States under acts of Congress of June twelfth, eighteen hundred and fifty-eight, and March third, eighteen hundred and fifty-nine, nine thousand dollars.

To pay the amount due under and by virtue of the act entitled "An act to facilitate communication between the Atlantic and Pacific States by electric telegraph," for the period embraced between November one, eighteen hundred and sixty-one, and June thirty, eighteen hundred and sixty-two, twenty-six thousand six hundred and thirty dollars and forty-four cents.

To supply deficiency in the appropriation for incidental and contingent expenses, including wastage, at the mint of the United States at Philadelphia, twenty-three thousand six hundred and forty-three dollars and eighty-four cents.

For additional expenses in transportation of bullion and coin between the assay-office and the mint for the year eighteen hundred and sixty-one, twenty-one thousand dollars.

For compensation of Assistant Secretary of the Interior, per act of fourteenth of March, eighteen hundred and sixty-two, from fourteenth of March to thirtieth of June, eighteen hundred and sixty-two, eight hundred and seventy-five dollars.

For compensation of the Assistant Secretary of the Interior during the
fiscal year ending thirtieth June, eighteen hundred and sixty-three, three thousand dollars.

For compensation of four additional draw-keepers for the two draws at the Potomac Bridge, from the dates of their several appointments to the thirtieth of June, eighteen hundred and sixty-two, three hundred ninety-five dollars and forty cents.

To supply a deficiency in the appropriation for the contingent fund of the Senate for furniture, fitting of rooms, gas fitting, repairing, painting, painting materials, and other miscellaneous items, ten thousand dollars.

Approved, July 11, 1862.

**CHAP. CXLIV.** — *An Act making Appropriations for the Payment of the Bounty authorized by the Sixth Section of an Act entitled “An Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property,” approved July twenty-second, eighteen hundred and sixty-one, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed, viz.: For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled “An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property,” approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: Provided, That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid.

For compensation of twenty additional clerks, hereby authorized to be employed in the office of the Commissioner of Pensions, to wit: For fifteen clerks of the first class, eighteen thousand dollars; for five clerks of the second class, seven thousand dollars.

Sec. 2. And be it further enacted, That the sum of three thousand dollars, or so much thereof as may be found necessary, be, and the same is hereby, appropriated for the expenses of the committee on disloyal employees of the government, appointed by resolution of the House of Representatives, July eight, eighteen hundred and sixty-one.

Sec. 3. And be it further enacted, That part of the sixth section of the act “to authorize the employment of volunteers to aid in enforcing the laws and protecting public property,” approved July twenty-second, eighteen hundred and sixty-one, which secured to the widow, if there be one, and if not, the legal heirs of such volunteers as die or may be killed in service, in addition to all arrears of pay and allowances, a bounty of one hundred dollars, shall be held to apply to those persons who have enlisted in the regular forces since the first day of July, eighteen hundred and sixty-one, or shall enlist in the regular forces during the year eighteen hundred and sixty-two, and be paid to the heirs named in this act; and that the bounties herein provided for shall be paid out of any money appropriated for bounty to volunteers.

Approved, July 11, 1862.
July 11, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Hancock and McDonough, in the State of Illinois, be, and the same are hereby, detached from the northern district of Illinois, and the same are hereby attached to the southern district of Illinois, and said counties shall hereafter constitute a part of said southern district of Illinois the same as if said counties had originally belonged to said southern district.

SEC. 2. And be it further enacted, That in any suit or suits pending at the time of the passage of this act either in the circuit or district court of the northern district of Illinois where any such suit or suits could originally have been brought in the southern district of Illinois if said counties of Hancock and McDonough had, at the time of commencing any such suit or suits, formed a part of said southern district, any party to any such suit or suits, upon application to the court, upon the oath either of such party, his or her agent or attorney, may have any such cause, together with the original files thereof and a certified copy of the recorded orders or decrees in said cause, transferred to the southern district of Illinois; any such cause, when so transferred, shall be heard and determined by the circuit or district court, as the case may be, in and for said southern district of Illinois, as if such cause had been originally commenced in the circuit or district court in and for said southern district.

SEC. 3. And be it further enacted, That all process issued out of either the circuit or district court for the northern district of Illinois prior to the passage of this act, and not served before its passage, shall be served and returned in the same manner as if this act had not been passed.

SEC. 4. And be it further enacted, That in all causes pending either in the circuit or district court for the northern district of Illinois at the time of the passage of this act, which shall proceed to final judgment or decree without being removed from said northern to said southern district according to the provisions of this act, such judgments or decrees shall have like effect as though said counties of Hancock and McDonough had not been detached from said northern district; and any party thereto shall be entitled to have any such judgments or decrees executed by like final process or otherwise, the same as if the said counties of Hancock and McDonough had not been detached from said northern district, which said process shall also be executed and returned in the same manner as if said counties had not been detached from said northern district.

SEC. 5. And be it further enacted, That so much of the act to which this is an amendment as is in conflict herewith be, and the same is hereby, repealed.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLVI.—An Act concerning certain Lands herebyfore granted to the State of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the five sections of land granted to the State of Iowa, by the third subdivision of section six of an act entitled “An act supplemental to the act for the admission of the States of Iowa and Florida into the Union," approved March third, eighteen hundred and forty-five, be, and the same are hereby, released and discharged from the limitation contained in said section; and the general assembly of the State of Iowa may make such disposition of said land as may be deemed best for the interests of said State.

APPROVED, July 11, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 147-151. 1862.

Chap. CXLVII.—An Act to abolish certain Ports of Delivery in the Mississippi Valley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several laws constituting Hannibal, in the State of Missouri, Hickman and Columbus, in the State of Kentucky, Chattanooga and Knoxville, in the State of Tennessee, and Tuscumbia, in the State of Alabama, and Shreveport, in the State of Louisiana, ports of delivery, be, and the same are hereby, repealed.

Approved, July 11, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, established a national arsenal at Columbus, in the State of Ohio, at Indianapolis, in the State of Indiana, and on Rock Island, in the State of Illinois, for the deposit and repair of arms and other munitions of war.

Sec. 2. And be it further enacted, That for the purpose of carrying this act into effect, the sum of one hundred thousand dollars for each arsenal named in the preceding section be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

Approved, July 11, 1862.

Chap. CXLIX.—An Act to change the Place of holding the Circuit and District Courts of the United States for the District of West Tennessee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the circuit and district courts of the United States for the district of West Tennessee shall be holden on the first Mondays in April and October, in the town of Huntingdon, in the county of Carroll, in said district, instead of the town of Jackson, the place heretofore fixed by law. And all process, civil and criminal, which may have been, or hereafter may be, issued, returnable to said courts at Jackson, shall be returned to said courts at Huntingdon; and all books and records of every kind, pertaining to said courts, shall be transferred from said town of Jackson to said town of Huntingdon.

Approved, July 11, 1862.

Chap. CL.—An Act to authorize the Secretary of the Treasury to appoint a Deputy Collector of the Customs at Chincoteague Island, in the State of Virginia.

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 to appoint, according to law, a deputy collector of customs to reside on Chincoteague Island, in the State of Virginia, and to exercise such powers, under the revenue laws, as he, the Secretary of the Treasury, may prescribe; the compensation of the said deputy collector to be the legal fees on the business he may transact, and no more.

Approved, July 11, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties imposed on the board of trustees of the public schools in the cities of Washington and Georgetown, in the District of Columbia, by virtue of an act entitled (ante, p. 407), vol. xii. pub.—68
transferred to special board of trustees.

"An act providing for the education of colored children in the cities of Washington and Georgetown, District of Columbia, and for other purposes," approved May twenty-first, eighteen hundred and sixty-two, be, and the same are hereby, transferred to Daniel Breed, Sayles J. Bowen, and Zenas C. Robbins, and their successors in office, who are hereby created a board of trustees of the schools for colored children in the cities aforesaid, and who shall possess all the powers and perform all the duties conferred upon and required of the trustees of public schools in the said cities of Washington and Georgetown by the aforesaid act.

SEC. 2. And be it further enacted, That the before-named trustees shall hold their offices for the respective terms of one, two, and three years, to be determined by lot, and it shall be the duty of the Secretary of the Interior, on the first day of July, eighteen hundred and sixty-three, and annually on that day thereafter, to appoint from among the residents of the said cities a trustee in place of the one whose term has expired or is about to expire. And the Secretary of the Interior is also authorized to fill vacancies in said board of trustees whenever, from any cause, such vacancies may occur.

APPROVED, July 11, 1862.

July 12, 1862.

CHAP. CLIV.—An Act to amend an Act entitled "An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and other Purposes," approved, July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first meeting of the commissioners named in the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July second, eighteen hundred and sixty-two, and of the five commissioners directed by said act to be appointed by the Secretary of the Interior, shall be held at Bryan Hall, in the city of Chicago, in the State of Illinois, on the first Tuesday of September next, at twelve o'clock, at noon. A notice of said meeting, to be signed by at least ten of the commissioners named in said act, shall be published at least once a week during the six successive weeks commencing on the twentieth of July, one thousand eight hundred and sixty-two in one daily newspaper in each of the cities of Boston, New York, Philadelphia, Cincinnati, Chicago, and St. Louis, and no other notice of said meeting shall be requisite.

APPROVED, July 12, 1862.

July 12, 1862.

CHAP. CLV.—An Act Supplementary to the "Act for the Release of Certain Persons held to Service or Labor in the District of Columbia," approved April sixteen, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the oath or affirmation required by the second section of the act entitled "An act for the release of certain persons held to service or labor in the District of Columbia," to verify the statements or petitions in writing filed before the commissioners, under the act aforesaid, of persons holding claim to service or labor against persons of African descent, freed and discharged therefrom, under the act aforesaid, may in all cases in which the persons holding claims, as aforesaid, are infants or minors, be made by the guardian or by any other person, whether separately or jointly, having the custody, management, or control by law of the person and property of such infants or minors; and that in all cases in which the persons holding claims as aforesaid are non-residents of the District of Columbia, or resident absentees, the oath or
affirmation required as aforesaid may be made by the attorney or agent of said non-resident or resident absentees; and in all cases in which the statements or petitions, required as aforesaid, of persons in the military or naval service of the United States, shall have been or may be hereafter verified before any commander of any military post, or of any officer having a separate command of any military force in the field, or before any captain, commander, or lieutenant commanding in the navy, the same shall be received and deemed valid, to all intents and purposes, as fully as if the verification had been or were made before any officer competent by law to take and administer oaths and affirmations: Provided, That the commissioners shall be satisfied that, at the time of the verification aforesaid, the person making the same was employed in the military or naval service of the United States within the jurisdiction of a rebellious State or Territory, and unable to make the oath or affirmation required, as aforesaid, before any officer authorized by law to take or administer the same, holding allegiance to the United States.

SEC. 2. And be it further enacted, That if any person having claim to the service or labor of any person or persons in the District of Columbia by reason of African descent, shall neglect or refuse to file with the clerk of the circuit court of the District of Columbia the statement in writing, or schedule provided in the ninth section of the act approved April sixteen, eighteen hundred and sixty-two, to which this is supplementary, then it shall be lawful for the person or persons, whose services are claimed as aforesaid, to file such statement in writing or schedule setting forth the particular facts mentioned in said ninth section; and the said clerk shall receive and record the same as provided in said section, on receiving fifty cents each therefor.

SEC. 3. And be it further enacted, That whenever the facts set forth in the said statement or schedule shall be found by the commissioners to be true, the said clerk and his successors in office shall prepare, sign, and deliver certificates, as prescribed in the tenth section of the act to which this is supplementary, to such person or persons as shall file their statements in pursuance of the foregoing section, in all respects the same as if such statements were filed by the person having claim to their service or labor.

SEC. 4. And be it further enacted, That all persons held to service or labor under the laws of any State, and who at any time since the sixteenth day of April, anno Domini eighteen hundred and sixty-two, by the consent of the person to whom such service or labor is claimed to be owing, have been actually employed within the District of Columbia, or who shall be hereafter thus employed, are hereby declared free, and forever released from such servitude, anything in the laws of the United States or of any State to the contrary notwithstanding.

SEC. 5. And be it further enacted, That in all judicial proceedings in the District of Columbia there shall be no exclusion of any witness on account of color.

APPROVED, July 12, 1862.
Kaskaskias, Peorias, Pianke-shaws, and Weas.

Sums held in trust, and interest to be paid thereon.

Stolen bonds to belong to the United States.

Appropriation for interest on bonds.

Act when to take effect, and as to what tribes.

July 12, 1862.

Payments to be made for lost titles to land in Maine to
Laura A. Stebbins, Catherine C. Ward, Rufus Mansur, James A. Drew.

Chap. CLVII.—An Act to provide for the quieting of certain Land Titles in the late disputed Territory in the State of Maine, and for other Purposes.

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, out of any money in the treasury not otherwise appropriated, to Laura A. Stebbins, of Bangor, in the State of Maine; Catherine C. Ward, of Roxbury, in the State of Massachusetts; Rufus Mansur, of Houlton, in the State of Maine; and James A. Drew, of Chelsea, in the State of Massachusetts, the sum of thirty-three hundred and fifty-three dollars each, being in all the sum of thirteen thousand four hundred and twenty-two dollars, in full compensation for three thousand three hundred and fifty-three acres of land, including the timber previously taken therefrom, in the half township in the State of Maine, granted by the State of Massachusetts to the late General Eaton, and called the "Eaton Grant," to which said parties lost title by the operation of the fourth article of the treaty of ninth August, eighteen hundred and forty-two, "to settle and define the boundary between the United States and the possessions of her Britannic Majesty in North America:" Provided, That the said Laura A. Stebbins, Catherine C. Ward, Rufus Mansur, and James A. Drew shall
execute deeds of release to the parties holding "possessory" or "equita-
ble possessory claims" to the said three thousand three hundred and fifty-
three acres of land, or any portion thereof, as described in the reports
made to the governor and council of Maine by Ebenezer Hutchinson and
others, commissioners under a resolution passed by the legislature of said
State on the twelfth day of April, eighteen hundred and fifty-four, and
the plan of surveys accompanying said reports, and of record in the land
office of said State: And provided, also, That it shall appear to the sat-
sisfaction of the land agent of said State of Maine that such deeds of
release do effectually convey a good title to said lands, except so far as
said titles have been affected by the operation of the treaty aforesaid:
And provided further, That if it shall appear to the said land agent that
the aforesaid parties are incompetent to make such deeds of release to the
whole of said lands, then they shall be entitled to receive a pro rata only
of the compensation provided in this act for so much thereof as they shall
convey as aforesaid.

Sec. 2. And be it further enacted, That the Secretary of the Treasury
be, and he is hereby, authorized and required to pay, out of any unappropri-
ated money in the treasury, to Edmund Monroe and Benjamin Sewall,
of Boston, in the State of Massachusetts, the sum of thirteen thousand
five hundred and forty dollars, in the proportion of three-fourths thereof
and to convey good title.

And if parties can convey only part, they are to re-

If parties can convey only part, they are to receive only part.

Deeds of release to be executed,

and to convey good title.

and to convey only part.

Payments to

Edmund Mon-

ro,

Benjamin

Sewall,

Rufus Mansur,

James A.

Drew.

Proviso.

Proviso.

Sec. 3. And be it further enacted, That the Secretary of the Treasury
be, and he is hereby, directed to pay, out of any money in the treasury
not otherwise appropriated, to Laura A. Stebbins, of Bangor, Maine, and
Catherine C. Ward, of Dorchester, Massachusetts, the sum of six thou-
sand six hundred and forty-seven dollars; and to Edmund Monroe and
Benjamin Sewall, of the city of Boston, in Massachusetts, the sum of
seven thousand six hundred and thirty-five dollars, in the proportion of
three-fourths of the same to said Monroe, and one-fourth to said Sewall;
and to James A. Drew, of Chelsea, Massachusetts, and Rufus Mansur, of
Houlton, Maine, the sum of nine thousand three hundred and twenty-eight
dollars; the said several sums being in full compensation, at the rate of
one dollar per acre, for timber taken from lands owned by said parties,
respectively, and located in the Eaton Grant and Plymouth township, (so-
called,) in the State of Maine, and within the district recognized as the
"disputed territory," and which timber was taken off and lost to the pro-
prieters in consequence of the diplomatic arrangement entered into be-
tween the United States and Great Britain in eighteen hundred and
thirty-two, by which both parties agreed to abstain from the exercise of
jurisdiction in said territory: Provided, That the payments authorized
and required by this act may be made, in whole or in part, at the option
of the Secretary of the Treasury, in any of the bonds of the United
States, bearing interest at the rate of six per centum per annum, which
have been, or may hereafter be, authorized by law to be issued.

Approved, July 12, 1862.
CHAP. CLVIII.—An Act to provide for the Payment of Fines and Penalties collected by or paid the Justices of the Peace in the District of Columbia under the Acts of Congress approved the third and fifth of August, eighteen hundred and sixty-one, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several justices of the peace of the District of Columbia who have imposed fines under the acts of Congress approved the third and fifth of August, eighteen hundred and sixty-one, shall, on or before the fifteenth day of July, eighteen hundred and sixty-two, make a full and faithful report of their doings in that behalf, stating the name of the party, the amount of fine imposed, and the name of the witnesses examined in each case, to the superintendent of metropolitan police, and shall pay over all moneys in their hands arising from such fines to the said superintendent; and such of said justices as shall fail by the time specified to make such report, and comply with the other provisions of this law, shall be liable to a fine of not less than three hundred nor more than five hundred dollars, to be collected from said justices by prosecution in the criminal court in the said District of Columbia; and it shall be the duty of the superintendent of metropolitan police to inspect the dockets kept by the said justices of the peace, for the purpose of ascertaining the amount so collected as aforesaid by them; and the said justices shall submit their dockets to the inspection of the said superintendent; and failing to do so, shall pay a fine of not less than fifty nor more than one hundred dollars, to be collected as provided in the first section of this act.

Approved, July 12, 1862.

CHAP. CLIX.—An Act for the Relief of the Register of the Land Office at Vincennes, Indiana, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to make such allowance for office rent during the temporary continuance of the land office at Vincennes, Indiana, as may, in his opinion, be just and proper.

Sec. 2. And be it further enacted, That the said Secretary be authorized to adjust the account of John Moore, postmaster at Vincennes, Indiana, and allow him, at the usual rates for such services, compensation for the custody of the books, papers, and so forth, of the land office at Vincennes, Indiana, during the time the same were in his charge, under instructions from the Commissioner of the General Land Office, dated September third, eighteen hundred and fifty-eight; these allowances to be paid out of the appropriation for incidental expenses of district land offices: Provided, That the total sum paid under this act shall not exceed five hundred dollars.

Approved, July 12, 1862.

CHAP. CLX.—An Act for Relief in the Land Claim in California, known as the Claim of Francisco Soberanes to a Tract of Land known as "Sanjon de Santa Rita."

Whereas, in the district court of the United States for the southern district of California, in the case of Francisco Soberanes vs. The United
States, for the rancho lying in the State of California known by the name of Saujon de Santa Rita, a decree filed on the ninth day of February, eighteen hundred and fifty-eight, was entered, confirming to the said Sovereigns the said tract of land known by the name of Saujon de Santa Rita; and whereas, on the presentation of the mandate of the Supreme Court of the United States, dismissing the appeal to the said Supreme Court of the United States in said cause, the said decree was made final by a decree of said district court, rendered on the first day of November, eighteen hundred and sixty; and whereas the land confirmed as aforesaid lies in the northern district of California, as ascertained by a final survey of the same: Therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said decrees of the district court of the United States for the southern district of California shall be, and they are hereby declared to be, as valid and effectual as if the same had been rendered by the district court of the United States for the northern district of California.

Approved, July 12, 1862.

Chap. CLXI.—An Act confirming a Land Claim in the State of Iowa, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of lands to the then Territory of Iowa for the improvement of the Des Moines River, made by the act of August eight, eighteen hundred and forty-six, is hereby extended so as to include the alternate sections (designated by odd numbers) lying within five miles of said river, between the Raccoon fork and the northern boundary of said State; such lands are to be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines, and Minnesota railroad, in accordance with the provisions of the act of the general assembly of the State of Iowa, approved March twenty-two, eighteen hundred and fifty-eight. And if any of said lands shall have been sold or otherwise disposed of by the United States before the passage of this act, excepting those released by the United States to the grantees of the State of Iowa under the joint resolution of March second, eighteen hundred and sixty-two, the Secretary of the Interior is hereby directed to set apart an equal amount of lands within said State to be certified in lieu thereof: Provided, That if the said State shall have sold and conveyed any portion of the lands lying within the limits of this grant the title of which has proved invalid, any lands which shall be certified to said State in lieu thereof by virtue of the provisions of this act shall inure to, and be held as a trust fund for the benefit of, the person or persons respectively whose titles have failed as aforesaid.

Approved, July 12, 1862.

Chap. CLXIII.—An Act increasing, temporarily, the Duties on Imports, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of August, anno Domini eighteen hundred and sixty-two, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned there shall be levied, collected, and paid, on the goods, wares, and merchandise, herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

On sirup of sugar, or of sugar cane, or concentrated molasses, or concentrated melado, two cents per pound;

Decrees of district court of United States in California as to land claim of "Saujon de Santa Rita," confirmed.

Former grant of lands to Iowa extended.

Lands how to be held.

If any lands have been disposed of, equivalent lands to be given.

Proviso.

Duties and rates in lieu of former rates.

Sirup of sugar, &c.
Sugar.

On all sugar not above number twelve, Dutch standard in color, two and one half-cents per pound;
On all sugar above number twelve, and not above number fifteen, Dutch standard in color, three cents per pound;
On all sugar above number fifteen, not stove-dried, and not above number twenty Dutch standard in color, three and one-half cents per pound.

Refined sugar.

On all refined sugar in form of loaf, lump, crushed, powdered, pulverized, or granulated, and all stove-dried or other sugar above number twenty Dutch standard in color, four cents per pound: Provided, That the standards by which the color and grades of sugars are to be regulated shall be selected and furnished to the collectors of such ports of entry as may be necessary, by the Secretary of the Treasury, from time to time and in such manner as he may deem expedient;
On all refined sugar in form of loaf, lump, crushed, powdered, pulverized, or granulated, and all stove-dried or other sugar above number twenty Dutch standard in color, three and one-half cents per pound.

Sugar candy.

On sugar candy, not colored, six cents per pound; on all other confectionery, made wholly or in part of sugar, and on sugars, after being refined, when tinted, colored, or in any way adulterated, ten cents per pound;

Molasses.

On molasses, six cents per gallon: Provided, That all sirups of sugar or sugar cane, concentrated molasses or concentrated melado, entered under the name of molasses or any other name than sirup of sugar, or of sugar cane, concentrated molasses, or concentrated melado, shall be liable to forfeiture to the United States, and the same shall be forfeited;

Cigars.

On cigars of all kinds, valued at five dollars or less per thousand, thirty-five cents per pound; valued at over five dollars and not over ten dollars per thousand, sixty cents per pound; valued at over ten and not over twenty dollars per thousand, eighty cents per pound; valued at over twenty dollars per thousand, one dollar per pound; and in addition thereto on all cigars valued at over ten dollars per thousand, ten per centum ad valorem: Provided, That paper cigars, or cigarettes, including wrappers, shall be subject to the same duties imposed on cigars;

Snuff.

Tobacco.

On snuff, thirty-five cents per pound;
On tobacco, in leaf, unmanufactured and not stemmed, twenty-five cents per pound;
On stemmed, and tobacco manufactured of all descriptions, not otherwise provided for, thirty-five cents per pound.

Duties in addition to former duties.

Sec. 2. And be it further enacted, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law, on the articles hereinafter mentioned, and included in this section, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

Brandy.

Other spirits.

Cordials.

On brandy, for first proof, twenty-five cents per gallon;
On other spirits, manufactured or distilled from grain or other materials, for first proof, fifty cents per gallon;
On cordials, and liqueurs of all kinds, and arrack, absynthe, kirschenwasser, ratasfa, and other similar spirituous beverages not otherwise provided for, twenty-five cents per gallon;
On bay rum, twenty-five cents per gallon;

Bottles to pay same duty as wine.

On ale, porter, and beer, in bottles, or otherwise, five cents per gallon;
On all spirituous liquors not otherwise enumerated, sixteen and two-thirds per centum ad valorem: Provided, That no lower rate or amount of duty shall be levied, collected, and paid, on brandy, spirits, and all other spirituous beverages, than that fixed by law for the description of first proof, but shall be increased in proportion for any greater strength than the strength of first proof: And provided, further, That bottles containing wines subject to ad valorem duties shall be liable to and pay the same rate of duty as that fixed upon the wines therein contained.

Additional
the articles hereinafter mentioned and included in this section, there shall be duties on
be levied, collected, and paid, on the goods, wares, and merchandise,
herein enumerated and provided for, imported from foreign countries,
the following duties and rates of duty, that is to say:
On bar iron, rolled or hammered, comprising flats not less than one
inch or more than seven inches wide, nor less than one-quarter of an inch
or more than two inches thick; rounds not less than one-half an inch
nor more than four inches in diameter; and squares not less than one-
half an inch nor more than four inches square, not exceeding in value
the sum of fifty dollars per ton, two dollars per ton; exceeding in value
the sum of fifty dollars per ton, three dollars per ton;
On bar iron, rolled or hammered, comprising flats less than one-quarter
of an inch thick or more than seven inches wide; rounds less than one-
half an inch or more than four inches in diameter, and squares less
than one-half an inch or more than four inches square, five dollars per
On all iron imported in bars for railroads and inclined planes made to
patterns and fitted to be laid down on such roads or planes without further
manufacture, one dollar and fifty cents per ton;
On boiler or other plate iron, five dollars per ton;
On iron wire, drawn and finished, not more than one-fourth of an inch
in diameter nor less than number sixteen, wire gauge, one dollar per one
hundred pounds; over number sixteen and not over number twenty-five,
wire gauge, one dollar and fifty cents per one hundred pounds; over or
finer than number twenty-five, wire gauge, two dollars per one hundred
Provided, That wire covered with cotton, silk, or other material,
shall pay five cents per pound in addition to the foregoing rates;
On hollow-ware, glazed or tinned, one-half cent per pound;
On sadirons, tailor's and hatter's irons, stoves and stove plates, one-
fourth of one cent per pound;
On band and hoop iron and slit rods, and all other descriptions of
rolled or hammered iron, not otherwise provided for, five dollars per ton;
On cut nails and spikes, one-fourth of one cent per pound;
On iron cables or cable chains, or parts thereof, seventy-five cents per
one hundred pounds: Provided, That no chains made of wire or rods of
a diameter less than one-half of one inch shall be considered a chain
cable;
On anvils, one dollar per one hundred pounds;
On anchors, or parts thereof, fifty cents per one hundred pounds;
On wrought board nails, spikes, rivets, bolts, bed-screws, and wrought
hinges, one-fourth of one cent per pound;
On chains, trace chains, halter chains, and fence chains, made of wire
or rods, not under one-fourth of one inch in diameter, one-fourth of one
cent per pound; under one fourth of one inch in diameter and not under
number nine, wire gauge, one-half of one cent per pound; under num-
ber nine, wire gauge, five per centum ad valorem;
On blacksmit'h's hammers, and sledges, and axles, or parts thereof, one-
half of one cent per pound;
On horseshoe nails, one cent per pound;
On steam, gas, and water tubes, and flues of wrought iron, one-fourth
of one cent per pound;
On wrought iron railroad chairs, and wrought iron nuts and washers,
ready punched, five dollars per ton;
On smooth or polished sheet iron, by whatever name designated, one-
half cent per pound;
On sheet iron, common or black, not thinner than number twenty, wire
gauge, three dollars per ton; thinner than number twenty, and not thin-
er than number twenty-five, wire gauge, four dollars per ton; thinner
than number twenty-five, wire gauge, five dollars per ton;


On tin plates galvanized, galvanized iron, or iron coated with any metal by electric batteries, one-half cent per pound; On locomotive tire, or parts thereof, one cent per pound; On mill-irons, and mill-cranks of wrought iron, and wrought iron for ships, steam-engines, and locomotives, or parts thereof, weighing each twenty-five pounds or more, one-fourth of one cent per pound; On screws, commonly called wood-screws, one cent and a half per pound; On screws, washed or plated, and all other screws of iron, except wood-screws, five per centum ad valorem; On all manufactures of iron, not otherwise provided for, five per centum ad valorem; On cast iron, steam, gas, and water pipes, twenty-five cents per one hundred pounds; on all other castings of iron, not otherwise provided for, nor exempted from duty, five per centum ad valorem: Provided, That the following descriptions of iron, manufactures of iron, and manufactures of steel, shall not be subject to any additional duty or rates of duty under the provisions of this act, that is to say: iron in pigs; cast iron butts and h inges; old scrap iron; malleable iron, and malleable iron castings, not otherwise provided for; cut-tacks, brads, and spri gs; cross-cut, mill, pit, and drag saws; On steel in ingots, bars, sheets, or wire, not less than one-fourth of an inch in diameter, valued at seven cents per pound or less, one-fourth of one cent per pound; valued at above seven cents per pound and not above eleven cents per pound, one-half cent per pound; valued above eleven cents per pound, and on steel-wire and steel in any form, not otherwise provided for, five per centum ad valorem; On skates valued at twenty cents or less per pair, two cents per pair; when valued at over twenty cents per pair, five per centum ad valorem; On iron squares, marked on one side, two cents and a half per pound; on all other squares made of iron or steel, five cents per pound; On files, rasps, and floats, of all descriptions, two cents per pound, and in addition thereto, five per centum ad valorem; On all manufactures of steel, or of which steel shall be a component part, not otherwise provided for, five per centum ad valorem: Provided, That no allowance or reduction of duties for partial loss or damage shall be hereafter made in consequence of rust of iron or steel, or upon the manufactures of iron or steel, except on polished Russia sheet iron; On bituminous coal, ten cents per ton of twenty-eight bushels, eighty pounds to the bushel; On all other coal, ten cents per ton of twenty-eight bushels, eighty pounds to the bushel; On coke and culm of coal, five per centum ad valorem.

SEC. 4. And be it further enacted, That iron and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

On copper rods, bolts, nails, spikes, copper bottoms, copper in sheets or plates, called braziers’ copper, and other sheets and manufactures of copper, not otherwise provided for, five per centum ad valorem; On zinc, spelter, and teutenegue, unmanufactured, in blocks or pigs, twenty-five cents per one hundred pounds; On zinc, spelter, and teutenegue, in sheets, one-half of one cent per pound; On lead, in pipes and shot, three-fourths of one cent per pound; On brass, in bars or pigs, and old brass, fit only to be remanufactured, five per centum ad valorem.

SEC. 5. And be it further enacted, That iron and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the
articles hereinafter mentioned, and on such as may now be exempt from duties on
duty, there shall be levied, collected, and paid on the goods, wares, and
merchandise enumerated and provided for in this section, imported from
foreign countries, the following duties and rates of duty, that is to say:

Acid, boracic, five cents per pound; citric, ten cents per pound; oxalic,
four cents per pound; sulphuric, one cent per pound; tartaric, twenty
cents per pound; gallic, fifty cents per pound; tannic, twenty-five cents per

Acids.

Alum, patent alum, alum substitute, sulphate of alumina, and alumin-
ous cake, sixty cents per one hundred pounds;

Alum.

Argols, or crude tartar, six cents per pound; cream tartar, ten cents
per pound;

Argols.

Asphaltum, three cents per pound;

Asphaltum.

Balsam copaiva, twenty cents per pound; Peruvian, fifty cents per

Balsams.

tolu, thirty cents per pound;

Blanc fixe, enamelled white, satin white, or any combination of barytes

Blanc fixe.

and acid, two cents and a half per pound;

Barytes.

Barytes and sulphate of barytes, five mills per pound;

Bitter fluid.

Borax, crude, or tincal, five cents per pound; refined, ten cents per

Borax.

Borate of lime, five cents per pound;

Borate of lime.

Buchu leaves, ten cents per pound;

Buchu leaves.

Camphor, crude, thirty cents per pound; refined, forty cents per pound;

Camphor.

Cantharides, fifty cents per pound;

Cantharides.

Cloves, fifteen cents per pound; cassia, fifteen cents per pound; cassia

buds, twenty cents per pound; cinnamon, twenty-five cents per pound;

Cloves.

Cayenne pepper, twelve cents per pound; ground, fifteen cents per

Cloves.

pound; black pepper, twelve cents per pound; ground, fifteen cents per

Cocculus Indicus, ten cents per pound;

Cocculus Indicus.

Cuttle-fish bone, five cents per pound;

Cuttle-fish bone.

Cubebs, ten cents per pound;

Cubebs.

Dragon’s blood, ten cents per pound;

Dragon’s blood.

Emery, ore or rock, six dollars per ton; manufactured, ground, or pul-

Emery.

verized, one cent per pound;

Ergot, twenty cents per pound;

Ergot.

Epsom salts, one cent per pound; glauber salts, five mills per pound;

Epsom, &c., salts.

Rochelle salts, fifteen cents per pound;

French green, Paris green, mineral green, carmine lake, wood lake,

dry carmine, Venetian red, vermillion, mineral blue, Prussian blue, chrome

French, &c.,

yellow, rose pink, extract of resin or aqueous colors, Dutch pink, and

Except white, &c.,
paints and painters’ colors, (except white and red lead and oxide of zinc),
dry or ground in oil, and moist water colors, used in the manufacture of

lead, &c.
paper-hangings and colored papers and cards, not otherwise provided for,
twenty-five cents per centum ad valorum;

Ginger.

Ginger root, five cents per pound; ginger ground, eight cents per pound;

Gold and

On gold leaf, one dollar and fifty cents per package of five hundred

silver leaf.

leaves; on silver leaf, seventy-five cents per package of five hundred

Gum aloes, &c.

leaves;

Gum aloes, six cents per pound; benzoin, ten cents per pound; san-
drace, ten cents per pound; shellac, ten cents per pound; mastic, fifty
cents per pound; copal, kowrie, damar, and all gums used for like pur-

Gum aloes, &c.

poses, ten cents per pound;
Honey. Honey, fifteen cents per gallon;
Iodine. Iodine, crude, fifty cents per pound; resublimed, seventy-five cents per pound;
Ipecac. Ipecacuanha, or ipecac, fifty cents per pound;
Jalap. Jalap, fifty cents per pound;
Licorice. Licorice root, one cent per pound; paste or juice, five cents per pound;
Litharge. Litharge, two and one-fourth cents per pound;
Magnesia. Magnesia, carbonate, six cents per pound; calcined, twelve cents per pound;
Manna. Manna, twenty-five cents per pound;
Nitrate of soda. Nitrate of soda, one cent per pound;
Morphine. Morphine and its salts, two dollars per ounce; mace and nutmeg, thirty
Oils, fixed or cents per pound;
expressed. Oils, fixed or expressed, croton, fifty cents per pound; almonds, ten
cents per pound; bay or laurel, twenty cents per pound; castor, fifty
cents per gallon; mace, fifty cents per pound; olive, not salad, twenty-
five cents per gallon; salad, fifty cents per gallon; mustard, not salad,
twenty-five cents per gallon; salad, fifty cents per gallon;
Oils, essential Oils, essential or essence, anise, fifty cents per pound; almonds, one
everse. dollar and fifty cents per pound; amber, crude, ten cents per pound; rect-
tified, twenty cents per pound; bay leaves, seventeen dollars and fifty
cents per pound; bergamot, one dollar per pound; cajeput, twenty-five
cents per pound; caraway, fifty cents per pound; cassia, one dollar per
pound; cinnamon, two dollars per pound; cloves, one dollar per pound;
citronella, fifty cents per pound; cognac or cenanthic ether, two dollars
per ounce; cubeb, one dollar per pound; fennel, fifty cents per pound;
juniper, twenty-five cents per pound; lemons, fifty cents per pound;
orange, fifty cents per pound; origanum, or red thyme, twenty-five cents
per pound; roses, or otto, one dollar and fifty cents per ounce; thyme,
white, thirty cents per pound; valerian, one dollar and fifty cents per
pound; all other essential oils, not otherwise provided for, fifty per centum
ad valorem;
Opium. Opium, two dollars per pound;
Paraffine. Opium, prepared for smoking, eighty per centum ad valorem;
Paris white. Paraffine, ten cents per pound;
Pimento. Paris white, when dry, sixty cents per one hundred pounds; when
ground in oil, one dollar and fifty cents per one hundred pounds;
Potash. Pimento, twelve cents per pound; when ground, fifteen cents per
Potash and bichromate, three cents per pound; hydriodate, iodate, iodide,
and acetate, seventy-five cents per pound; prussiate, yellow, five cents
per pound; prussiate, red, ten cents per pound; chlorate, six cents per
Petroleum, &c. Petroleum and coal illuminating oil, crude, ten cents per gallon; refined,
Post, p. 742. or kerosene, produced from the distillation of coal, asphaltum, shale, peat,
Petroleum. petroleum, or rock oil, or other bituminous substances, used for like pur-
poses, twenty cents per gallon;
Quinine. Putty, one dollar and fifty cents per one hundred pounds;
Putty. Quinine, sulphate of, and other salts of quinine, forty-five per centum
Rhubarb. ad valorem;
Rose leaves. Rhubarb, fifty cents per pound;
Salt petre. Rose leaves, fifty cents per pound;
Salt petre, or nitrate of potash, crude, two cents per pound; refined,
or oil. three cents per pound;
Seeds. Seeds, anise, five cents per pound; star anise, ten cents per pound;
canary, one dollar per bushel of sixty pounds; caraway, three cents per pound; cardamom, fifty cents per pound; cummin, five cents per pound; coriander, three cents per pound; fennel, two cents per pound; fen[n]igreek, two cents per pound; hemp, one-half cent per pound; mustard, brown, three cents per pound; white, three cents per pound; rape, one cent per pound; castor seeds or beans, thirty cents per bushel;

Sugar of lead, four cents per pound;

Tartar emetic, fifteen cents per pound;

Varnish, valued at one dollar and fifty cents or less per gallon, fifty cents per gallon, and twenty per centum ad valorem; valued at above one dollar and fifty cents per gallon, fifty cents per gallon, and twenty-five per centum ad valorem;

Vanilla beans, three dollars per pound;

Verdigris, six cents per pound;

Whiting, when dry, fifty cents per one hundred pounds; when ground in oil, one dollar and fifty cents per one hundred pounds;

Acetous, benzoic, muriatic, and pyroligneous acids, cutch or catechu, orchil and cudbear, safflower and sumac, ten per centum ad valorem;

Arsenic in all forms, ammonia, and sulphate and carbonate of ammonia; bark, cinchona, Peruvian, Lima, Calisaya, quilla, and all other medicinal barks, flowers, leaves, plants, roots, and seeds, not otherwise provided for; cobalt, and oxide of cobalt; gums, amber, Arabic, jedda, senegal, tragacanth, myrrh, and all other gums and gum resins not otherwise provided for; quassia wood; smalts; sarsaparilla; tapioca; tonqua beans and sponges, twenty per centum ad valorem; acetic acid, twenty-five per centum ad valorem;

Santonine, &c.

Acetic acid.

On all pills, powders, tinctures, troches or lozenges, sirups, cordials, biters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or other medicinal preparations or compositions, recommended to the public as proprietary medicines, or prepared according to some private formula or secret art as remedies or specifics for any disease or diseases or affections whatever affecting the human or animal body, fifty per centum ad valorem;

Sect. 6. And be it further enacted, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, a duty of ten per centum ad valorem, that is to say:

Antimony, crude;

Assafoetida;

Beeswax;

Blacking;

Building stone of all descriptions, not otherwise provided for;

Calomel;

Catsup;

Civet, oil of;

Cobalt ores;

Extract of indigo; extract of madder; extract and decoctions of logwood, and other dyewoods;

Flints, and flint, ground;

Flocks, waste or shoddy;

Furs, dressed, when not on the skin;

Sugar of lead.

Tartar emetic.

Varnish.

Vanilla beans.

Verdigris.

Whiting.

Acetous, &c.

Arsenic, &c.

Medicinal barks, gums, &c.

Medicinal preparations.

Essences, cosmetics, perfumes.

Additional duties, &c. on.

Antimony.

Assafoetida.

Beeswax.

Blacking.

Building stone.

Calomel.

Catsup.

Civet.

Cobalt ore.

Extracts.

Flints.

Flocks.

Furs.
Garancine.  Garancine;
Ginger.  Ginger, preserved, or pickled;
Green turtle.  Green turtle;
Grindstones.  Grindstones, unwrought, or wrought or finished;
Gutta-percha.  Gutta-percha, unmanufactured;
Isinglass.  Isinglass or fish glue;
Japanned ware.  Japanned ware of all kinds, not otherwise provided for;
Lastings.  Lastings, mohair cloth, silk, twist, or other manufacture of cloth woven
or made in patterns of such size, shape and form, or cut in such manner as
to be fit for shoes, slippers, boots, bootees, gaiters, and buttons, exclusively,
not combined with India-rubber;
Mats.  Mats of cocoa-nut;
Matting.  Matting, china, and other floor matting, and mats made of flags, jute, or
grass;
Manufactures of gutta-percha.  Manufactures of gutta-percha;
Milk of India-rubber.  Milk of India-rubber; medicinal preparations not otherwise provided
for;
Music.  Music, printed with lines, bound or unbound;
Musical instruments.  Musical instruments of all kinds, and strings for musical instruments of
whipgut or catgut, and all other strings of the same material;
Nickel.  Nickel;
Ozier.  Ozier or willow, prepared for basket makers' use;
Philosophical instruments.  Philosophical apparatus and instruments;
Plaster of Paris.  Plaster of Paris, when ground;
Quills.  Quills;
Strychnine.  Strychnine;
Staves.  Staves for pipes, bogsheads, or other casks;
Teeth.  Teeth, manufactured;
Thread lace.  Thread lace and insertings;
Woollen list-ings.  Woollen listings.

Additional duties on Chocolate, &c.  On chocolate and cocoa prepared, one cent per pound;
Copperas.  On copperas, green vitriol, or sulphate of iron, one-fourth cent per pound;
Linnen, &c.  On linseed, flax-seed, hemp-seed, and rape-seed oil, three cents per
gallon;
Saleratus, &c.  On saleratus and bicarbonate of soda, one-half cent per pound;
Caustic soda.  On caustic soda, one-half cent per pound;
Salt.  On salt, in sacks, barrels, other packages, or in bulk, six cents per one
hundred pounds;
Soap.  On soap, fancy, scented, honey, cream, transparent, and all descriptions
of toilet and shaving soap, two cents per pound; all other soap, five per
centum ad valorem.

Spirits of turpentine.  On spirits of turpentine, five cents per gallon;
Starch.  On starch of all descriptions, one-half cent per pound;
White and red lead.  On white and red lead, dry or ground in oil, fifteen cents per one
hundred pounds;

Oxide of zinc.  On oxide of zinc, dry or ground in oil, twenty-five cents per one hundred
pounds;

Duties in lieu of former duties on  Sec. 8.  And be it further enacted, That from and after the day and
year aforesaid, in lieu of the duties heretofore imposed by law on the articles hereinafter mention[ed], and on such as may now be exempt
from duty, there shall be levied, collected, and paid on the goods, wares,
and merchandise enumerated and provided for in this section, imported
from foreign countries, the following duties and rates of duty, that is to say:

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THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 163. 1862.
On anchovies, preserved in salt, thirty per centum ad valorem;
On andirons, made of cast iron, one cent and one-fourth per pound;
On barley, pearl or hulled, one cent per pound;
On bonnets, hats, and hoods, for men, women, and children, composed of straw, chip, grass, palm-leaf, willow, or any other vegetable substance, or of silk, hair, whalebone, or other material, not otherwise provided for, forty per centum ad valorem;
On braids, plaits, flats, laces, trimmings, sparterre, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, or any other vegetable substance, or of hair, whalebone, or other material, not otherwise provided for, thirty per centum ad valorem;
On books, periodicals, pamphlets, blank-books, bound or unbound, and all printed matter, engravings, bound or unbound, illustrated books and papers, and maps and charts, twenty per centum ad valorem; Provided, That all imported cotton and linen rags for the manufacture of paper shall be free of duty;
On bristles, ten cents per pound;
On candles and tapers, stearine and adamantine, five cents per pound;
On spermaceti, paraffine, and wax candles and tapers, pure or mixed, eight cents per pound; on all other candles and tapers, two and one-half cents per pound;
On chicory root, two cents per pound; on chicory ground, burnt, or prepared, three cents per pound;
On acorn coffee and dandelion root, raw or prepared, and all other articles used or intended to be used as coffee, or a substitute for coffee, and not otherwise provided for, three cents per pound;
On coloring for brandy, fifty per centum ad valorem;
On cork wood, unmanufactured, thirty per centum ad valorem; on corks, fifty per centum ad valorem;
On cotton, one-half cent per pound;
On feathers and down for beds or bedding, of all descriptions, thirty per centum ad valorem;
On ostrich, vulture, cock, and other ornamental feathers, crude or not dressed, colored, or manufactured, twenty per centum ad valorem; when dressed, colored, or manufactured, forty per centum ad valorem;
On feathers and flowers, artificial and parts thereof, of whatever material composed, not otherwise provided for, forty per centum ad valorem;
On fire-crackers, fifty cents per box of forty packs, not exceeding eighty to each pack; and in the same proportion for a greater number;
On fruit, shade, lawn, and ornamental trees, shrubs, plants, and bulbous roots, and flower seeds, not otherwise provided for, thirty per centum ad valorem;
On gloves, made of skins or leather, forty per centum ad valorem;
On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, valued at less than twenty cents per pound, six cents per pound; valued at twenty cents or over per pound, six cents per pound and twenty per centum ad valorem in addition thereto;
On garden seeds, and all other seeds for agricultural and horticultural purposes, not otherwise provided for, thirty per centum ad valorem;
On hides, raw, and skins of all kinds, whether dried, salted, or pickled, ten per centum ad valorem;
On hollow-ware and vessels of cast iron, not otherwise provided for, one cent and one-fourth per pound;
On hops, five cents per pound;
On human hair, raw, uncleared, and not drawn, twenty per centum ad valorem; when cleaned or drawn, but not manufactured, thirty per centum ad valorem; when manufactured, forty per centum ad valorem;
On lead ore, one dollar per one hundred pounds;
Marble.

On marble, white statuary, in block, rough, or squared, seventy-five cents per cubic foot; veined marble, and marble of all other descriptions, not otherwise provided for, in block, rough, or squared, forty per centum ad valorem;

Manufactures of marble.

On all manufactures of marble, marble slabs, marble paving tiles, and marble sawed, dressed, or polished, fifty per centum ad valorem;

Bladders.

On manufactures of bladders, thirty per centum ad valorem;

India-rubber and silk.

On manufactures of India-rubber and silk, or of India-rubber and silk and other materials, fifty per centum ad valorem;

Mustard.

On mustard, ground, in bulk, twelve cents per pound; when enclosed in glass or tin, sixteen cents per pound;

Plates engraved.

On plates engraved, of steel, copper, wood, or any other material, twenty-five per centum ad valorem;

Plumbago.

On plumbago or black lead, ten dollars per ton;

Potatoes.

On potatoes, twenty-five cents per bushel;

Percussion caps, and fulminating powders.

On percussion caps, fulminating powders, and all articles used for like purposes, not otherwise provided for, thirty per centum ad valorem;

Playing-cards.

On playing-cards, valued at twenty-five cents or less per pack, fifteen cents per pack; valued above twenty-five cents per pack, twenty-five cents per pack;

Metallic pens.

On pens, metallic, ten cents per gross;

Pen-holder tips.

On pen-holder tips, metallic, ten cents per gross;

Pen-holders.

On pen-holders, complete, ten cents per dozen;

Lead pencils.

On lead pencils, one dollar per gross;

Rice.

On rice, cleaned, one cent and a half per pound; paddy, three quarters of one cent per pound; uncleaned rice, one cent per pound;

Sago, &c.

On sago and sago flour, one cent and a half per pound;

Sheathing copper and metal.

On sheathing copper, and sheathing metal or yellow metal not wholly of copper or wholly or in part of iron, ungalvanized, in sheets forty-eight inches long and fourteen inches wide, and weighing from fourteen to thirty-four ounces per square foot, three cents per pound;

On tin in pigs, bars, or blocks, fifteen per centum ad valorem;

On tin in plates or sheets, terne, and tagger tin, twenty-five per centum ad valorem; on oxide, mariatic, and salts of tin and tin foil, thirty per centum ad valorem.

Sect. 9. And be it further enacted, That, in addition to the duties here-fofore imposed by law on the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

On Wilton, Saxony, and Aubusson, Axminster, patent velvet, Tournay velvet, and tapestry velvet carpets and carpeting, Brussels carpets wrought by the Jacquard machine, and all medallion or whole carpets, five cents per square yard; on Brussels and tapestry Brussels carpets and carpeting, printed on the warp or otherwise, three cents per square yard; on all treble-ingrain and worsted chain Venetian carpets and carpetings, three cents per square yard; on hemp or jute carpeting, two cents per square yard; on all other kinds of carpets and carpeting, of wool, flax, or cotton, or parts of either or other material (except druggets, bookings, and felt carpets and carpetings), not otherwise provided for, five per centum ad valorem: Provided, That mats, rugs, screens, covers, hassocks, bed sides, and other portions of carpets or carpeting, shall pay the rate of duty herein imposed on carpets and carpeting of similar character; on all other mats, screens, hassocks, and rugs, five per centum ad valorem.

On woollen cloths, woollen shawls, and all manufactures of wool, of every description, made wholly or in part of wool, not otherwise provided for, a duty of six cents per pound, and, in addition thereto, five per centum ad valorem;
On goods of like description, when valued at over one dollar per square yard, or weighing less than twelve ounces per square yard, a duty of six cents per pound, and, in addition thereto, ten per centum ad valorem;

On endless belts or felts for paper, andblanketing for printing machines, five per centum ad valorem;

On flannels, of all descriptions, five per centum ad valorem;

On hats of wool, ten per centum ad valorem;

On woollen and worsted yarn, of all descriptions, five per centum ad valorem;

On clothing ready made, and wearing apparel of every description, composed wholly or in part of wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, six cents per pound, and, in addition thereto, five per centum ad valorem: Provided, That Balmoral skirts, or goods of like description, or used for like purposes, made wholly or in part of wool, shall be subjected to the same duties that are levied upon ready-made clothing;

On blankets of all kinds, made wholly or in part of wool, five per centum ad valorem;

On all delaines, cashmere delaines, muslin delaines, barege delaines, composed wholly or in part of worsted, wool, mohair, or goats' hair, and on all goods of similar description, not exceeding in value forty cents per square yard, two cents per square yard;

On bunting, worsted yarns, and on all other manufactures of worsted or of which worsted shall be a component material, not otherwise provided for, five per centum ad valorem;

On oil-cloth for floors, stamped, or printed, of all descriptions, five per centum ad valorem.

On coir floor matting and carpeting, five per centum ad valorem.

SEC. 10. And be it further enacted, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say:

First. On all manufactures of cotton, bleached or unbleached, and not colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, and exceeding in weight five ounces per square yard, one-fourth of one cent per square yard; on finer or lighter goods of like description, not exceeding one hundred and forty threads to the square inch, counting the warp and filling, one-half cent per square yard; on goods of like description, exceeding one hundred and forty threads, and not exceeding two hundred threads to the square inch, counting the warp and filling, three-fourths of one cent per square yard; on like goods, exceeding two hundred threads to the square inch, counting the warp and filling, one cent per square yard; on all goods embraced in the foregoing schedules (except jeans, denimes, drillings, bedtickings, ginghams, plaided, cottonades, pantaloons stuff, and goods of like description, not exceeding in value the sum of sixteen cents per square yard), if printed, painted, colored, or stained, they shall be considered to have been bleached goods, and there shall be levied, collected, and paid a duty of one cent per square yard, in addition to the rates of duty provided for bleached goods: Provided, That upon all plain woven cotton goods, not included in the foregoing schedules, and upon cotton goods of every description, the value of which shall exceed sixteen cents per square yard, there shall be levied, collected, and paid, a duty of five per centum ad valorem: And provided, further, That no cotton goods, having more than two hundred threads to the square inch, counting the warp and filling, shall be admitted to a less rate of duty than is provided for goods which are of that number of threads.

Plain woven cotton goods not included, &c.
Second. On spool and other thread of cotton, ten per centum ad valorem.

Third. On shirts and drawers, wove or made on frames, composed wholly of cotton and cotton velvet, five per centum ad valorem.

Fourth. On all cotton jeans, denimes, drillings, bedtickings, ginghams, plaids, cottonades, pantaloons, and goods of like description, not exceeding in value the sum of sixteen cents per square yard, two cents per square yard; and on all manufactures composed wholly of cotton, bleached, unbleached, printed, painted, or dyed, not otherwise provided for, five per centum ad valorem.

Fifth. On all brown or bleached linens, ducks, canvas paddings, cotton-bottoms, burlaps, drills, coatings, brown hollands, blue linens, damasks, diapers, crash, huckabacks, handkerchiefs, lawns, or other manufactures of flax, jute, or hemp (or of which flax, jute, or hemp shall be the component material of chief value), five per centum ad valorem; or flax or linen threads, twine and packthread, and all other manufactures of flax, or of which flax shall be the component material of chief value, and not otherwise provided for, five per centum ad valorem.

Sec. 11. And be it further enacted, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say:

On jute, Sisal grass, sun hemp, coir, and other vegetable substances not enumerated, (except flax, tow of flax, Russia and manilla hemp, and codilla, or tow of hemp,) five dollars per ton;

On jute butts, one dollar per ton;

On tarred cables, or cordage, one-fourth of one cent per pound;

On untarred manilla cordage, one-fourth of one cent per pound;

On all other untarred cordage, one-half cent per pound;

On hemp yarn, one cent per pound;

On coir yarn, one-half cent per pound;

On seines, one-half cent per pound;

On cotton bagging, or other manufactures not otherwise provided for, suitable for the uses to which cotton bagging is applied whether composed in whole or in part of hemp, jute, or flax, or any other material valued at less than ten cents per square yard, three-fourths of one cent per pound; over ten cents per square yard, one cent per pound;

On sail duck, five per centum ad valorem;

On Russia and other sheetings, made of flax or hemp, brown and white, five per centum ad valorem; and

On all other manufactures of hemp, or of which hemp shall be a component part, not otherwise provided for, five per centum ad valorem;

On grass cloth, five per centum ad valorem;

On jute yarns, five per centum ad valorem;

On all other manufactures of jute or Sisal grass, not otherwise provided for, five per centum ad valorem: Provided, That all hemp, or preparations of hemp used for naval purposes by the government of the United States, shall be of American growth or manufacture: Provided, further, The same can be obtained of as good quality and at as low a price.

Sec. 12. And be it further enacted, That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say:

On all brown earthenware and common stoneware, gas retorts, stoneware not ornamented, and stoneware above the capacity of ten gallons, twenty per centum ad valorem;
On China and porcelain ware, gilded, ornamented, or decorated in any manner, forty per centum ad valorem;

On China and porcelain ware, plain white, and not decorated in any manner, and all other earthen, stone, or crockery ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances, and not otherwise provided for, thirty-five per centum ad valorem;

Slates, slate pencils, slate chimney-pieces, mantels, slabs for tables, and all other manufactures of slate, forty per centum ad valorem;

Unwrought clay, pipe clay, fire clay, and kaoline, five dollars per ton;

Fuller's earth, three dollars per ton;

On white chalk, four dollars per ton; on red and French chalk, ten per centum ad valorem; on chalk of all descriptions, not otherwise provided for, twenty-five per centum ad valorem.

On all plain and mould and press glassware, not cut, engraved, or painted, thirty per cent ad valorem;

On all articles of glass, cut, engraved, painted, colored, printed, stained, silvered or gilded, not including plate-glass silvered, or looking-glass plates, thirty-five per centum ad valorem;

Rough plate-glass, not including crown, cylinder, broad, or common window glass, not exceeding ten by fifteen inches, seventy-five cents per one hundred square feet; above that, and not exceeding sixteen by twenty-four inches, one cent per square foot; above that, and not exceeding twenty-four by thirty inches, one cent and a half per square foot; all above that, two cents per square foot: Provided, That all fluted, rolled, or rough plate-glass, weighing over one hundred pounds per one hundred square feet, shall pay an additional duty on the excess at the same rates herein imposed;

On all cast polished plate-glass, unsilvered, not exceeding ten by fifteen inches, three cents per square foot; above that, and not exceeding sixteen by twenty-four inches, five cents per square foot; above that, and not exceeding twenty-four by thirty inches, eight cents per square foot; above that, and not exceeding twenty-four by sixty inches, twenty-five cents per square foot; all above that, fifty cents per square foot;

Polished plate-glass, unsilvered.

Polished plate-glass, silvered.

Porcelain, Bohemian glass, &c.

Additional duties on Argentine, alabals, or German silver, manufactured or unmanufactured;
Articles embroidered or worn.

Articles embroidered with gold, silver, or other metal;
Articles worn by men, women, or children, of whatever material composed, made up, or made wholly or in part by hand, not otherwise provided for;

Britannia ware.

Britannia ware;

Baskets, &c.

Baskets, and all other articles composed of grass, ozier, palm leaf, straw, whalebone, or willow, not otherwise provided for;

Bracelets, &c.

Bracelets, braids, chains, curls, or ringlets composed of hair, or of which hair is a component material;

Braces, &c.

Braces, suspenders, webbing, or other fabrics composed wholly or in part of India-rubber, not otherwise provided for;

Brooms, &c.

Brooms and brushes of all kinds;

Canes, &c.

Canes and sticks for walking, finished or unfinished;

Caps, hats, &c.

Caps, hats, muffts, and tippets of fur, and all other manufactures of fur, or of which fur shall be a component material;

Card cases, &c.

Card cases, pocket books, shell boxes, souvenirs, and all similar articles, of whatever material composed;

Carriages, &c.

Carriages and parts of carriages;

Clocks.

Clocks and parts of clocks;

Clothing.

Clothing, ready made, and wearing apparel of whatever description, of whatever material composed, except wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer;

Coach, &c.,

Coach and harness furniture of all kinds, saddlery, coach and harness hardware, silver plated, brass plated, or covered, common tinned, burnished, or japanned, not otherwise provided for;

Combs.

Combs of all kinds;

Compositions of glass, &c.

Compositions of glass or paste, when set;

Preserved fruits.

Composition tops for tables, or other articles of furniture;

Comfits, sweetmeats, or fruits preserved in sugar, brandy, or molasses, not otherwise provided for;

Cotton cords.

Cotton cords, gimps, and galloons;

Cotton laces, &c.

Cotton laces, cotton insertings, cotton trimming laces, and cotton braids, colored or uncolored;

Court-plaster.

Court-plaster;

Cutlery.

Cutlery of all kinds;

Dolls, &c.

Dolls and toys of all kinds;

Encaustic tiles.

Encaustic tiles;

Epaulets, &c.

Epaulets, galloons, laces, knots, stars, tassels, tresses, and wings, of gold, silver, or other metal;

Fans and fire-screens.

Fans and fire-screens of every description, of whatever material composed;

Umbrellas, &c.

Frames and sticks for umbrellas, parasols, and sunshades, finished or unfinished;

Furniture.

Furniture, cabinet and household;

Furs.

Furs, dressed;

Hair pencils.

Hair pencils;

Hat bodies.

Hat bodies of cotton or wool, or of which wool is the component material of chief value;

Hair cloth, &c.

Hair cloth, hair seatings, and all other manufactures of hair, not otherwise provided for;

Ink.

Ink, printers' ink, and ink powder;

Leather.

Japanned, patent or enamelled leather, or skins of all kinds;

Jet.

Jet and manufactures of jet, and imitations thereof;

Leather.

Leather, tanned, of all descriptions;

Macaroni, &c.

Macaroni, vermicelli, gelatine, jellies, and all similar preparations;
Manufactures of bone, shell, horn, ivory or vegetable ivory;
Manufactures of paper, or of which paper is a component material, not otherwise provided for;
Manufactures of the bark of the cork tree, except corks;
Manufactures, articles, vessels and wares, not otherwise provided for, of gold, silver, copper, brass, iron, steel, lead, pewter, tin, or other metal, or of which either of these metals or any other metal shall be the component material of chief value;
Manufactures not otherwise provided for, composed of mixed materials, in part of cotton, silk, wool, or worsted, hemp, jute, or flax;
Manufactures of cotton, linen, silk, or worsted, if embroidered or tamboured, in the loom or otherwise, by machinery or with the needle or other process, not otherwise provided for;
Manufactures of cedar wood, granadilla, ebony, mahogany, rosewood, cedar wood, &c., and satin wood;
Manufactures and articles of leather, or of which leather shall be a component part, not otherwise provided for;
Manufactures, articles, and wares, of papier mache;
Manufactures of goats' hair or mohair, or of which goats' hair or mohair shall be a component material, not otherwise provided for;
Manufactures of wood, or of which wood is the chief component part, wood, not otherwise provided for;
Morocco skins;
Muskets, rifles, and other fire-arms;
Needles, sewing, darning, knitting, and all other descriptions;
Oil-cloth of every description, of whatever material composed, not otherwise provided for;
Paper boxes, and all other fancy boxes;
Paper envelopes;
Paper-hangings, and paper for screens or fire-boards; paper, antiquarian, demy, drawing, elephant, foolscap, imperial, letter, and all other paper, not otherwise provided for;
Pins, solid head or other;
Plated and gilt ware of all kinds;
Prepared vegetables, meats, fish, poultry, and game, sealed or unsealed, in cans or otherwise;
Ratans and reeds, manufactured or partially manufactured;
Roofing slates;
Scagliola tops for tables or other articles of furniture;
Sealing-wax;
Side arms of every description;
Silver-plated metal, in sheets or other form;
Stereotype plates;
Still bottoms;
Twines and packthread, of whatever material composed, not otherwise provided for;
Type metal;
Types, new;
Umbrellas, parasols, and sunshades;
Velvet, when printed or painted;
Wafers;
Water colors;
Watches and parts of watches, and watch materials, and unfinished parts of watches;
Webbing, composed of wool, cotton, flax, or any other materials, not otherwise provided for.

Sec. 14. And be it further enacted, That, from and after the day and year aforesaid, there shall be levied, collected, and paid on all goods, wares, and merchandise of the growth or produce of countries beyond the
Ten per cent. additional duty on tea, and products of countries
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Cape of Good Hope, when imported from places this side of the Cape of Good Hope, a duty of ten per cent. ad valorem, and in addition to the duties imposed on any such articles when imported directly from the place or places of their growth or production.

SEC. 15. And be it further enacted, That upon all ships, vessels, or steamers, which, after the thirty-first day of December, eighteen hundred and sixty-two, shall be entered at any custom-house in the United States from any foreign port or place, or from any port or place in the United States, whether ships or vessels of the United States, or belonging wholly or in part to subjects of foreign powers, there shall be paid a tax or tonnage duty of ten cents per ton of the measurement of such vessel, in addition to any tonnage duty now imposed by law: Provided, That the said tax or tonnage duty shall not be collected more than once in each year on any ship, vessel, or steamer having a license to trade between different districts of the United States, or to carry on the bank, whale, or other fisheries, whilst employed therein, or on any ship, vessel, or steamer, to or from any port or place in Mexico, the British provinces of North America, or any of the West India islands: Provided, also, That nothing in this act contained shall be deemed in anywise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels: Provided, further, That so much of the act of August eighteen, eighteen hundred and fifty-six, entitled “An act to authorize protection to be given to citizens of the United States who may discover deposits of guano,” as prohibits the export thereof, is hereby suspended for one year from and after the passage of this act.

SEC. 16. And be it further enacted, That from and after the passage of this act, in estimating the allowance for tare on all chests, boxes, cases, casks, bags, or other envelope or covering of all articles imported liable to pay any duty, where the original invoice is produced at the time of making entry thereof, and the tare shall be specified therein, it shall be lawful for the collector, if he shall see fit, or for the collector and naval officer, if such officer there be, if they shall see fit, with the consent of the consignees, to estimate the said tare according to such invoice; but in all other cases the real tare shall be allowed, and may be ascertained under such regulations as the Secretary of the Treasury may from time to time prescribe; but in no case shall there be any allowance for draft.

SEC. 17. And be it further enacted, That from and after the first day of November, eighteen hundred and sixty-two, no goods, wares, or merchandise subject to ad valorem or specific duty, whether belonging to a person or persons residing in the United States or otherwise, or whether acquired by the ordinary process of bargain and sale, or otherwise, shall be admitted to entry, unless the invoice of such goods, wares, or merchandise be verified by the oath of the owner or one of the owners, or in the absence of the owner, one of the party who is authorized by the owner to make the shipment and sign the invoice of the same, certifying that the invoice annexed contains a true and faithful account, if subject to ad valorem duty and obtained by purchase, of the actual cost thereof, and of all charges thereon, and that no discounts, bounties, or drawbacks are contained in the said invoice but such as have actually been allowed on the same; and when consigned or obtained in any manner other than by purchase, the actual market value thereof, and if subject to specific duty, of the actual quantity thereof; which said oath shall be administered by the consul or commercial agent of the United States in the district where the goods are manufactured, or from which they are sent; and if there be no consul or commercial agent of the United States in the said district, the verification hereby required shall be made by the consul or commercial agent of the United States at the nearest point, or at the port from which the goods are shipped, in which case the oath shall be administered
by some public officer, duly authorized to administer oaths, and transmitted with a copy of the invoice to the consul or commercial agent for his authentication; and this act shall be construed only to modify, and not repeal, the act of March first, eighteen hundred and twenty-three, entitled "An act supplementary to, and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed second March, one thousand seven hundred and ninety-nine, and for other purposes," and the forms of the oaths therein set forth shall be modified accordingly. And there shall be paid to the said consul, vice-consul, or commercial agent, by the person or persons by or in behalf of whom the said invoices are presented and deposited one dollar for each and every invoice verified, which shall be accounted for by the officers receiving the same, in such manner as is now required by the laws regulating the fees and salaries of consuls and commercial agents: Provided, That nothing herein contained shall be construed to require for goods imported under the reciprocity treaty with Great Britain, signed June fifth, eighteen hundred and fifty-four, any other consular certificate than is now required by law:

And provided, further, That the provisions of this section shall not apply to invoices of goods, wares, and merchandise imported into the United States from beyond Cape Horn and the Cape of Good Hope, until the first day of April, one thousand eight hundred and sixty-three: And provided, further, That the provisions of this section shall not apply to countries where there is no consul, vice-consul, or commercial agent of the United States.

Sec. 18. And be it further enacted, That, from and after the date aforesaid, it shall be the duty of consuls and commercial agents of the United States, having any knowledge or belief of any case or practice of any person or persons who obtain or should obtain verification of invoices as described in the preceding section, whereby the revenue of the United States or may be defrauded, to report the facts to the collector of the port where the revenue is or may be defrauded, or to the Secretary of the Treasury of the United States.

Sec. 19. And be it further enacted, That from and after the passage of this act, the act entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March two, eighteen hundred and sixty-one, be, and the same is hereby, amended as follows, that is to say: First, in section twelve, before the word "eighteen," where it first occurs, strike out "less than;" second, in section twenty-three, after the words, "artists residing abroad," strike out, "provided the same be imported in good faith as objects of taste and not of merchandise," and insert, "provided the fact, as aforesaid, shall be certified by the artist, or by a consul of the United States;" and in the same section, before the word "oprimpt," insert, "ores of gold and silver."

Sec. 20. And be it further enacted, That the sixth section of an act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," be, and the same is hereby, amended so that the additional duty of one hundred per centum shall not apply to the invoice or appraised value of the merchandise withdrawn, but shall be so construed as to require for failure to transport and deliver within the time limited, a duty to be levied and collected of double the amount [to] which said goods, wares, and merchandise would be liable upon the original entry thereof.

Sec. 21. And be it further enacted, That all goods, wares, and merchandise, which may be in the public stores or bonded warehouse on the first day of August, eighteen hundred and sixty-two, may be withdrawn for consumption upon payment of the duties now imposed thereon by law, provided the same shall be so withdrawn within three months from the date of original importation; but all goods, wares, and merchandise

Amendments of act
1851, ch. 68, §§ 12, 23.
Ante, pp. 183, 195.

Goods in public stores and on shipboard August 11, 1862, subject to what rates of duty.
Post, p.
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which shall remain in the public stores or bonded warehouse for more than three months from the date of original importation, if withdrawn for consumption, and all goods on shipboard on the first day of August, eighteen hundred and sixty-two, shall be subject to the duties prescribed by this act: Provided, That all goods which now are or may be deposited in public store or bonded warehouse after this act takes effect and goes into operation, must be withdrawn therefrom, or the duties thereon paid within one year from the date of original importation, but may be withdrawn by the owner for exportation to foreign countries, or may be transshipped to any port of the Pacific or western coast of the United States at any time before the expiration of three years from the date of original importation; such goods on arrival at a Pacific or western port, as aforesaid, to be subject to the same rules and regulations as if originally imported there; any goods remaining in public store or bonded warehouse beyond three years shall be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the treasury: Provided, further, That merchandise upon which duties have been paid may remain in warehouse in custody of the officers of the customs at the expense and risk of the owners of said merchandise, and if exported directly from said custody to a foreign country within three years, shall be entitled to return duties, proper evidence of such merchandise having been landed abroad to be furnished to the collector by the importer, one per centum of said duties to be retained by the government: And provided, further, That all drugs, medicines, and chemical preparations, entered for exportation and deposited in warehouse or public store, may be exported by the owner or owners thereof in the original package, or otherwise, subject to such regulations as shall be prescribed by the Secretary of the Treasury: And provided, further, That the third or last proviso to the fifth section of an act entitled “ An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes,” approved the sixth [fifth] day of August, eighteen hundred and sixty-one, be, and the same is hereby, repealed; and no return of the duties shall be allowed on the export of any merchandise after it has been removed from the custody and control of the government; but nothing herein contained shall be held to apply to or repeal section thirty of the act entitled “An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes,” approved March second, eighteen hundred and sixty-one, or section four of an act entitled “An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes,” approved August fifth, eighteen hundred and sixty-one.

Sec. 22. And be it further enacted, That the privilege of purchasing supplies from the public warehouses duty free, be extended under such regulations as the Secretary of the Treasury shall prescribe to the vessels-of-war of any nation in ports of the United States, which may reciprocate such privilege towards the vessels-of-war of the United States in its ports.

Sec. 23. And be it further enacted, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed: Provided, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect, in the existing laws contained, had been inserted in and reenacted by this act.

Sec. 24. And be it further enacted, That in the ninety-fifth section of the act entitled “An act to provide internal revenue to support the gov-
ernment and [to] pay interest on the public debt," approved July first, 

thirteen hundred and sixty-two, be so amended that no instrument, docu-

ment, or paper, made, signed, or issued prior to the first day of January,

eighteen hundred and sixty-three, without being duly stamped, or having

thereon an adhesive stamp to denote the duty imposed thereon, shall for

that cause be deemed invalid and of no effect: Provided, however, That

no such instrument, document, or paper shall be admitted or used as evi-
dence in any court until the same shall have been duly stamped, nor
until the holder thereof shall have proved to the satisfaction of the court
that he has paid to the collector or deputy collector of the district within
which such court may be held the sum of five dollars, for the use of the
United States.

SEC. 25. And be it further enacted, That no part of the act aforesaid,
in relation to stamp duties, shall be held to take effect before the first
day of September, eighteen hundred and sixty-two. And so much of
said act as relates to the appointment of collectors and assessors shall be
held to take effect on the twenty-first day of July, eighteen hundred and
sixty-two, instead of from and after its approval by the President.

APPROVED, July 14, 1862.

CHAP. CLXIV. — An Act making Appropriations for the Naval Service for the Year

ending thirtieth of June, eighteen hundred and sixty-three, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the following sums be, and
they are hereby, appropriated, to be paid out of any money in the trea-
sury not otherwise appropriated, for the year ending the thirtieth of June,
eighteen hundred and sixty-three:

For pay of commission, warrant, and petty officers and seamen, includ-
ing the engineer corps of the navy, eleven million six hundred and seven-
teen thousand one hundred and nine dollars.

For the repair and equipment of vessels of the navy, eleven million
four hundred thousand dollars.

For fuel for the navy, to be purchased in the mode prescribed by law
for other materials, and for the transportation thereof, two million one
hundred and sixty thousand dollars.

For the purchase of hemp and other materials for the navy, five
hundred and forty thousand dollars.

For ordnance and ordnance stores, including incidental expenses, five
million one hundred and fifty thousand dollars.

For provisions for commission, warrant, and petty officers and seamen,
including engineers and marines attached to vessels for sea service, three
million three hundred and fifty-one thousand five hundred and twenty-
one dollars and twenty-five cents; Provided, That the preserved meat
forming part of the navy ration may be prepared and packed under the
direction of the Secretary of the Navy, if he shall deem it advisable;
and that the cattle or fresh beef therefor may be purchased under his
directions, and from this appropriation; and that he be authorized to do
whatever else may be necessary for the procuring, preparing, and packing
said preserved meat in the most approved and advantageous manner; the
expense for machinery and tools to be defrayed from the last-named sum,
and not to exceed five thousand dollars.

For surgeons' necessaries and appliances for the sick and hurt of the
navy, including the engineer and marine corps, seventy-seven thousand
nine hundred dollars.

For contingent expenses that may accrue for the following purposes,
viz: freight and transportation; printing and stationery; advertising in
newspapers; books, maps, models, drawings; purchase and repair of fire-
engines; for machinery of every description and the patent right to use
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the same; repair of and attending to steam-engines in navy yards; purchase and maintenance of horses and oxen, and driving teams, carts, timber-wheels, and the purchase and repair of workman's tools; postage of public letters; telegrams; fuel, oil, and candles for navy yards and shore stations; pay of watchmen and incidental labor not chargeable to any other appropriation; transportation to, and labor attending the delivery of provisions and stores on foreign stations; wharfage, dockage, and rent for docking vessels; for furniture for government houses; travelling expenses of officers and others under orders; funeral expenses; store and office rent; fuel, commissions and pay of clerks to navy agents and storekeepers; flags, awnings, and packing boxes; premiums, and other expenses of recruiting; apprehending deserters; per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law; pay to judge advocates; pay to lithographers; pilotage and towage of vessels, and assistance to vessels in distress; and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, one million seven hundred thousand dollars.

For clothing for the navy, six hundred thousand dollars.

For the charter of vessels, stores, extra laborers, and purchase of additional steam-vessels, three million dollars: Provided, That hereafter, in all cases where the officers of the navy can be made available, consistently with the public service, in making contracts for the charter of vessels and the purchase of additional steam-vessels, no other person or persons shall be employed; nor shall such officers, when so employed, receive any compensation in addition to their official pay, and when any other person or persons than an officer of the navy shall be employed, the compensation shall not exceed the sum of five thousand dollars for all contracts for purchases or charters in any one year made under the provisions of this act.

For pay of lithographer for the year ending June, eighteen hundred and sixty-two, three hundred dollars.

For repairs, painting, and raising the roof of the Navy Department building, finishing and furnishing the same, twenty thousand dollars.

Marine Corps.—For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants; for rations and clothing for servants; additional rations for five years' service; for undrawn clothing and rations, bounties for reenlistments, six hundred and ninety-six thousand one hundred and ninety-eight dollars and thirty cents.

For the support of five hundred and eighty men authorized to be enlisted for the marine corps, by the President of the United States, on the twenty-second of November, eighteen hundred and sixty-one, seventy four thousand seven hundred and sixty-seven dollars and forty cents.

For provisions, one hundred and forty-three thousand four hundred and forty-five dollars.

Clothing.

For clothing, one hundred and thirty-four thousand six hundred and sixty dollars.

Fuel.

For fuel, thirty thousand eight hundred and ninety-four dollars and fifty cents.

Military stores.

For military stores, namely: Pay of armormen, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, fifteen thousand dollars.

Transportation.

For transportation of officers, their servants, and troops, and expenses of recruiting, twenty-two thousand dollars.

Repairs and rent.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

For completing repairs of Charlestown barracks, ten thousand four hundred and fifty-eight dollars and ninety-seven cents: Provided, That the same can be fully completed for that sum; and no part of the money
by appropriated shall be expended until it is satisfactorily ascertained that the said building can be completed therewith.

For contingencies, namely: Freight, ferriage, toll, carriage, wharfage; purchase and repair of boats; compensation to judge advocates; per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures, water rent, forage, straw, barrack furniture; bed sacks, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital head-quarters, forty-five thousand dollars.

Navy Yards.

Portsmouth, New Hampshire.—For machine shop and smithery, fitting and furnishing the same, reservoir, capstan for sheers, quay wall near landing, extension of storehouse number eleven one hundred feet, repairs and increase of ordnance machinery and shops, and repairs of all kinds, two hundred and thirty-two thousand thirty-two dollars.

For futtock saw-mill and building, ten thousand dollars.

Boston.—For paving and draining at new shops; coal-house for foundry, smithery, and for other purposes; reservoir and steam pump, or pipes for Cochituate water; water-closets; repairs and increase of ordnance machinery and shops, and repairs of all kinds, two hundred and fifty-three thousand five hundred dollars.

For house foundation and heavy Nesmith hammer for heavy forgings, sixty-two thousand dollars.

For the purchase of land and wharf adjoining the navy-yard at Charlestown, Massachusetts, owned by Oakman and Eldridge, and extending from Charles River to Water-street, and containing about one hundred and twenty thousand square feet, one hundred and twenty-three thousand dollars.

For futtock saw-mill and building, ten thousand dollars.

New York.—For dredging channels; building and repairing scows; rebuilding long dock; repairs to ship-houses; quay walls; extension of sewer; boiler house; foundry shed; machinery for machine shop, foundry, boiler shop, and smithery; repairs of machinery, boilers; repairs of engines in machine shop; repairs and increase of ordnance machinery and shops, and repairs of all kinds, three hundred and twenty thousand eight hundred and forty-six dollars.

For a cylinder for roasting coffee, four hundred dollars.

Philadelphia.—For extension of joiners' shop, storehouses and smithery; repairs of dry dock; dredging; repairs and increase of ordnance machinery and shops, and repairs of all kinds, one hundred and twenty-eight thousand seven hundred and forty-six dollars.

Washington.—For machinery and tools; paving; gas works; repairs and increase of ordnance machinery and shops, and repairs of all kinds, one hundred and twenty-six thousand nine hundred and eighty-five dollars.

Mare Island.—For completion of derrick, foundry, and equipment; grading; completing officers' houses; gas works; two iron wharf-cranes; machinery and tools for smithery; cisterns; scows, lighters, stages and pile-driver; drainage and sewerage; boat-house and slip, and repairs of all kinds, one hundred and ninety-six thousand three hundred and fifty two dollars: Provided, That no expenditure for completing officers' houses shall be incurred until complete plans and specifications, with estimates of cost in detail, shall be furnished to and approved by the Secretary of the Navy, and the work shall be done by contract after due and public advertisement for proposals; but no portion of this appropriation shall be expended unless the work can be completed for the sum hereby appropriated.
Sackett's Harbor.—For repairs of all kinds, one thousand five hundred dollars.

Hospitals.

Portsmouth, New Hampshire.—For purchase of twenty-seven and three hundred and fifty-five thousandths acres of land on Seavey's island, adjacent to the Kittery navy yard, fourteen thousand five hundred dollars: Provided, That the Chief of the Bureau of Yards and Docks be, and he is hereby, authorized to purchase that portion of Seavey's island lying west of the road, for such sum as to him may seem reasonable and advantageous to the government.

For hospital on Seavey's island, ten thousand dollars: Provided, That no building shall be erected or extended until complete plans and specifications and estimates of cost in detail shall be furnished to and approved by the Secretary of the Navy, and contracts therefor shall be let upon due and public advertisement.

Boston.—For extension of hospital and repairs of buildings, seventy-one thousand five hundred dollars: Provided, That no building shall be erected or extended until complete plans and specifications and estimates of cost in detail shall be furnished to and approved by the Secretary of the Navy, and contracts therefor shall be let upon due and public advertisement.

New York.—For repairs and improvements, and house for surgeon and director of the laboratory, twenty-one thousand five hundred dollars.

Philadelphia.—For furniture and repairs of same; house cleaning and whitewashing; repairs to furnaces, grates, and ranges; gas and water rent; painting wall on Shippen-street, and general repairs, five thousand three hundred dollars.

For support of beneficiaries, twenty-seven thousand dollars.

Magazines.

Boston.—For general repairs of buildings; addition to magazine, and wall around magazine grounds, thirty-two thousand nine hundred and thirteen dollars.

New York.—For improvement of armory; house for storage of loaded shells, and repairs of all kinds, fifty-five thousand two hundred and forty-nine dollars.

Philadelphia.—For repairs of wharf and magazine at Fort Mifflin, one thousand five hundred dollars.

Washington.—For repairs of magazine and ordnance buildings, six thousand dollars.

Mare Island.—For repairs of all kinds, two thousand dollars.

For pay of superintendents, naval constructors, and all the civil establishments at the general navy yards and stations, one hundred and four thousand five hundred and eighty-four dollars: Provided, That hereafter no salaries shall be paid to any employee in any of the navy yards except to those designated in the estimates. All other persons shall receive a per diem compensation for the time during which they were actually engaged.

Naval Observatory.—For the purchase of nautical instruments, repairs of the same, and of astronomical instruments, and for the purchase of nautical books, maps, and charts, and for backing and binding the same, sixty thousand dollars.

For wages of instrument maker, watchman, porter, and laborers; for keeping grounds in order; for fuel, lights, freights, transportation, and postage; for repairs to buildings and enclosures, and contingent expenses, thirteen thousand dollars.

For pay of four aids to be employed at the Observatory and Hydrographical office, four thousand dollars.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 164. 1862.

For wages of watchmen and contingent expenses of the Naval Academy, twenty-two thousand seven hundred and ninety-seven dollars.

For the pay of mileage of the visitors to the Naval Academy, one thousand dollars.

For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and eighty dollars.

Sec. 2. And be it further enacted, That the pay of any captain of the navy who shall, in pursuance of law, perform duty as chief of a bureau in the Navy Department, shall be the pay of a captain in the navy "on other duty," to take effect from the date of the "Act regulating the pay of the navy," approved June one, eighteen hundred and sixty.

Sec. 3. And be it further enacted, That the pay of the clerks of the navy yard and navy agency at Mare Island shall be as follows, viz: One clerk to navy agent, two thousand dollars per annum; one clerk to navy agent, fifteen hundred dollars; one clerk to the commandant, fifteen hundred dollars; one clerk of the yard, fifteen hundred dollars; one clerk to the paymaster and inspector of provisions, and so forth, fifteen hundred dollars; one clerk to the naval constructor, nine hundred dollars; one clerk to the civil engineer, nine hundred dollars; one draughtsman to civil engineer, twelve hundred dollars; one steward to paymaster, seven hundred and fifty dollars.

Sec. 4. And be it further enacted, That from and after the first day of September, eighteen hundred and sixty-two, the spirit ration in the navy of the United States shall forever cease, and thereafter no distilled spirituous liquors shall be admitted on board of vessels-of-war except as medical stores, and upon the order and under the control of the medical officers of such vessels, and to be used only for medical purposes.

From and after the said first day of September next there shall be allowed and paid to each person in the navy now entitled to the spirit ration five cents per day in commutation and lien thereof, which shall be in addition to their present pay.

Sec. 5. And be it further enacted, That the orders, regulations, and instructions heretofore issued by the Secretary of the Navy be, and they are hereby, recognized as the regulations of the Navy Department, subject, however, to such alterations as the Secretary of the Navy may adopt, with the approbation of the President of the United States.

Sec. 6. And be it further enacted, That the pay of the secretary of a commander of a squadron shall hereafter be fifteen hundred dollars a year and one ration.

Sec. 7. And be it further enacted, That chaplains in the navy shall be no less than twenty-one nor more than thirty-five years of age at the time of their appointment as such.

Sec. 8. And be it further enacted, That the President of the United States be, and he is hereby, authorized to annually appoint ten acting midshipmen for education at the Naval Academy, who shall be selected from the sons of officers or soldiers who distinguished themselves in the service of the United States, or from the sons of officers or men in the naval or marine service of the United States who have thus distinguished themselves.

Sec. 9. And be it further enacted, That the District of Columbia shall be regarded for all the purposes of appointment to the Naval Academy as a congressional district, their appointment thereto to be designated by the President of the United States from residents of the District.

Approved, July 14, 1862.

Watchmen.

Mileage of visitors to Naval Academy.

American Nautical Almanac.

Pay of captain of navy doing duty as chief of bureau.

1860, ch. 67, ante, p. 25.

Pay of clerks, &c., at Mare Island.

Spirit ration to cease.

Commutation in lieu thereof.

Orders, &c., of the Secretary of Navy to be regulations of Navy Department.

Pay of secretary of commander of squadron.

Age of chaplains at their appointment.

President may appoint ten acting midshipmen from sons of officers, &c.

To appointments in Naval Academy the District of Columbia to be regarded as a congressional district.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 165, 166. 1862.

July 14, 1862. CHAP. CLXV. — An Act for the Relief of Preémiptors on the Home Reservation of the Winnipegos, in the Blue-earth Region, in the State of Minnesota.

Preamble.

Whereas certain individuals have memorialized Congress, setting forth that they were bona fide actual settlers, under the preemption laws of the United States, in the tract of country known as the eighteen-mile-square home reservation of the Winnipegos, in the Blue-earth region, Minnesota, at a period of time when the Indian title had been extinguished, and prior to the setting apart by legal divisions of the said Indian home reservation, under the second article of the treaty of the twenty-seventh of February, eighteen hundred and fifty-five, and that by reason of the setting apart of said home reservation they were forced from their settlements and subjected to loss and damage by the destruction of their improvements; therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for each of such settlers, within three months from and after the passage of this act, to file his declaratory statement with the proper register and receiver, descriptive of the tract so settled upon and improved; and under such regulations as may be prescribed by the Secretary of the Interior, said settler shall be permitted to establish his claim by the production of testimony showing compliance with all the requirements of the preemption law up to the period when said settler was ousted by reason of the premises falling within the aforesaid Indian home reservation; that the testimony required under this act shall be the affidavit of the claimant himself, taken before the register and receiver, and shall show the date of the commencement and the period of continuance of his improvements, the extent of the same, size of his habitation, the time and labor required in its construction, extent of other improvements, and the cost to him and value of the same, and value of crop derived from the same. The affidavit to be corroborated by disinterested testimony.

Sec. 2. And be it further enacted, That upon the return of such testimony to the department, it shall be the duty of the Secretary of the Interior finally to adjudge the validity or invalidity of each claim; and in regard to those shown to be bona fide under the preemption law, to report a list of the same, with all the testimony, to Congress, stipulating such award as should be paid as damages growing out of the loss and destruction of such improvements, by reason of the appropriation of such settlements to the Indian reservation, as aforesaid: Provided, That the land officers of the local land office herein mentioned shall not receive any additional pay or fees for the services hereby required of them.

APPROVED, July 14, 1862.

July 14, 1862. CHAP. CLXVI. — An Act to grant Pensions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, non-commissioned officer, musician, or private of the army, including regulars, volunteers, and militia, or any officer, warrant, or petty officer, musician, seaman, ordinary seaman, flotilla-man, marine, clerk, landsman, pilot, or other person in the navy or marine corps, has been, since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter be, disabled by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, he shall, upon making due proof of the fact according to such forms and regulations as are or may be provided by or in pursuance of law, be placed upon the list of invalid pensions of the United States, and be entitled to receive, for the highest rate of disability, such pension as is hereinafter provided in such cases, and for an inferior disability an amount proportionate to the highest
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 166. 1862.

disability, to commence as hereinafter provided, and continue during the existence of such disability. The pension for a total disability for officers, non-commissioned officers, musicians, and privates employed in the military service of the United States, whether regulars, volunteers, or militia, and in the marine corps, shall be as follows, viz: Lieutenant-colonel, and all officers of a higher rank, thirty dollars per month; major, twenty-five dollars per month; captain, twenty dollars per month; first lieutenant, seventeen dollars per month; second lieutenant, fifteen dollars per month; and non-commissioned officers, musicians, and privates, eight dollars per month. The pension for total disability for officers, warrant, or petty officers, and others employed in the naval service of the United States, shall be as follows, viz: Captain, commander, surgeon, paymaster, and chief engineer, respectively, ranking with commander by law, lieutenant commanding, and master commanding, thirty dollars per month; lieutenant, surgeon, paymaster, and chief engineer, respectively, ranking with lieutenant by law, and passed assistant surgeon, twenty-five dollars per month; professor of mathematics, master, assistant surgeon, assistant paymaster, and chaplain, twenty dollars per month; first assistant engineers and pilots, fifteen dollars per month; passed midshipman, midshipman, captains’ and paymasters’ clerk, second and third assistant engineer, masters’ mate, and all warrant officers, ten dollars per month; all petty officers, and all other persons before named employed in the naval service, eight dollars per month; and all commissioned officers, of either service, shall receive such and only such pension as is herein provided for the rank in which they hold commissions.

Sec. 2. And be it further enacted, That if any officer or other person named in the first section of this act has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, his widow, or, if there be no widow, his child or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, and to continue to the widow during her widowhood, or to the child or children until they severally attain to the age of sixteen years, and no longer.

Sec. 3. And be it further enacted, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, and has not left or shall not leave a widow nor legitimate child, but has left or shall leave a mother who was dependent upon him for support, in whole or in part, the mother shall be entitled to receive the same pension as such officer or other person would have been entitled to had he been totally disabled; which pension shall commence from the death of the officer or other person dying as aforesaid: Provided, however, That if such mother shall herself be in receipt of a pension as a widow, in virtue of the provisions of the second section of this act, in that case no pension or allowance shall be granted to her on account of her son, unless she gives up the other pension or allowance: And provided, further, That the pension given to a mother on account of her son shall terminate on her remarriage: And provided, further, That nothing herein shall be so construed as to entitle the mother of an officer or other person dying, as aforesaid, to more than one pension at the same time under the provisions of this act.

Sec. 4. And be it further enacted, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall here-
When sisters may receive the pension.

Pensions, when to commence.

provided, however, That nothing herein shall be so construed as to entitle said orphans to more than one pension at the same time, under the provisions of this act: And provided, further, That no moneys shall be paid to the widow, or children, or any heirs of any deceased soldier on account of bounty, back pay, or pension, who have in any way been engaged in or who have aided or abetted the existing rebellion in the United States; but the right of such disloyal widow or children, heir or heirs of such soldier, shall be vested in the loyal heir or heirs of the deceased, if any there be.

Sec. 5. And be it further enacted, That pensions which may be granted, in pursuance of the provisions of this act, to persons who may have been, or shall be, employed in the military or naval service of the United States, shall commence on the day of the discharge of such persons in all cases in which the application for such provisions is filed within one year after the date of said discharge; and in cases in which the application is not filed during said year, pensions granted to persons employed as aforesaid shall commence on the day of the filing of the application.

Sec. 6. And be it further enacted, That the fees of agents and attorneys for making out and causing to be executed the papers necessary to establish a claim for a pension, bounty, and other allowance, before the Pension Office under this act, shall not exceed the following rates: For making out and causing to be duly executed a declaration by the applicant, with the necessary affidavits, and forwarding the same to the Pension Office, with the requisite correspondence, five dollars. In cases wherein additional testimony is required by the Commissioner of Pensions, for each affidavit so required and executed and forwarded (except the affidavits of surgeons, for which such agents and attorneys shall not be entitled to any fees,) one dollar and fifty cents.

Sec. 7. And be it further enacted, That any agent or attorney who shall, directly or indirectly, demand or receive any greater compensation for his services under this act than is prescribed in the preceding section of this act, or who shall contract or agree to prosecute any claim for a pension, bounty, or other allowance under this act, on the condition that he shall receive a per centum upon, or any portion of the amount of such claim, or who shall wrongfully withhold from a pensioner or other claimant the whole or any part of the pension or claim allowed and due to such pensioner or claimant, shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall, for every such offence, be fined not exceeding three hundred dollars, or imprisoned at hard labor not exceeding two years, or both, according to the circumstances and aggravations of the offence.

Sec. 8. And be it further enacted, That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the biennial examinations of pensioners which are or may be required to be made by law, and to examine applicants for invalid pensions, where he shall deem an examination by a surgeon to be appointed by him necessary; and the fees for each of such examinations, and the requisite certificate thereof, shall be one dollar and fifty cents, which fees shall be paid to the surgeon by the person examined, for which
he shall take a receipt, and forward the same to the Pension Office; and upon the allowance of the claim of the person examined, the Commissioner of Pensions shall furnish to such person an order on the pension agent of his State for the amount of the surgeon's fees.

Sec. 9. And be it further enacted, That the Commissioner of Pensions, on application made to him in person or by letter by any claimants or applicants for pension, bounty, or other allowance required by law to be adjusted and paid by the Pension Office, shall furnish such claimants, free of all expense or charge to them, all such printed instructions and forms as may be necessary in establishing and obtaining said claim; and in case such claim is prosecuted by an agent or attorney of such claimant or applicant, on the issue of a certificate of pension or the granting of a bounty or allowance, the Commissioner of Pensions shall forthwith notify the applicant or claimant that such certificate has been issued or allowance made, and the amount thereof.

Sec. 10. And be it further enacted, That the pilots, engineers, sailors, and crews upon the gunboats and war vessels of the United States, who have not been regularly mustered into the service of the United States, shall be entitled to the same bounty allowed to persons of corresponding rank in the naval service, provided they continue in service to the close of the present war; and all persons serving as aforesaid, who have been or may be wounded or incapacitated for service, shall be entitled to receive for such disability the pension allowed by the provisions of this act, to those of like rank, and each and every such person shall receive pay according to corresponding rank in the naval service: Provided, That no person receiving pension or bounty under the provisions of this act shall receive either pension or bounty for any other service in the present war.

Sec. 11. And be it further enacted, That the widows and heirs of all persons described in the last preceding section who have been or may be employed as aforesaid, or who have been or may be killed in battle, or of those who have died or shall die of wounds received while so employed, shall be paid the bounty and pension allowed by the provisions of this act, according to rank, as provided in the last preceding section.

Sec. 12. And be it further enacted, That the Secretary of the Interior be, and he is hereby, authorized to appoint a special agent for the Pension Office, to assist in the detection of frauds against the pension laws, to cause persons committing such frauds to be prosecuted, and to discharge such other duties as said Secretary may require him to perform; which said agent shall receive for his services an annual salary of twelve hundred dollars, and his actual travelling expenses incurred in the discharge of his duties shall be paid by the government.

Sec. 13. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Approved, July 14, 1862.

Chap. CLXVII. — An Act to establish certain Post-Roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge partly constructed across the Ohio River at Steubenville, in the State of Ohio, abutting on the Virginia shore of said river, is hereby declared to be a lawful structure: Provided, That when completed, if constructed without a draw, it shall leave an unobstructed headway in the channel of the river of not less than ninety feet above low-water mark, and such channel or water-way shall have an unobstructed width of not less than three hundred feet between the piers next to said channel or water-way; and one of the spans next adjoining thereto shall not be less than two hundred and

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Such bridge and Holliday's Cove railroad declared a public highway and post-road, &c. Who may operate, &c., road and bridge.

Other railroad companies may bridge the Ohio River.

How such bridge may be built.

Height of span-bridge.

Drawbridge.

Draw to be opened promptly.

Such bridges to be lawful structures and post-routes. Charges for transportation, &c. Vessels on the Ohio, to regulate the use of pipes and chimneys so as not to interfere with such bridges.

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twenty feet in length; or said bridge, if constructed with a draw, the same to be constructed under the limitations and conditions provided in the fourth section of this act.

SEC. 2. And be it further enacted, That the said bridge and Holliday's Cove railroad are hereby declared a public highway, and established a post-road for the purpose of transmission of mails of the United States, and that the Steubenville and Indiana Railroad Company, chartered by the legislature of the State of Ohio, and the Holliday's Cove Railroad Company, chartered by the State of Virginia, or either of them, are authorized to complete, maintain, and operate said road and bridge when completed, as set forth in the preceding section, anything in any law or laws of the above-named States to the contrary notwithstanding.

SEC. 3. And be it further enacted, That it shall be lawful for any other railroad company or companies, whose line or lines of road may now or shall hereafter be built to the Ohio River, above the mouth of the Big Sandy River, in accordance with the terms of the charter or charters of such company or companies, to build a bridge across said river for the more perfect connection of any such roads and for the passage of trains thereof, under the limitations and conditions hereafter provided.

SEC. 4. And be it further enacted, That any bridge erected under the privileges of this act may, at the option of the company or companies building the same, be built either as a drawbridge, with a pivot or other form of draw, or with unbroken and continuous spans: Provided, That if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation than ninety feet above low-water mark over the channel of the said river; nor in any case less than forty feet above extreme high water, as understood at the point of location, measuring for such elevation to the bottom chord of the bridge; nor shall the span of such bridge, covering the main channel of the river, be less than three hundred feet in length, with also one of the next adjoining spans of not less than two hundred and twenty feet in length, and the piers of said bridge shall be parallel with the current of the river as near as practicable: And provided, also, That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed with a span over the main channel of the river, as understood at the time of the erection of the bridge, of not less than three hundred feet in length, and said span shall not be less than seventy feet above low-water mark, measuring to the bottom chord of the bridge, and one of the next adjoining spans shall not be less than two hundred and twenty feet in length; and also that there shall be a pivot-draw constructed in every such bridge, at an accessible and navigable point, with spans of not less than one hundred feet in length, on each side of the central or pivot pier of the draw: And provided, also, That said draw shall always be opened promptly, upon reasonable signal, for the passage of boats whose construction may not, at the time, admit of their passing under the permanent spans of said bridge, except that said draw shall not be required to be opened when engines or trains are passing over said bridge, or when passenger trains are due, but in no case shall unnecessary delay occur in the opening of said draw after the passage of such engines or trains.

SEC. 5. And be it further enacted, That any bridge or bridges erected under the provisions of this act shall be lawful structures, and shall be recognized and known as post-routes, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States, than the rate per mile which the company or companies erecting such bridge may from time to time receive on the balance of their line or lines for such services, and the officers and crews of all vessels, boats, or rafts navigating the said Ohio River are required to regulate the use of the said vessels and of any pipes or chimneys belonging thereto, so as not to interfere with the elevation,
construction, or use of any of the bridges erected or legalized under the provisions of this act.

APPROVED, July 14, 1862.

CHAP. CLXXX.—An Act to amend an Act, entitled "An act to prohibit the Sale of spirituous Liquors and Intoxicating Drinks in the District of Columbia in certain Cases,", approved, August fifth, eighteen hundred and sixty-one,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person offending against the provisions of the act entitled "An act to prohibit the sale of spirituous liquors and intoxicating drinks in the District of Columbia, in certain cases," approved August fifth, eighteen hundred and sixty-one, may be tried before any justice of the peace for the District of Columbia, and, upon conviction, shall pay a fine of twenty dollars, or, in default of such payment, shall be committed to the jail in Washington county, in the District of Columbia, for thirty days.

SEC. 2. And be it further enacted, That any person licensed, or who shall hereafter be licensed, to sell spirituous liquors, or intoxicating drinks within said District, who shall suffer or permit any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, to drink any spirituous liquor, or intoxicating drink upon his premises shall be deemed guilty of the same offence mentioned in the act hereby amended, and upon conviction before any justice of the peace as aforesaid, shall be punished in the manner prescribed by this act.

SEC. 3. And be it further enacted, That any person convicted under the provisions of this act, and the act hereby amended, shall forfeit his license to sell spirituous liquor, and intoxicating drink; and any license thereafter granted to any such person during the continuance of the existing rebellion shall be void.

SEC. 4. And be it further enacted, That all fines collected under the provisions of this act, and the act hereby amended, shall be paid to the levy court of Washington county, in the District of Columbia, for the use of said court.

APPROVED, July 14, 1862.

CHAP. CLXIX.—An Act to further provide for the Collection of the Revenue upon the Northern, Northeastern, and Northwestern Frontier, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October next, the master or manager of every vessel which is enrolled or licensed for carrying on the coasting trade on the northern, northeastern, and northwestern frontiers of the United States shall, before the departure of his vessel from any port, file a manifest of his cargo with the collector and obtain a clearance; and if said vessel shall touch at any of the ports of the United States, and there receive on board any goods, wares, or merchandise, or discharge any portion of her cargo, the master or manager shall report to the collector such arrival and produce his manifest, and it shall be the duty of the collector to endorse thereon, certified by himself, a description of the goods, wares, or merchandise so taken on board or unladen, and return the same to the master or manager, who shall deliver to the collector of the port at which the unloading of the cargo is completed, the manifest to be placed on file in his office. And the owner or owners of every vessel whose master or manager shall neglect to comply with the provisions of this section, shall forfeit and pay to the United States the sum of twenty dollars for each and every offence, one-half for the use of the informer, and for which sum the vessel shall be liable, and may be seized and proceeded against summarily by way of

Fines collected to be paid to levy court.

Duty of master at other ports.

Penalty for neglect.

Master, &c., of vessel enrolled and licensed for coasting trade on northern, &c., frontiers, to file manifest, &c.

Master, &c., of vessel, for the collection of the revenue upon the Northern, Northeastern, and Northwestern Frontier, and for other purposes.
Blank manifests, &c., to be kept for sale by collectors, &c.

Price of blanks.

Goods under reciprocity treaty may be entered at any port on northern, &c., frontier, upon, &c.

Fees for such entry.

Special agents at ports opened in the States in insurrection.

Compensation.

July 14, 1862.

Representatives in Congress to be elected by single districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in each State entitled in the next and any succeeding Congress to more than one representative, the number to which such State is or may be hereafter entitled shall be elected by districts composed of contiguous territory, equal in number to the number of representatives to which said State may be entitled in the Congress for which said election is held, no one district electing more than one representative: Provided, That the provisions of this act shall not apply to the State of California so far as it may affect the election of representatives to the thirty-eighth Congress: And provided, further, That in the election of representatives to the thirty-eighth Congress from the State of Illinois, the additional representative allowed to said State by an act entitled "An act fixing the number of the House of Representatives from and after the third day of March, eighteen hundred and sixty-three, approved March fourth, eighteen hundred and sixty-two, may be elected by the State at large, and the other thirteen representatives to which the State is entitled by the districts as now prescribed by law in said State, unless the legislature of said State should otherwise provide before the time fixed by law for the election of representatives therein.

Approved, July 14, 1862.

July 14, 1862.

Post routes established in California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

CALIFORNIA.

From Carson, Nevada Territory, to Aurora, California.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 171. 1862.

From Ione City, via Lancha Plana, Poverty Bar, Jenny Lind, Brushville, Salt Spring Valley, Copperopolis, O'Byen's Ferry, and Jefferson, to Sonora.

DELAWARE.
From Townsend, via Black Bird, to Deakynesville.

MASSACHUSETTS.
From Hancock to Lanesborough.

INDIANA.
From Grandview, via Newtonville, Buffaloville, Santa Claus, and Morgan Hill, to Ferdinand.
From Madison, via Brooksburg and Braytown to Mount Stirling, and thence via Howe and Mannible to Madison.
From Freedom, in Owen County in Indiana, by way of Arney, intersecting the present established route at Hauerville.
From Harrison, Ohio, to Mount Carmel, Indiana.
From Ogden to Rushville.
From New Point, (Rossburgh Post Office) via Saint Maurice, to Clarksburgh.
From Waterloo City to Angola.
From Bremen, via Hepton and Millward, to Leesburgh.

ILLINOIS.
From Metamora, via Low Point and Washburn, to Lacon.
From Toulon, via Elmira, Osceola, and Neponset, to Sheffield.
From Shelbyville, via Holland, Accommodation, and Mowkinson, to Freemanton.

MAINE.
From Wilton to Weld.

MICHIGAN.
From Frankfort, via Benzie, to Traverse City.
From Ionia to Stanton.
From Middleville to Wayland.
From Miles, via Berrien Centre, Berrien Springs, Eau Claire, Pipestone, and Sodus, to Saint Joseph.

IOWA.
From Des Moines, Polk County, to Dalmanutha, Guthrie County.
From Decatur City, via Terre Houte, Decatur County, to Eagleville, Harrison County, Missouri.

MISSOURI.
From Perryville, via Brihle's Store and Stamer's Mill, to Greene.
From the old depot of the North Missouri Railroad Company, in First street, Saint Louis, via the railroad track, through blocks two hundred and thirty-four and two hundred and thirty-three, and along Lewis street, as the railroad has been located by the government of the United States, thence through block two hundred and twenty-seven, to Front or Levee street, and along said track laid on said street to the depots, respectively, of the Pacific and Iron Mountain railroads.

MARYLAND.
From Fallston to Pleasantville.
From Berkleyville to Hempstead.
NEW HAMPSHIRE.
From Union, via Wakefield, North Wakefield, Wolfborough, Ossipee, Ossipee Centre, and Effingham Falls, to Freedom.
From Greenfield, via Bennington, to Antrim.

NEW YORK.
From Bloomingdale to Brighton.

OHIO.
From Cherry Valley, via West Andover and Andover, Ohio, to Espyville, Pennsylvania.
From Cold Water to New Bremen.

PENNSYLVANIA.
From Barnsville to Mahonoy City.
From Pine Grove, via Friedensburg, to Schuylkill Haven.
From Easton, via Martin's Creek, Boston, and Mount Bethel, to Dill's Ferry.
From Miltenberger's, via Philip Kresge's to Tannersville.
From Moscow, via Slote's Corners, Dalesville, and Springbrook, to Pittston.
From Centreville, via Bovard's Mills, to Annandale.
From Warfordsburg, via Mount Airy, Emmaville, and Cherry Grove, to Bloody Run.
From Brickerville, via Eberly's Store and Lincoln, to Ephrata, Lancaster County.

VERMONT.
From Barton Landing, via Coventry and Salem, to Newport.
From Chelsey to Williamstown.

COLORADO.
From Denver, via Burlington and Laporte, to Fort Larimie.
From Cache Creek, via Pencha Pass, to Conejos.
From Colorado City to Russellville.
From Pueblo, via Huerfano to Trinidad, on the Purgatorie.
From Cannon City, via the Arkansas Route and Pass, to Camp Crittenden, in Utah Territory.

WASHINGTON.
From Walla-Walla to Fort Colville.
From Vancouver City to Walla-Walla.
From Fort Madison, via Muckeltre Atsalada, to Coveland.
APPROVED, July 14, 1862.

July 14, 1862. CHAP. CLXXII.—An Act concerning the Courts of the United States in and for the District of Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the courts now provided by law to be held in the district of Michigan, a general term of the Circuit Court of the United States for said district of Michigan shall be held annually at the court room in the city of Detroit on the second Monday of February, and that all writs, bills, pleas, suits, appeals, recognizances, indictments, and all other proceedings, civil and criminal, shall be proceeded with at said term in like manner as now at the June and October terms of said court.
APPROVED, July 14, 1862.
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 173–175, 177. 1862.

CHAP. CLXXXI. — *An Act to extend the territorial Limits of the Territory of Nevada.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, namely: beginning at the point of intersection of the forty-second degree of north latitude with the thirty-eighth degree of longitude west from Washington; thence running south on the said thirty-eighth degree of west longitude until it intersects the northern boundary line of New Mexico; thence due west to the thirty-ninth degree of longitude west from Washington; thence with said thirty-ninth degree north to the intersection of said forty-second degree of north latitude; thence east with said forty-second degree of north latitude to the place of beginning, be, and the same is hereby, attached to and made a part of the Territory of Nevada, subject to the limitations, restrictions, and provisions of the act organizing the Territory of Nevada.

Approved, July 14, 1862.

CHAP. CLXXXII. — *An Act for changing the Place for holding the September Term of the District Court of the United States in the District of Maine.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District Court of the United States now held at Wiscasset, in the District of Maine on the first Tuesday of September of each year, be hereafter held at Bath, in said district, on the same day in each year.

SEC. 2. And be it further enacted, That all indictments, suits, informations, actions, proceedings, and recognizances of every kind, whether civil or criminal, shall have day in court, and be proceeded in, heard, tried, and determined in Bath, in the same manner and on the same day they might be in Wiscasset aforesaid.

Approved, July 14, 1862.

CHAP. CLXXXIII. — *An Act repealing the Law requiring Bonds of Paymasters and Assistant Paymasters to be approved by the Judge or Attorney of the District in which such Paymaster or Assistant Paymaster shall reside.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law requiring the official bond of a paymaster or assistant paymaster in the navy to be approved by the judge or attorney of the United States for the district in which such paymaster or assistant paymaster shall reside, be and the same is hereby repealed, and such bond shall be deemed and taken to be satisfactory and sufficient whenever the Secretary of the Navy shall be satisfied on such evidence as he shall consider proper, that such bond ought to be approved and accepted.

Approved, July 14, 1862.

CHAP. CLXXXIV. — *An Act to authorize the Secretary of the Navy to accept the Title to League Island, in the Delaware River, for Naval Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to receive and accept from the city authorities of the city of Philadelphia the title to League Island, in the Delaware River, together with the marsh east of and adjacent thereto, within the First ward of the said city of Philadelphia, together with all riparian rights and privileges thereto belonging and appertaining, to be used for naval purposes by the government of the United States: Provided, That said title shall not be accepted and received unless the same shall be perfect and indefeasible to the whole island to low-water mark; nor, if upon more thorough examination and survey of the premises by a
compotent board of officers to be by him appointed, he shall discover that the public interests will not be promoted by acquiring the title as afore-
said.

SEC. 2. And be it further enacted, That the board of officers to be appointed by the Secretary of the Navy, according to the provisions of the first section of this act, shall, before proceeding to any decision of the question hereinbefore referred to them, make a survey and examination of the harbor of New London, Connecticut, and its surroundings, with reference to its capacity and fitness for a naval depot and navy yard, and whether the public interests will not be promoted by establishing a naval depot and navy yard in or near said harbor of New London instead of League Island; and that they also make the same investigation in regard to the waters of Narragansett Bay.

Approved, July 15, 1862.

July 15, 1862.

1837, ch. 34.
Post pp. 635, 807.

The fifth circuit.
The sixth circuit.
The seventh circuit.
The eighth circuit.
The ninth circuit.

What districts constitute the fourth circuit.

Times and places of holding circuit and district courts.

CHAP. CLXXXVIII. — An Act to amend the Act of the third of March, 1837, entitled "An Act supplementary to the Act entitled 'An Act to amend the Judicial System of the United States.'"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the districts of Maryland, Delaware, Virginia, and North Carolina shall constitute the fourth circuit; the districts of South Carolina, Georgia, Alabama, Mississippi, and Florida shall constitute the fifth circuit; the districts of Louisiana, Texas, Arkansas, Kentucky, and Tennessee shall constitute the sixth circuit; the districts of Ohio and Indiana shall constitute the seventh circuit; the districts of Michigan, Wisconsin, and Illinois shall constitute the eighth circuit, and the districts of Missouri, Iowa, Kansas and Minnesota shall constitute the ninth circuit; and the circuit courts in the districts heretofore included within any circuit of the United States, which by this act are attached to a different circuit, shall be held at the same times and places as are now prescribed by law, and the circuit courts in districts which by this act are for the first time attached to circuits shall be held at the same times and places as are now prescribed by law for holding the district courts in said districts, except in the district of Iowa, in which the circuit court shall be held at the capital of the State on the second Tuesday in May and November of each year, at which times and place terms of the district court shall be held: Provided, this act shall not interfere with the terms of said district court now provided by law for said district. The allotment of their chief justice and the associate justices of the said supreme court to the several circuits shall be made as heretofore.

SEC. 2. And be it further enacted, That so much of any act or acts of Congress as vests in the district courts of the United States for the districts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas, or either of them, the power and jurisdiction of circuit courts be, and the same is hereby, repealed; and there shall hereafter be circuit courts held for said districts by the chief or associate justices of the Supreme Court, assigned or allotted to the circuit to which said districts may respectively belong, and the district judges of such districts severally and respectively, either of whom shall constitute a quorum; which circuit courts, and the judges thereof, shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the said district courts, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts, and the judges thereof, in the other circuits.

SEC. 3. And be it further enacted, That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought and could have been originally cognizable in a circuit court,) now pending in, or returnable to the several district courts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas, acting as circuit courts, (or so empowered to act,) on the first day of Oc-
tober next, shall be, and are hereby declared to be, respectively, transferred, returnable, and continued to the several circuit courts constituted by this act, to be holden within the said districts, respectively, and shall be heard, tried, and determined therein, in the same manner as if originally brought, entered, prosecuted, or had in such circuit courts. And the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of the said courts respectively shall perform the same duties, and shall be entitled to receive the same fees and emoluments which are by law established for the clerks of the other circuit courts of the United States.

SEC. 4. And be it further enacted, That all acts and provisions inconsistent with this act be, and the same are hereby, repealed.

APPROVED, July 15, 1862.

Chap. CLXXXIX. — An Act to extend the Provisions of the Act of August four, eighteen hundred and fifty-two, entitled "An Act to grant the Right of Way to all Rail and Plank Roads, &c.," for the Term of five Years, and to amend the same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act to grant the right of way to all rail and plank roads, and macadamized turnpikes passing through the public lands belonging to the United States," approved August four, eighteen hundred and fifty-two, and of the act extending the same to all of the public lands of the United States, approved March three, eighteen hundred and fifty-five, be, and the same are hereby, extended for the term of five years from the fourth day of August, eighteen hundred and sixty-two.

SEC. 2. And be it further enacted, That the right of way for a railroad through the public lands of the United States lying in Wasco County in the State of Oregon, be, and the same is hereby, granted to the Oregon Steam Navigation Company.

APPROVED, July 15, 1862.

Chap. CLXXX. — An Act to prevent Members of Congress and Officers of the Government of the United States from taking Consideration for procuring Contracts, Office, or Place, from the United States, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any member of Congress or any officer of the government of the United States who shall, directly or indirectly, take, receive, or agree to receive, any money, property, or other valuable consideration whatsoever, from any person or persons for procuring, or aiding to procure, any contract, office, or place, from the government of the United States or any department thereof, or from any officer of the United States, for any person or persons whatsoever, or for giving any such contract, office, or place, to any person whomsoever, and the person or persons who shall directly or indirectly offer or agree to give, or give or bestow any money, property, or other valuable consideration whatsoever, for the procuring or aiding to procure any contract, office, or place as aforesaid, and any member of Congress who shall directly or indirectly take, receive, or agree to receive any money, property, or other valuable consideration whatsoever after his election as such member, for his attention to, services, action, vote, or decision on any question, matter, cause or proceeding which may then be pending, or may by law or under the Constitution of the United States be brought before him in his official capacity, or in his place of trust and profit as such member of Congress, shall, for every such offence, be liable to indictment as for a misdemeanor in any court of the United States having jurisdiction thereof, and on conviction thereof shall pay a fine of not exceeding ten thousand dollars, and suffer imprisonment in the penitentiary not exceeding two years, at the discretion of the court trying the same; and any such contract or agree-

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ment, as aforesaid, may, at the option of the President of the United States, be absolutely null and void; and any member of Congress or officer of the United States convicted, as aforesaid, shall, moreover, be disqualified from holding any office of honor, profit, or trust under the government of the United States.

Approved, July 16, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to create a Metropolitan police district of the District of Columbia, and to establish a police therefor," approved August six, eighteen hundred and sixty-one, be, and the same is hereby, amended as follows:

SEC. 1. And be it further enacted, That all property, or money alleged or supposed to have been feloniously obtained, or which shall be lost or abandoned, and which shall be thereafter taken into the custody of any member of the Metropolitan police force, or criminal court of the District of Columbia, or which shall come into custody of any justice of the peace, shall be, by such member or justice, or by order of said court, given into the custody of and kept by an officer, who shall be appointed and may be removed by the Board of Police, known as "property clerk" of the Metropolitan police district, and all such property and money shall be particularly registered by said property clerk in a book kept for that purpose, which shall contain also a record of the names of the persons from whom such property or money was taken, the names of all claimants thereto, the time of the seizure, and any final disposition of such property and money. Whenever property or money shall be taken from persons arrested, and shall be alleged to have been feloniously obtained, or to be the proceeds of crime, and whenever so brought with such claimant and the person arrested before some magistrate for adjudication, and the magistrate shall be then and there satisfied from evidence that the person arrested is innocent of the offence alleged, and that the property rightfully belongs to him, then said magistrate may thereupon, in writing, order such property or money to be returned, and the property clerk, if he have it, to deliver such property or money to the accused person himself, and not to any attorney, agent, or clerk of such accused person. If any claim to the ownership of such property or money shall be made on oath before the magistrate, by or in behalf of any other persons than the persons arrested, and the said accused person shall be held for trial or examination, such property or money shall remain in the custody of the property clerk until the discharge or conviction of the persons accused. All property or money taken on suspicion of having been feloniously obtained, or of being the proceeds of crime, and for which there is no other claimant than the person from whom such property was taken, and all lost property coming into the possession of any member of the said Metropolitan police force, and all property and money taken from pawnbrokers as the proceeds of crime, or by any such member from persons supposed to be insane, intoxicated, or otherwise incapable of taking care of themselves, shall be transmitted as soon as practicable to the property clerk of the Metropolitan police district, to be duly registered and advertised for the benefit of all persons and parties interested, and for the information of the public as to the amount and disposition of the property so taken into custody by the police. All property and money that shall remain in the custody of the property clerk for the period of six months without any lawful claimant thereto, after having been three times advertised in public newspapers, shall be sold at public auction, and the proceeds of such sale shall be paid into the policemen's fund: Provided, That horses and other animals taken by the police and remaining

When to be sold at public auction.

Horses and perishable property.
unclaimed for twenty days may be advertised and sold upon ten days' public notice, and all perishable property to be sold at once. If any property or money placed in the custody of the property clerk shall be desired as evidence in any police or other criminal court, such property shall be delivered to any officer who shall present an order to that effect from such court; such property, however, shall not be retained in said court, but shall be returned to said property clerk, to be disposed of according to the previous provisions of this act. And the annual compensation of said property clerk, as also the clerk (who shall hereafter be known as secretary of the board of police) shall be twelve hundred dollars each, payable monthly.

Sec. 2. And be it further enacted, That it shall be the duty of the Board of Metropolitan Police to set apart a sanitary police company, to consist of not exceeding ten persons, who shall be selected from among the police, and to assign to said company such especial duties, by the rules and regulations, as may be publicly advantageous; and also to appoint not exceeding three surgeons of police, who shall receive an annual compensation of three hundred dollars each, and discharge such duties as may be required of them by the board of police. The Metropolitan sanitary company is hereby empowered, under such distribution of power and duty as may be made by the rules and regulations, to visit and make inspection of all ferry-boats, manufactories, slaughter-houses, tenement-houses, and edifices suspected of, or charged with, being unsafe, and to attend to such other matters relating to health as are complained of and entered upon the complaint-book kept by order of the board, and to take all necessary legal measures for promoting the security of life or health generally, and upon or in said boats, manufactories, houses, and edifices, and to make report of inspection and action in the premises to the Board of Metropolitan Police. Whenever said board shall be satisfied, by such report, that any ferry-boat, manufactory, slaughter-house, tenement-house, or edifice is maintained, or that any other act is being about to be committed, in a manner prejudicial to the lives or health of the public, it shall, after due entry upon its minutes of the circumstances, cause complaint to be made, founded upon such report and circumstances, before any magistrate of the Metropolitan police district, who shall, in a summary way, upon such complaint made under oath, issue his proper warrant, reciting therein the name of the member or members of the Metropolitan sanitary police company, for the arrest of the person in charge of said ferry-boat, manufactory, slaughter-house, tenement-house, and edifice, or otherwise committing any act that may be derogatory to the public health, to the end that he may be brought before such magistrate, and the complaint of insecurity of the life or health of the public so made be duly investigated according to the law of examination into misdemeanors. If said magistrate shall be satisfied, on a summary hearing thereof, that such charge of insecurity of the lives or health of the public is founded on reasonable and probable cause, he may, by his order in writing, command any such ferry-boat to cease running, or any business in such manufactory or slaughter-house to cease, or impose such fine as by law may be attached to such offence upon the person so offending, until the cause of complaint aforesaid shall be removed to the satisfaction of the Board of Metropolitan Police.

Sec. 3. And be it further enacted, That if any member of the Metropolitan police force, or if any two or more house-holders shall report in writing, under his or their signature, to the superintendent of the Metropolitan police force that there are good grounds (and stating the same) for believing any house, room, or premises within the said Metropolitan police district to be kept or used as a common gaming house, common gaming room, or common gaming premises, for therein playing for wagers of money at any game of chance, or to be kept or used as a bawdy house, or for lewd and obscene public amusement or entertainment, or as a house
THIRTY-SEVENTH CONGRESS. Sess. II. Ch. 181. 1862.

of prostitution, or for purposes of prostitution, or the deposit or sale, of lottery tickets or of lottery policies, it shall be lawful for the superintendent of Metropolitan police to authorize any member or members of the police force to enter the same, who shall forthwith arrest all persons there found offending against law, and seize all implements of gaming, or lottery tickets, or lottery policies, and convey any person so arrested before the nearest police magistrate, and bring the articles so seized to the office of the Board of Metropolitan Police. It shall be the duty of the said superintendent of the Metropolitan police force to cause such arrested persons to be rigorously prosecuted, such articles seized to be destroyed, and such room or house to be closed, and not used again for such unlawful purposes.

SEC. 4. And be it further enacted, That the Board of Metropolitan Police shall possess powers of general police supervision and inspection over all licensed pawnbrokers, licensed venders, licensed hackman and cartmen, dealers in second-hand merchandise, intelligence office keepers, auctioneers of watches and jewelry, and suspected private banking houses, and other doubtful establishments within the said Metropolitan police district; and in the exercise and furtherance of said supervision may, from time to time, empower members of the police force to fulfill such special duties in the aforesaid premises as may be ordained by the Board of Metropolitan Police. The said board may direct the superintendent to empower any member of the Metropolitan police force, whenever such member shall be in search of property feloniously obtained, or in search of suspected offenders, to examine the books of any pawnbroker or his business premises, or the business premises of any licensed vender or dealer in second-hand merchandise, or intelligence office keeper, or auctioneer of watches and jewelry, or suspected private banking house, or other doubtful establishment. Any such member of the Metropolitan police, when thereto authorized in writing by the said superintendent, and having in his possession a pawnbroker's receipt or ticket, shall be allowed to examine the property purporting to be pawned or pledged, or deposited upon said receipt or ticket, in whosoever possession said property may be; but no such property shall be taken from the possessor thereof without due process or authority of law. Any wilful interference with said superintendent of police, or with any member of the Metropolitan police force, by any of the persons hereinbefore named in this section, whilst in official and due discharge of duty, shall be punishable as a misdemeanor.

SEC. 5. And be it further enacted, That the Board of Metropolitan Police may, from time to time, but without expense to the United States, establish stations and station houses, or sub-stations and sub-station houses, at least one to each precinct, for the accommodation thereof of members of the police force, and as temporary places of detention for persons arrested and property taken within the precinct. No person holding office under this act, or the act to which this is an amendment, shall be liable to military or jury duty, nor to arrest on civil process, or to service of subpoenas from civil courts whilst actually on duty. The members of the board of police, the superintendent, and secretary, are hereby vested with all the powers conferred by law upon notaries public and justices of the peace in the District of Columbia. The members of the board of police, and of the police force of the said Metropolitan police district, shall possess in every part of the District of Columbia all the common law and statutory powers of constables, except for the service of civil process and for the collection of strictly private debts, in which designation fines imposed for the breach of corporation ordinances shall not be included; but the said Board of Metropolitan Police shall not enforce any law or ordinance discriminating between persons in the administration of justice.

SEC. 6. And be it further enacted, That the said board of police shall have power, and it shall be their duty, from time to time, to select and
employ from among the duly appointed and qualified justices of the peace for the county of Washington such justice or justices as may be required and as it may deem proper, to sit at the respective station houses for the hearing of such charges as may be brought against persons arrested and carried to said station houses; and every person who shall be sentenced to pay a fine and costs, or either, shall satisfy the same before being released by payment or by giving security to the satisfaction of the justice imposing such fine and costs. And when such security shall be taken the justice shall be held personally liable to said Board of Police for the amount of the fine and costs to be collected of him as a debt due and payable.

Sec. 7. And be it further enacted, That no member of the Metropolitan police force, under penalty of forfeiting the salary or pay which may be due to him, shall withdraw or resign, except by permission of the Board of Metropolitan Police, unless he shall have given to the superintendent one month's notice, in writing, of such intention. There shall be no limitation or restriction of place of residence to any member of the Metropolitan police force, other than residence within the Metropolitan police district, and it shall be the duty of said board of police to cause the location of the patrolmen to be changed from time to time, as the efficiency of the force shall require.

Sec. 8. And be it further enacted, That the said board of police may appoint not exceeding six detectives, who shall receive a monthly compensation of seventy dollars each.

Sec. 9. And be it further enacted, That the board of police, for meritorious and extraordinary services rendered by any member of the police force, in the due discharge of his duty, may permit any member of the police force to retain for his own benefit any reward or present tendered him therefor; and it shall be cause of removal from the Metropolitan police force for any member thereof to receive any such reward or present without notice thereof to the Board of Metropolitan Police. Upon receiving said notice, the said board may either order the said member to retain the same, or shall dispose of it for the benefit of the policemen's fund. All fines imposed by the board of police upon members of the Metropolitan police force, by way of discipline, and collectable from pay or salary, and all rewards, fees, proceeds of gifts, and emoluments, that may be paid and given for account of extraordinary services of any member of the Metropolitan police force, (except when allowed to be retained by said member,) shall be paid to the treasurer of the Board of Metropolitan Police, unless otherwise appropriated by the board of police.

Sec. 10. And be it further enacted, That the several members of the police force, including the commissioners of police, shall have power and authority to immediately arrest without warrant, and to take into custody any person who shall commit, or threaten or attempt to commit, in the presence of such member, or within his view, any breach of the peace or offence directly prohibited by act of Congress, or by any ordinance of the city or county within which the offence is committed, threatened, or attempted; but such member of the police force shall immediately and without delay upon such arrest convey in person such offender before the nearest magistrate, that he may be dealt with according to law.

Sec. 11. And be it further enacted, That for the better exercise of the powers and duties hereinbefore enumerated, the board of police is hereby authorized immediately, and from time to time hereafter, but without expense to the United States, to cause to be collected into a compact form all the laws and ordinances in force in the said District having relation and applicable to police and health, and publish the same in a form easily accessible to all members of the community, as the police code of the said District; and the said code so prepared, and such rules as the said board of police may from time to time adopt for the purpose of enforcing
and carrying out the provisions thereof shall constitute the law of the said District upon the matters therein contained. All laws, or parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

Approved, July 16, 1862.

July 16, 1862.

Chap. CLXXXII.—An Act making supplemental Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-three, and for the Year ending June thirtieth, eighteen hundred and sixty-two, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, viz.:

For mileage and per diem compensation to witnesses, and other incidental expenses of the High Court of Impeachment in the case of West H. Humphreys, Judge of the District Court of the United States for the State of Tennessee, ten thousand dollars.

For laborers employed about the Hall of Representatives, one thousand dollars.

For repairing custom-house and post office at Bangor, Maine, six thousand dollars.

For salary of clerk to committee on public lands authorized by resolution of the House of Representatives of May twenty-seventh, eighteen hundred and sixty-two, eighteen hundred dollars, said salary to commence with the date of said resolution, and the sum herein mentioned shall be the amount of his salary annually.

For painting iron fence around Lafayette Square, and in front of the President's House, one thousand dollars.

To enable the President to carry out the act of Congress for the emancipation of the slaves in the District of Columbia, and to colonize those to be made free by the probable passage of a confiscation bill, five hundred thousand dollars, to be repaid to the treasury out of confiscated property, to be used at the discretion of the President in securing the right of colonization of said persons made free, and in payment of the necessary expenses of their removal.

For clerk hire in the consolidated land office at Des Moines, Iowa, to be disbursed by the register at a rate not exceeding three dollars per day, from the thirty-first day of December, eighteen hundred and sixty-one, to the thirtieth of June, eighteen hundred and sixty-three, one thousand six hundred and thirty-eight dollars.

For the pay of a commissioner and incidental expenses, under the "Act for the codification and revision of the laws of the District of Columbia," approved May twentieth, eighteen hundred and sixty-two, the sum of three thousand dollars. And so much of the above recited act as authorizes the appointment of more than one commissioner be, and the same is hereby, repealed.

Sec. 2. And be it further enacted, That the appropriations heretofore made for furnishing the Department of State with Howard's Reports of the Supreme Court of the United States, be applied to Reports of the Supreme Court of the United States, under whatsoever name published.

Sec. 3. And be it further enacted, That the salary of the Assistant Secretary of the Treasury shall be the same as the Assistant Secretary of the Navy, to commence with the present fiscal year.

Sec. 4. And be it further enacted, That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, for the year ending thirtieth of June, eighteen hundred and sixty-two, viz.:

For coal and firemen to warm the Library of Congress, on account of
a deficiency, for the fiscal year ending June thirtieth, eighteen hundred and sixty-two, and for the present fiscal year, twelve hundred dollars.

For the fund of the Patent Office, fifty thousand eight hundred and fifty-five dollars and forty-nine cents, to supply a deficiency existing under the act of March second, eighteen hundred and sixty-one, entitled, "An act in addition to an act to promote the progress of the useful arts."

Provided, That the fourteenth section of said act be, and the same is hereby, repealed.

To supply deficiencies in the appropriation for rent of Surveyor-General's office in California, fuel, books, stationery, and pay of messenger, two thousand dollars.

For service on such of the routes authorized by the "Act establishing additional post routes," as in the opinion of the Post Office Department may be necessary, ten thousand dollars.

For expenses in carrying into effect the treaty with Great Britain for the suppression of the slave trade, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

SEC. 5. And be it further enacted, That the office of clerk in charge of unfinished surveys in the General Land office, under act of twenty-second January, one thousand eight hundred and fifty-three, be, and the same is hereby, abolished, and the duties thereof shall be transferred to the principal draughtsman of the General Land Office, or such other clerk as the commissioner of said office may designate.

SEC. 6. And be it further enacted, That the sum of fifteen thousand dollars be appropriated, out of any money in the treasury not otherwise appropriated, for the purchase of artificial limbs for soldiers and seamen disabled in the service of the United States, to be expended under the direction of the Surgeon-General.

Approved, July 16, 1862.

CHAPEL. CLXXXIII. — An Act to establish and equalize the Grade of Line Officers of the United States Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the active list of line officers of the United States navy shall be divided into nine grades, taking rank according to the date of their commissions in each grade, as follows, viz.:

First. Rear Admirals.
Second. Commodores.
Third. Captains.
Fourth. Commanders.
Fifth. Lieutenant Commanders.
Sixth. Lieutenants.
Seventh. Masters.
Eighth. Ensigns.
Ninth. Midshipmen.

SEC. 2. And be it further enacted, That the number of officers allowed to each grade shall not exceed nine rear admirals, eighteen commodores, thirty-six captains, seventy-two commanders, one hundred and forty-four lieutenant commanders, one hundred and forty-four lieutenants, one hundred and forty-four masters, and one hundred and forty-four ensigns.

SEC. 3. And be it further enacted, That the vessels of the United States navy shall be divided into four classes, to be commanded, as near as may be, as follows:

First rates, by commodores.
Second rates, by captains.
Third rates, by commanders.
Fourth rates, by lieutenant commanders.
Lieutenant commanders may be assigned as first lieutenants of naval stations and of vessels not commanded by lieutenant commanders.

SEC. 4. And be it further enacted, That the Secretary of the Navy shall appoint an advisory board of not less than three officers, senior to those to be reported upon, who shall carefully scrutinize the active list of line officers above, and including the grade of masters in the line of promotion, and report to him in writing those who, in the opinion of the board, are worthy of further promotion in the following words: We hereby certify that ——— has the moral, mental, physical, and professional qualifications to perform efficiently all his duties, both at sea and on shore, of the grade to which he is to be promoted, and recommend him for promotion.

SEC. 5. And be it further enacted, That the officers recommended shall be immediately commissioned, according to their present seniority, in the following grades and numbers, viz.: eighteen commodores, thirty-six captains, seventy-two commanders, one hundred and forty-four lieutenant commanders, one hundred and forty-four lieutenants, one hundred and forty-four masters, and one hundred and forty-four ensigns: Provided, That this number of officers remain upon the active list after the action of the board, otherwise so soon as the graduates from the Naval Academy are available for promotion.

SEC. 6. And be it further enacted, That a similar advisory board shall be appointed at least once in every four years: Provided, That the same officers shall not be eligible for two successive terms.

SEC. 7. And be it further enacted, That nine rear admirals may be appointed by the President, by and with the advice and consent of the Senate, who shall be selected, during war, from those officers upon the active list not below the grade of commanders, who have distinguished themselves, or shall hereafter most eminently distinguish themselves by courage, skill, and genius, in their profession: Provided, That no officer shall be promoted to this grade unless, upon recommendation of the President, by name, he has received the thanks of Congress for distinguished service. During times of peace vacancies to this grade shall be filled by regular promotion from the list of commodores, subject to examination as aforesaid.

SEC. 8. And be it further enacted, That whenever, upon the recommendation of the President of the United States, any officer of the navy now upon the active list, not below the grade of commander, has received, or shall receive, by name, during the present war, a vote of thanks of Congress for distinguished service, such officer shall not be retired except for cause until he has been fifty-five years in the naval service of the United States.

SEC. 9. And be it further enacted, That any line officer of the navy or marine corps may be advanced one grade, if, upon recommendation of the President, by name, he receives the thanks of Congress for highly distinguished conduct in conflict with the enemy, or for extraordinary heroism in the line of his profession.

SEC. 10. And be it further enacted, That any person who shall have received or shall hereafter receive a temporary appointment as acting volunteer lieutenant or acting master in the navy from civil life authorized by the act of Congress of July twenty-four, eighteen hundred and sixty-one, may be confirmed in said appointment in the navy, and placed in the line of promotion from the date of said confirmation, if, upon the recommendation of the President, he receives the thanks of Congress for highly meritorious conduct in conflict with the enemy: Provided, The number of officers allowed in each grade by this act shall not be increased thereby. Seamen distinguishing themselves in battle, or by extraordinary heroism in the line of their profession, may be promoted to forward warrant officers, or acting masters' mates, as they may be best
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qualified, upon the recommendation of their commanding officer, approved by the flag-officer and the department. Upon such promotion they shall receive a gratuity of one hundred dollars and a medal of honor to be prepared by the Navy Department.

SEC. 11. And be it further enacted, That the students at the Naval Academy shall by testified midshipmen and until their final graduating examination, when, if successful, they shall be commissioned ensigns, ranking according to merit. The number allowed at the academy shall be two for every member and delegate of the House of Representatives, two for the District of Columbia, and ten at large. They shall be between the ages of fourteen and seventeen, physically sound and well formed, and of robust constitution. They shall be examined for admittance into the academy according to the regulations which shall be issued by the Secretary of the Navy, and if rejected shall not have the privilege of another examination for admission to the same class, unless recommended by the board of examiners. The President shall select the two from the District of Columbia and the ten at large, and the President shall also be allowed three yearly appointments of midshipmen, who shall be not over eighteen years of age, who shall be selected from boys enlisted in the navy, and who have been at least one year in the service, six months of which shall have been sea service. From and after the fifth of March, eighteen hundred and sixty-three, the nomination of candidates for admission into the Naval Academy shall be made between the fifth of March and the first of July of each year upon the recommendation of the member or delegate, from actual residents of his district, and they shall be examined for admission in July: Provided, That when any candidate who has been so nominated shall upon examination be found physically or mentally disqualified for admission the member or delegate from whose district he was so nominated shall be notified to recommend another candidate who shall be examined in September following. And it shall be the duty of the Secretary of the Navy, as soon after the fifth of March as possible, to notify, in writing, each member and delegate of any vacancy that may exist in his district; and if said member or delegate neglects to recommend a candidate by the first of July in that year, then it shall be the duty of the Secretary of the Navy to fill the vacancy. Midshipmen deficient at any examination shall not be continued at the academy, or in the service, unless upon recommendation of the academic board; nor shall any officer of the navy who has been dismissed by sentence of a court-martial, or suffered to resign to escape one, ever again become an officer of the navy: Provided, however, That no greater number of midshipmen shall be appointed by the President at large under this or any other law of Congress than shall be allowed by the provisions of this section.

SEC. 12. And be it further enacted, That the three senior rear admirals shall wear a square blue flag at the mainmast head; the next three at the foremost head; and all others at the mizen.

SEC. 13. And be it further enacted, That the relative rank between officers of the navy and the army shall be as follows, lineal rank only to be considered:

Rear Admirals with major generals.
Commodores with brigadier generals.
Captains with colonels.
Commanders with lieutenant colonels.
Lieutenant commanders with majors.
Lieutenants with captains.
Masters with first lieutenants.
Ensigns with second lieutenants.

SEC. 14. And be it further enacted, That there may be allowed upon the retired list nine rear admirals and eighteen commodores. The rear

Flag of rear admirals.
[Repealed, Post, p. 799.]

Relative rank of army and navy officers.
admirals shall be selected by the President, by and with the advice and
counsel of the Senate, from those captains who have given the most
faithful service to their country. The eighteen commodores shall be
recommended from the list of captains by an advisory board of admirals. After
the above numbers are commissioned, promotion to those grades upon the
retired list shall be by seniority, subject to an advisory board.

**Sec. 15. And be it further enacted, That from and after the passage of**
this act the annual pay of the several ranks and grades of officers of
the navy on the active list, hereinafter named, shall be as follows:

**Rear admirals.** When at sea, shall receive five thousand dollars;
When on shore duty, four thousand dollars;
When on leave of absence, or waiting orders, three thousand dollars.

**Commodores.** When at sea, shall receive four thousand dollars;
When on shore duty, three thousand two hundred dollars;
When on leave of absence, or waiting orders, two thousand four
hundred dollars.

**Captains.** When at sea, shall receive three thousand five hundred dollars;
When on shore duty, two thousand eight hundred dollars;
When on leave of absence, or waiting orders, two thousand one hun-
dred dollars.

**Commanders.** When at sea, shall receive two thousand eight hundred
dollars;
When on shore duty, two thousand two hundred and forty dollars;
When on leave of absence, or waiting orders, one thousand six hun-
dred and eighty dollars.

**Lieutenant commanders.** When at sea, shall receive two thousand three
hundred and forty-three dollars;
When on shore duty, one thousand eight hundred and seventy-five
dollars;
When on leave of absence, or waiting orders, one thousand five hun-
dred dollars.

**Lieutenants.** When at sea, shall receive one thousand eight hundred
and seventy-five dollars;
When on shore duty, one thousand and five hundred dollars;
When on leave of absence, or waiting orders, one thousand two hun-
dred dollars.

**Masters.** When at sea, shall receive one thousand five hundred dollars;
When on shore duty, one thousand two hundred dollars;
When on leave of absence, or waiting orders, nine hundred and sixty
dollars.

**Ensigns.** When at sea, shall receive one thousand two hundred dollars;
When on shore duty, nine hundred and sixty dollars;
When on leave of absence, or waiting orders, seven hundred and
sixty-eight dollars.

**Midshipmen.** Midshipmen shall receive five hundred dollars.

**Sec. 16. And be it further enacted, That whenever any officer of the**
navy, of a class subject by law or regulation to examination before
promotion to a higher grade, shall have been absent on duty at the time
when he should have been examined, and shall have been found qualified
at a subsequent examination, the increased rate of pay to which he may
be entitled shall be allowed to him from the date when he would have
received it had he been found qualified at the time when his examination
should have taken place.

**Sec. 17. And be it further enacted, That in calculating the graduated**
pay of boatswains, gunners, carpenters, and sailmakers in the navy, as
established by law, the sea service shall be computed from the dates of
their appointments or entry into the service in their respective grades in
lieu of the dates of their warrants.

**Sec. 18. And be it further enacted, That the Secretary of the Navy be,**
and he hereby is, authorized to assign clerks and laborers attached to one bureau to duty in another, and also to detail a surgeon or assistant surgeon, or passed assistant surgeon, as assistant to the Bureau of Medicine and Surgery, who shall receive the highest shore pay of his grade.

Sec. 19. And be it further enacted, That all officers while at sea, or attached to a sea-going vessel, shall be allowed one ration.

Sec. 20. And be it further enacted, That the relative rank between officers of the navy and army on the retired list shall be the same as on the active list, and the annual pay of retired naval officers shall be as follows, viz:

- Admirals, two thousand dollars.
- Commodores, eighteen hundred dollars.
- Captains, sixteen hundred dollars.
- Commanders, fourteen hundred dollars.
- Lieutenant commanders, thirteen hundred dollars.
- Lieutenants, one thousand dollars.
- Masters, eight hundred dollars.
- Ensigns, five hundred dollars.

And no ration shall be allowed to any officers of the navy on the retired list. And the pay of all naval officers appointed by virtue of an act entitled "An act to provide for the temporary increase of the navy," approved July twenty-fourth, eighteen hundred and sixty-one, shall be the same as that of officers of a like grade in the regular navy.

APPROVED, July 16, 1862.

CHAP. CLXXXIV. — An Act to amend an Act entitled "An Act to further promote the Efficiency of the Navy," approved December twenty-first, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight of an act to further promote the efficiency of the navy, approved December twenty-first, eighteen hundred and sixty-one, be amended so as to read as follows: That the hours of labor and the rate of wages of the employees in the navy yards shall conform, as nearly as is consistent with the public interest, with those of private establishments in the immediate vicinity of the respective yards, to be determined by the commandants of the navy yards, subject to the approval and revision of the Secretary of the Navy.

APPROVED, July 16, 1862.

CHAP. CLXXXV. — An Act transferring the Western Gunboat Fleet from the War to the Navy Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the western gunboat fleet constructed by the War Department for operations on the western waters shall be transferred to the Navy Department, which will be hereafter charged with the expense of its repair, support, and maintenance: Provided, That all vessels now under construction or repair by authority of the War Department shall be completed and paid for under the authority of that department from appropriations made for that purpose.

Sec. 2. And be it further enacted, That this act shall take effect and be in force from and after its passage.

APPROVED, July 16, 1862.

CHAP. CLXXXVI. — An Act to enlarge the Lake Superior Land District, in the State of Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the

Duty of clerks, &c.
Assistant to Bureau of Medicine, &c.
Rations.
Relative rank of officers of army and navy on retired list. Pay.


Hours of labor and rates of wages at navy yards.

Western gunboat fleet transferred to Navy Department.

Certain vessels, how to be completed and paid for.

When act takes effect.
Part of "Cheboygan District," in the State of Michigan, lying west of Lake Michigan and south of the line dividing townships forty-one and forty-two north, including Saint Martin's and the adjacent islands near the entrance to "Big Bay De Noc," now forming a part of the present Cheboygan district, and subject to sale at Traverse City, in said State, be, and the same is hereby, attached to the "Lake Superior District," and the lands therein be subject to sale and entry at the site of the land office for said district.

SEC. 2. And be it further enacted, That this act shall not take effect until three months after the date of its approval.

APPROVED, July 16, 1862.

Chap. CLXXXVII.—An Act to impose an additional Duty on Sugars produced in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the duties imposed by the act entitled "An act to provide internal revenue to support the government, and to pay interest on the public debt," approved July first, eighteen hundred and sixty-two, on all brown muscovado or clarified sugars produced directly from the sugar cane, there shall be levied, collected, and paid, under the provisions of said act, upon all such sugars produced in the United States, a duty of one cent per pound; and such additional duty and the duty specified in the act aforesaid shall be levied, collected, and paid [on] all such sugars, not manufactured for consumption in the family of the producer, in the hands of the producer or manufacturer thereof or of his agent or factor, on the day of the approval of this act by the President: Provided, That within States or parts of States declared to be in insurrection the said duties may be collected in such manner and by such officers as the President may direct until the insurrection so declared shall cease or have been suppressed.

SEC. 2. And be it further enacted, That the provisions of this act shall not apply to sugar manufactured from sorghum.

APPROVED, July 16, 1862.

Chap. CLXXXVIII.—An Act to punish the fraudulent Sale or Use of Postage Stamps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall wilfully remove or cause to be removed from any postage stamp or stamped envelope the cancelling or defacing marks thereon, with intent to use the same or cause the use of the same the second time, or shall knowingly or wilfully sell or buy such washed or restored stamps, or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the second use thereof, every such person shall, upon conviction thereof, be adjudged guilty of felony, and shall be punished by imprisonment not exceeding three years or by fine not exceeding one thousand dollars, or by both imprisonment and fine as aforesaid; and one half such fine, when collected, shall be paid to the informer.

APPROVED, July 16, 1862.

Chap. CLXXXIX.—An Act in Relation to the Competency of Witnesses, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the State in which the court shall be held shall be the rules of decision as to the com—
petency of witnesses in the courts of the United States, in trials at common law, in equity, and admiralty.

Sec. 2. And be it further enacted, That so much of section twenty-nine of an act entitled "An act to establish [the] judicial courts of the United States," approved September twenty-four, seventeen hundred and eighty-nine, as requires, in cases punishable with death, twelve petit jurors to be summoned from the county where the offence was committed, be, and the same is hereby, repealed.

Approved, July 16, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no person in the military service of the United States, convicted and sentenced by a court-martial, shall be punished by confinement in the penitentiary of the District of Columbia, unless the offence of which such person may be convicted would by some statute of the United States or at common law, as the same exists in the said District, subject such convict to said punishment.

Sec. 2. And be it further enacted, That all such persons in the military service, as aforesaid, who have heretofore been, or may hereafter be, convicted and sentenced by a court-martial for any offence which, if tried before the criminal court of said District, would not subject such person to imprisonment in said penitentiary, and who are now or may hereafter be confined therein, shall be discharged from said imprisonment, upon such terms and conditions of further punishment as the President of the United States may, in his discretion, impose as a commutation of said sentence.

Sec. 3. And be it further enacted, That upon the application of any citizen of the United States, supported by his oath, alleging that a person or persons in the military service, as aforesaid, are confined in said penitentiary under the sentence of a court-martial for any offence not punishable by imprisonment in the penitentiary by the authority of the criminal court aforesaid, it shall be the duty of the judge of said court, or, in case of his absence or inability, of one of the judges of the circuit court of said District, if, upon an inspection of the record of proceedings of said court-martial, he shall find the facts to be as alleged in said application, immediately to issue the writ of habeas corpus to bring before him the said convict; and if, upon an investigation of the case, it shall be the opinion of such judge that the case of such convict is within the provisions of the previous sections of this act, he shall order such convict to be confined in the common jail of said District, until the decision of the President of the United States as to the commutation aforesaid be filed in said court, and then such convict shall be disposed of and suffer such punishment as by said commutation of his said sentence may be imposed.

Sec. 4. And be it further enacted, That no person convicted upon the decision of a court-martial shall be confined in any penitentiary of the United States, except under the conditions of this act.

Approved, July 16, 1862.
be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

SEC. 2. And be it further enacted, That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in, or give aid and comfort to, any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at the discretion of the court.

SEC. 3. And be it further enacted, That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

SEC. 4. And be it further enacted, That this act shall not be construed in any way to affect or alter the prosecution, conviction, or punishment of any person or persons guilty of treason against the United States before the passage of this act, unless such person is convicted under this act.

SEC. 5. And be it further enacted, That, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estate and property, money, stocks, credits, and effects of the persons hereinafter named in this section, and to apply and use the same and the proceeds thereof for the support of the army of the United States, that is to say:

First. Of any person hereafter acting as an officer of the army or navy of the rebels in arms against the government of the United States.

Secondly. Of any person hereafter acting as President, Vice-President, member of Congress, judge of any court, cabinet officer, foreign minister, commissioner or consul of the so-called confederate states of America.

Thirdly. Of any person acting as governor of a state, member of a convention or legislature, or judge of any court of any of the so-called confederate states of America.

Fourthly. Of any person who, having held an office of honor, trust, or profit in the United States, shall hereafter hold an office in the so-called confederate states of America.

Fifthly. Of any person hereafter holding any office or agency under the government of the so-called confederate states of America, or under any of the several states of the said confederacy, or the laws thereof, whether such office or agency be national, state, or municipal in its name or character: Provided, That the persons, thirdly, fourthly, and fifthly above described shall have accepted their appointment or election since the date of the pretended ordinance of secession of the state, or shall have taken an oath of allegiance to, or to support the constitution of the so-called confederate states.

Sixthly. Of any person who, owning property in any loyal State or Territory of the United States, or in the District of Columbia, shall hereafter assist and give aid and comfort to such rebellion; and all sales, transfers, or conveyances of any such property shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.
SEC. 6. And be it further enacted, That if any person within any State or Territory of the United States, other than those named as aforesaid, after the passage of this act, being engaged in armed rebellion against the government of the United States, or aiding or abetting such rebellion, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, moneys, stocks, and credits of such person shall be liable to seizure as aforesaid, and it shall be the duty of the President to seize and use them as aforesaid or the proceeds thereof.

And all sales, transfers, or conveyances, of any such property after the expiration of the said sixty days from the date of such warning and proclamation shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

SEC. 7. And be it further enacted, That to secure the condemnation and sale of any of such property, after the same shall have been seized, so that it may be made available for the purpose aforesaid, proceedings in rem shall be instituted in the name of the United States in any district court thereof, or in any territorial court, or in the United States district court for the District of Columbia, within which the property above described, or any part thereof, may be found, or into which the same, if movable, may first be brought, which proceedings shall conform as nearly as may be to proceedings in admiralty or revenue cases, and if said property, whether real or personal, shall be found to have belonged to a person engaged in rebellion, or who has given aid or comfort thereto, the same shall be condemned as enemies' property and become the property of the United States, and may be disposed of as the court shall decree and the proceeds thereof paid into the treasury of the United States for the purposes aforesaid.

SEC. 8. And be it further enacted, That the several courts aforesaid shall have power to make such orders, establish such forms of decree and sale, and direct such deeds and conveyances to be executed and delivered by the marshals thereof where real estate shall be the subject of sale, as shall fairly and efficiently effect the purposes of this act, and vest in the purchasers of such property good and valid titles thereto.

And the said courts shall have power to allow such fees and charges of their officers as shall be reasonable and proper in the premises.

SEC. 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

SEC. 10. And be it further enacted, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.
President may employ persons of African descent to suppress rebellion.

Colonation of freed slaves.

President may proclaim amnesty and pardon.

Courts may issue process to carry this act into effect.

SEC. 11. And be it further enacted, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

SEC. 12. And be it further enacted, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

SEC. 13. And be it further enacted, That the President is hereby authorized, at any time hereafter, by proclamation, to extend to persons who may have participated in the existing rebellion in any State or part thereof, pardon and amnesty, with such exceptions and at such time and on such conditions as he may deem expedient for the public welfare.

SEC. 14. And be it further enacted, That the courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and do all other things necessary to carry this act into effect.

APPROVED, July 17, 1862.

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July 17, 1862.

CHAP. CXCVI. — An Act to authorize Payments in Stamps, and to prohibit Circulation of Notes of less Denomination than One Dollar.

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 directed to furnish to the Assistant Treasurers, and such designated depositaries of the United States as may be by him selected, in such sums as he may deem expedient, the postage and other stamps of the United States, to be exchanged by them, on application, for United States notes; and from and after the first day of August next such stamps shall be receivable in payment of all dues to the United States less than five dollars, and shall be received in exchange for United States notes when presented to any Assistant Treasurer or any designated depositary selected as aforesaid in sums not less than five dollars.

SEC. 2. And be it further enacted, That from and after the first day of August, eighteen hundred and sixty-two, no private corporation, banking association, firm, or individual shall make, issue, circulate, or pay any note, check, memorandum, token, or other obligation, for a less sum than one dollar, intended to circulate as money or to be received or used in lieu of lawful money of the United States; and every person so offending shall, on conviction thereof in any district or circuit court of the United States, be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both, at the option of the court.

APPROVED, July 17, 1862.

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July 17, 1862.


The President may arrange for the employment, &c., in the West Indies, &c., for

CHAP. CXCVII. — An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in Addition to the Acts prohibiting the Slave Trade.'"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the President of the United States to enter into arrangement, by contract or otherwise, with one or more foreign governments having possessions in the West Indies or other tropical regions, or with their duly constituted agent or agents, to receive from the United States, for a
term not exceeding five years, at such place or places as shall be agreed upon, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of United States armed vessels, and to provide them with suitable instruction, and with comfortable clothing and shelter, and to employ them, at wages, under such regulations as shall be agreed upon, for a period not exceeding five years from the date of their being landed at the place or places agreed upon: Provided, That the United States incur no expenses on account of said negroes, mulattoes, or persons of color, after having landed them at the place or places agreed upon: And provided, further, That any arrangement so made as aforesaid may be renewed by the President of the United States from time to time, as may be found necessary or desirable, for periods not exceeding five years on each renewal.

SECTION 2. And be it further enacted, That the President of the United States be, and he is hereby, authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it shall be practicable, and under such rules and regulations as he shall prescribe, to proceed directly to such place or places as shall have been agreed upon with any foreign government, or its duly constituted agent or agents, under the provisions of the first section of this act, and there deliver to the duly constituted authorities, or agents of such foreign governments, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade, afterwards taking the vessel and persons engaged in prosecuting the slave trade to the proper place for trial and adjudication.

APPROVED, July 17, 1862.

CHAP. CXCIX. — An Act to provide for the more prompt Settlement of the Accounts of Disbursing Officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act any officer or agent of the United States who shall receive public money which he is not authorized to retain as salary, pay or emolument, shall render his accounts monthly, instead of quarterly, as heretofore; and such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the treasury, and be mailed or otherwise forwarded to its proper address within ten days after the expiration of each successive month. And in case of the non-receipt at the treasury of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this act; and for any default on his part, the delinquent officer shall be deemed a defaulter, and be subject to all the penalties prescribed by the sixteenth section of the act of August sixth, eighteen hundred and forty-six, "to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer and disbursement of the public revenue;" Provided, That the Secretary of the Treasury may, if in his opinion the circumstances of the case justify and


Proviso
Time may be extended. Other returns may be required. require it, extend the time hereinbefore prescribed for the rendition of accounts: and provided further, That nothing herein contained shall be construed to restrain the heads of any of the departments from requiring such other returns or reports from the officer or agent, subject to the control of such heads of departments, as the public interests may require.

Approved, July 17, 1862.

July 17, 1862.

Forage to be drawn in kind.

When to be commuted.

Officers on duty requiring them to be mounted to receive pay of cavalry officers.

Forage of major generals, brigadier generals, colonels, &c. Captains, &c. Chaplains. Officers employing soldiers as servants to deduct from their pay, &c.

Penalty.


Regimental bands to be mustered out of service. 1861, ch. 9, § 2. Ante, p. 279. Brigade bands, number, pay, &c.

Mileage of officers.

Chap. CC. — An Act to define the Pay and Emoluments of certain Officers of the Army, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the army entitled to forage for horses shall not be allowed to commute it, but may draw forage in kind for each horse actually kept by them when and at the place where they are on duty, not exceeding the number authorized by law: Provided, however, That when forage in kind cannot be furnished by the proper department, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations: And provided, further, That officers of the army and of volunteers assigned to duty which requires them to be mounted, shall, during the time they are employed on such duty, receive the pay, emoluments, and allowances of cavalry officers of the same grade respectively.

Sec. 2. And be it further enacted, That major generals shall be entitled to draw forage in kind for five horses; brigadier generals for four horses; colonels, lieutenant colonels, and majors, for two horses each; captains and lieutenants of cavalry and artillery, or having the cavalry allowance, for two horses each; and chaplains, for one horse only.

Sec. 3. And be it further enacted, That whenever an officer of the army shall employ a soldier as his servant he shall, for each and every month during which said soldier shall be so employed, deduct from his own monthly pay the full amount paid to or expended by the government per month on account of said soldier; and every officer of the army who shall fail to make such deduction shall, on conviction thereof before a general court-martial, be cashiered.

Sec. 4. And be it further enacted, That the first section of the act approved August six, eighteen hundred and sixty-one, entitled "An act to increase the pay of privates in the regular army and in the volunteers in the service of the United States, and for other purposes," shall not be so construed, after the passage of this act, as to increase the emoluments of the commissioned officers of the army. And the eighth section of the act of twenty-second July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," shall be so construed as to give to quartermaster sergeants the same compensation as to regimental commissary sergeants.

Sec. 5. And be it further enacted, That so much of the aforesaid act approved twenty-second July, eighteen hundred and sixty-one, as authorizes each regiment of volunteers in the United States service to have twenty-four musicians for a band, and fixes the compensation of the leader of the band, be, and the same is hereby, repealed; and the men composing such bands shall be mustered out of the service within thirty days after the passage of this act.

Sec. 6. And be it further enacted, That each brigade in the volunteer service may have sixteen musicians as a band, who shall receive the pay and allowances now provided by law for regimental bands, except the leader of the band, who shall receive forty-five dollars per month with the emoluments and allowances of a quartermaster's sergeant.

Sec. 7. And be it further enacted, That in lieu of the present rate of mileage allowed to officers of the army when travelling on public duty,
where transportation in kind is not furnished to them by the government, not more than six cents per mile shall hereafter be allowed, unless where an officer is ordered from a station east of the Rocky Mountains to one west of the same mountains, or vice versa, when ten cents per mile shall be allowed to him; and no officer of the army or navy of the United States shall be paid mileage except for travel actually performed at his own expense, and in obedience to orders.

SEC. 8. And be it further enacted, That so much of section nine of the aforesaid act, approved July twenty-second, eighteen hundred and sixty-one, and of section seven of the "Act providing for the better organization of the military establishment," approved August third, eighteen hundred and sixty-one, as defines the qualifications of chaplains in the army and volunteers, shall hereafter be construed to read as follows: That no person shall be appointed a chaplain in the United States army who is not a regularly ordained minister of some religious denomination, and who does not present testimonials of his present good standing as such minister, with a recommendation for his appointment as an army chaplain from some authorized ecclesiastical body, or not less than five accredited ministers belonging to said religious denomination.

SEC. 9. And be it further enacted, That hereafter the compensation of all chaplains in the regular or volunteer service or army hospitals shall be one hundred dollars per month and two rations a day when on duty; and the chaplains of the permanent hospitals, appointed under the authority of the second section of the act approved May twentieth, eighteen hundred and sixty-two, shall be nominated to the Senate for its advice and consent, and they shall, in all respects, fill the requirements of the preceding section of this act relative to the appointment of chaplains in the army and volunteers, and the appointments of chaplains to army hospitals, heretofore made by the President, are hereby confirmed; and it is hereby made the duty of each officer commanding a district or post containing hospitals, or a brigade of troops, within thirty days after the reception of the order promulgating this act, to inquire into the fitness, efficiency, and qualifications of the chaplains of hospitals or regiments, and to muster out of service such chaplains as were not appointed in conformity with the requirements of this act, and who have not faithfully discharged the duties of chaplains during the time they have been engaged as such. Chaplains employed at the military posts called "chaplains' posts" shall be required to reside at the posts, and all chaplains in the United States service shall be subject to such rules in relation to leave of absence from duty as are prescribed for commissioned officers of the United States army stationed at such posts.

SEC. 10. And be it further enacted, That so much of the fifth section of the act approved July twenty-second, eighteen hundred and sixty-one, as allows forty cents per day for the use and risk of the horses of company officers of cavalry, and the tenth section of the aforesaid act, approved August three, eighteen hundred and sixty-one, be, and the same are hereby, repealed.

SEC. 11. And be it further enacted, That whenever an officer shall be put under arrest, except at remote military posts or stations, it shall be the duty of the officer by whose orders he is arrested to see that a copy of the charges on which he has been arrested and is to be tried shall be served upon him within eight days thereafter, and that he shall be brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of the said ten days or the arrest shall cease: Provided, That if the copy of the charges be not served upon the arrested officer, as herein provided, the arrest shall cease; but officers released from arrest under the provisions of this section may be tried whenever the exigencies of the service will permit, within twelve months after such

Actual mileage only, under orders, paid for.

Chaplains, qualifications of.

1861, ch. 9, § 9.
1861, ch. 43, § 7.
Ante, pp. 270, 288.

Chaplains, pay and rations.

Chaplains of permanent hospitals.

1862, ch. 80, § 2.
Ante, p. 404.

Commander of post to inquire into fitness, &c., of chaplain.

Residence of chaplains.

Allowance for risk of horses abolished.

1861, ch. 9, § 5.
1861, ch. 42, § 10.
Ante, pp. 269, 288.

Proceedings in cases of arrest of officers.

Copy of charges.

Trial.

Provided,
This section to apply to all under arrest and awaiting trial.

Certain officers of the army and marine corps may be retired.


Contracts, &c. for goods or supplies to be reported promptly to Congress.

Interest in contracts not to be transferred.

Penalty.

Rights of United States saved.

Supplies to be marked.

Punishment of certain contractors found guilty of fraud, &c.

Certain contractors subject to rules, &c. for land and naval forces.

President may dismiss, for cause, any officer;

may purchase cemetery grounds.

Law authorizing additional aides-de-camp repealed.

1861, ch. 24.

1861, ch. 47.

release from arrest: And provided, further, That the provisions of this section shall apply to all persons now under arrest and awaiting trial.

SEC. 12. And be it further enacted, That whenever the name of any officer of the army or marine corps, now in the service, or who may hereafter be in the service of the United States, shall have been borne on the army register or naval register, as the case may be, forty-five years, or he shall be of the age of sixty-two years, it shall be in the discretion of the President to retire him from active service and direct his name to be entered on the retired list of officers of the grade to which he belonged at the time of such retirement; and the President is hereby authorized to assign any officer retired under this section or the act of August third, eighteen hundred and sixty-one, to any appropriate duty; and such officer thus assigned shall receive the full pay and emoluments of his grade while so assigned and employed.

SEC. 13. And be it further enacted, That all contracts made for, or orders given for the purchase of, goods or supplies by any department of the government shall be promptly reported to Congress by the proper head of such department if Congress shall at the time be in session, and if not in session said reports shall be made at the commencement of the next ensuing session.

SEC. 14. And be it further enacted, That no contract or order, or any interest therein, shall be transferred by the party or parties to whom such contract or order may be given to any other party or parties, and that any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned: Provided, That all rights of action are hereby reserved to the United States for any breach of such contract by the contracting party or parties.

SEC. 15. And be it further enacted, That every person who shall furnish supplies of any kind to the army or navy shall be required to mark and distinguish the same, with the name or names of the contractors so furnishing said supplies in such manner as the Secretary of War and the Secretary of the Navy may respectively direct, and no supplies of any kind shall be received unless so marked and distinguished.

SEC. 16. And be it further enacted, That whenever any contractor for subsistence, clothing, arms, ammunition, munitions of war, and for every description of supplies for the army or navy of the United States, shall be found guilty by a court-martial of fraud or willful neglect of duty, he shall be punished by fine, imprisonment, or such other punishment as the court-martial shall adjudge; and any person who shall contract to furnish supplies of any kind or description for the army or navy he shall be deemed and taken as a part of the land or naval forces of the United States, for which he shall contract to furnish said supplies, and be subject to the rules and regulations for the government of the land and naval forces of the United States.

SEC. 17. And be it further enacted, That the President of the United States be, and hereby is, authorized and requested to dismiss and discharge from the military service either in the army, navy, marine corps, or volunteer force, in the United States service, any officer for any cause which, in his judgment, either renders such officer unsuitable for, or whose dismissal would promote, the public service.

SEC. 18. And be it further enacted, That the President of the United States shall have power, whenever in his opinion it shall be expedient, to purchase cemetery grounds, and cause them to be securely enclosed, to be used as a national cemetery for the soldiers who shall die in the service of the country.

SEC. 19. And be it further enacted, That so much of the act approved the fifth of August, eighteen hundred and sixty-one, entitled "An act supplementary to an act entitled 'An act to increase the present military establishment of the United States,'" approved the twenty-ninth of July,
eighteen hundred and sixty-one, as authorizes the appointment of additional aides-de-camp, be, and the same is hereby, repealed. But this repeal shall not be construed so as to deprive those persons already appointed, in strict conformity with said act of the fifth of August, eighteen hundred and sixty-one, from holding their offices in the same manner as if it had not been repealed.

SEC. 20. And be it further enacted, That the different regiments and independent companies heretofore mustered into the service of the United States as volunteer engineers, pioneers, or sappers and miners, under the orders of the President or Secretary of War, or by authority of the commanding general of any military department of the United States, or which, having been mustered into the service as infantry, shall have been reorganized and employed as engineers, pioneers, or sappers and miners, shall be, and the same are hereby, recognized and accepted as volunteer engineers, on the same footing, in all respects, in regard to their organization, pay, and emoluments, as the corps of engineers of the regular army of the United States, and they shall be paid for their services, already performed, as is now provided by law for the payment of officers and non-commissioned officers and privates of the engineer corps of the regular army.

SEC. 21. And be it further enacted, That any alien, of the age of twenty-one years and upwards, who has enlisted or shall enlist in the armies of the United States, either the regular or the volunteer forces, and has been or shall be hereafter honorably discharged, may be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become a citizen of the United States, and that he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and that the court admitting such alien shall, in addition to such proof of residence and good moral character as is now provided by law, be satisfied by competent proof of such person having been honorably discharged from the service of the United States as aforesaid.

SEC. 22. And be it further enacted, That there shall be added to the Adjutant General's department, by regular promotion of its present officers, one colonel, two lieutenant colonels, and nine majors; and that the grade of captain in said department shall thereafter be abolished, and all vacancies occurring in the grade of major shall be filled by selection from among the captains of the army.

Approved, July 17, 1862.
Militia, how organized.

President may accept 100,000 infantry for nine months.

Advance pay and bounty.

Volunteers for twelve months may be accepted to fill up regiments.

Judge advocate general.

Rank, pay, &c.

Sentence.


Judge advocate for each army in the field.

Rank, pay, duties, &c.

Field officer substituted for regimental or garrison court-martial.

Duty of such field officer.

Limit to punishment.

Proviso.

Certain battalion adjutants and quartermasters of cavalry to be mustered out of the service.

President may organize army corps at his discretion.

SEC. 2. And be it further enacted, That the militia, when so called into service, shall be organized in the mode prescribed by law for volunteers.

SEC. 3. And be it further enacted, That the President be, and he is hereby, authorized, in addition to the volunteer forces which he is now authorized by law to raise, to accept the services of any number of volunteers, not exceeding one hundred thousand, as infantry, for a period of nine months, unless sooner discharged. And every soldier who shall enlist under the provisions of this section shall receive his first month's pay, and also twenty-five dollars as bounty, upon the mustering of his company or regiment into the service of the United States. And all provisions of law relating to volunteers enlisted in the service of the United States for three years, or during the war, except in relation to bounty, shall be, and the same are, extended to, and are hereby declared to embrace, the volunteers to be raised under the provisions of this section.

SEC. 4. And be it further enacted, That, for the purpose of filling up the regiments of infantry now in the United States service, the President be, and he hereby is, authorized to accept the services of volunteers in such numbers as may be presented for that purpose, for twelve months, if not sooner discharged. And such volunteers, when mustered into the service, shall be in all respects upon a footing with similar troops in the United States service, except as to service bounty, which shall be fifty dollars, one half of which to be paid upon their joining their regiments, and the other half at the expiration of their enlistment.

SEC. 5. And be it further enacted, That the President shall appoint, by and with the advice and consent of the Senate, a judge advocate general, with the rank, pay, and emoluments of a colonel of cavalry, to whose office shall be returned, for revision, the records and proceedings of all courts-martial and military commissions, and where a record shall be kept of all proceedings had thereupon. And no sentence of death, or imprisonment in the penitentiary, shall be carried into execution until the same shall have been approved by the President.

SEC. 6. And be it further enacted, That there may be appointed by the President, by and with the advice and consent of the Senate, for each army in the field, a judge advocate, with the rank, pay, and emoluments, each, of a major of cavalry, who shall perform the duties of judge advocate for the army to which they respectively belong, under the direction of the judge advocate general.

SEC. 7. And be it further enacted, That hereafter all offenders in the army charged with offences now punishable by a regimental or garrison court-martial, shall be brought before a field officer of his regiment, who shall be detailed for that purpose, and who shall hear and determine the offence, and order the punishment that shall be inflicted; and shall also make a record of his proceedings, and submit the same to the brigade commander, who, upon the approval of the proceedings of such field officer, shall order the same to be executed: Provided, That the punishment in such cases be limited to that authorized to be inflicted by a regimental or garrison court-martial: And provided, further, That, in the event of there being no brigade commander, the proceedings as aforesaid shall be submitted for approval to the commanding officer of the post.

SEC. 8. And be it further enacted, That all officers who have been mustered into the service of the United States as battalion adjutants and quartermasters of cavalry under the orders of the War Department, exceeding the number authorized by law, shall be paid as such for the time they were actually employed in the service of the United States, and that all such officers now in service, exceeding the number aforesaid, shall be immediately mustered out of the service of the United States.

SEC. 9. And be it further enacted, That the President be, and he is hereby, authorized to establish and organize army corps according to his discretion.
SEC. 10. And be it further enacted, That each army corps shall have the following officers and no more attached thereto, who shall constitute the staff of the commander thereof: one assistant adjutant general, one quartermaster, one commissary of subsistence, and one assistant inspector general, who shall bear, respectively, the rank of lieutenant colonel, and who shall be assigned from the army or volunteer force by the President. Also three aides-de-camp, one to bear the rank of major, and two to bear the rank of captain, to be appointed by the President, by and with the advice and consent of the Senate, upon the recommendation of the commander of the army corps. The senior officer of artillery in each army corps shall, in addition to his other duties, act as chief of artillery and ordnance at the headquarters of the corps.

SEC. 11. And be it further enacted, That the cavalry forces in the service of the United States shall hereafter be organized as follows: Each regiment of cavalry shall have one colonel, one lieutenant colonel, three majors, one surgeon, one assistant surgeon, one regimental adjutant, one regimental quartermaster, one regimental commissary, one sergeant major, one quartermaster sergeant, one commissary sergeant, two hospital stewards, one saddler sergeant, one chief trumpeter, and one chief farrier or blacksmith, and each regiment shall consist of twelve companies or troops, and each company or troop shall have one captain, one first lieutenant, one second lieutenant, and one supernumerary second lieutenant, one first sergeant, one quartermaster sergeant, one commissary sergeant, five sergeant, eight corporals, two teamsters, two farriers or blacksmithe, one saddler, one wagoener, and seventy-eight privates; the regimental adjutants, the regimental quartermasters, and regimental commissaries to be taken from their respective regiments: Provided, That vacancies caused by this organization shall not be considered as original, but shall be filled by regular promotion.

SEC. 12. And be it further enacted, That the President be, and he is hereby, authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor, or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe.

SEC. 13. And be it further enacted, That when any man or boy of African descent, who by the laws of any State shall owe service or labor to any person who, during the present rebellion, has levied war or has borne arms against the United States, or adhered to their enemies by giving them aid and comfort, shall render any such service as is provided for in this act, he, his mother and his wife and children, shall forever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding: Provided, That the mother, wife and children of such man or boy of African descent shall not be made free by the operation of this act except where such mother, wife or children owe service or labor to some person who, during the present rebellion, has borne arms against the United States or adhered to their enemies by giving them aid and comfort.

SEC. 14. And be it further enacted, That the expenses incurred to carry this act into effect shall be paid out of the general appropriation for the army and volunteers.

SEC. 15. And be it further enacted, That all persons who have been or shall be hereafter enrolled in the service of the United States under this act shall receive the pay and rations now allowed by law to soldiers, according to their respective grades: Provided, That persons of African descent, who under this law shall be employed, shall receive ten dollars per month and one ration, three dollars of which monthly pay may be in clothing.
Sec. 16. And be it further enacted, That medical purveyors and storekeepers shall give bonds in such sums as the Secretary of War may require with security to be approved by him.

Approved, July 17, 1862.

July 17, 1862.

Chap. CCII. — An Act to allow and pay to the State of Missouri the Amount of Money expended by said State in the arming and paying of Troops employed in the Suppression of Insurrection against the Laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Missouri shall be entitled to a credit against the direct tax apportioned to said State by the "act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for all sums of money expended by said State in the arming, equipping, subsisting and paying of troops organized under the ordinances of the convention of said State, passed during the year eighteen hundred and sixty-one, and employed in concert with the federal authorities in suppressing insurrection against the United States, and enforcing the laws thereof.

Sec. 2. And be it further enacted, That, for the purpose of ascertaining the amount due to said State for moneys so expended, the Secretary of War shall, immediately after the passage of this act, by commission or otherwise, cause the accounts to be examined, and a report made to him of the amount due, which being approved by the Secretary of War, and by him certified to the Secretary of the Treasury, the amount thereof shall be allowed to said State, and deducted from the amount apportioned thereto by the aforesaid act, and the remainder only, if any, shall be collected as therein prescribed: Provided, That, in the adjustment of accounts under this act, no greater rate of compensation shall be allowed than was provided for by the laws of the United States applicable to the arming, equipping, subsisting, and payment of volunteers, in force at the time of the enrolment of such troops of Missouri.

Sec. 3. And be it further enacted, That if said State shall assume and pay into the treasury the balance of said direct tax, if any, at such time as may be fixed by the Secretary of the Treasury, or should said expenditures be found to be equal to the tax, the deduction or discount of fifteen per centum, as prescribed in the fifty-third section of the said recited act, shall be allowed on the whole amount thus apportioned.

Approved, July 17, 1862.

July 17, 1862.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the operation of the act entitled "An act to prevent and punish frauds on the part of officers intrusted with making of contracts for the government," approved June two, eighteen hundred and sixty-two, be, and the same is hereby, suspended until the first Monday of January, eighteen hundred and sixty-three.

Approved, July 17, 1862.

July 17, 1862.

Chap. CCIV. — An Act for the better Government of the Navy of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first
day of September next, the following articles be adopted, and put in force for the government of the navy of the United States:

**Article 1.** The commanders of all fleets, squadrons, naval stations, and vessels belonging to the navy, are strictly enjoined and required to show in themselves a good example of virtue, honor, patriotism, and subordination; to be vigilant in inspecting the conduct of all who may be placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct all who may be guilty of them, according to the laws and regulations of the navy, upon pain of such punishment as a general court-martial may think proper to inflict.

**Article 2.** The commanders of vessels and naval stations, to which chaplains are attached, shall cause divine service to be performed on Sunday, whenever the weather and other circumstances will allow it to be done; and it is earnestly recommended to all officers, seamen, and others in the naval service, diligently to attend at every performance of the worship of Almighty God. Any irreverent or unbecoming behavior during divine service shall be punished as a general or summary court-martial shall direct.

**Article 3.** The punishment of death, or such other punishment as a court-martial shall adjudge, may be inflicted on any person in the naval service—

**First.** Who shall make, or attempt to make, or unite with, any mutinous assembly, or knowing of the same, or of any intended mutiny, shall not forthwith communicate it to his superior or commanding officer, or being witness to, or present at, any mutiny, shall not do his utmost to suppress it;

**Second.** Or shall disobey the lawful orders of his superior officer, or strike or assault, or attempt or threaten to strike or assault him, while in the execution of the duties of his office;

**Third.** Or shall give, hold, or entertain any intercourse or intelligence with, or with any enemy or rebel, without leave from the President of the United States, the Secretary of the Navy, the commander-in-chief of the fleet, or the commander of a squadron; or, in case of a vessel acting singly, from his commanding officer;

**Fourth.** Or shall desert, or entice others to desert to an enemy or rebel;

**Fifth.** Or shall receive any message or letter from an enemy or rebel, or be aware of the unlawful reception of such letter or message, and fail to take the earliest opportunity to inform his superior or commanding officer thereof;

**Sixth.** Or shall, in time of war, desert or betray his trust, or entice or aid others to desert or betray their trust, or shall sleep upon his watch, or leave his station before regularly relieved;

**Seventh.** Or shall intentionally or wilfully suffer any vessel of the navy to be stranded or run upon rocks or shoals, or improperly hazardedit, or shall wilfully or maliciously injure any vessel of the navy, or any part of her tackle, armament or equipment, whereby the safety of the vessel shall be hazarded, or the lives of the crew exposed to danger, or shall set on fire or otherwise unlawfully destroy any public property not then in the possession of an enemy, pirate, or rebel;

**Eighth.** Or shall strike, or attempt to strike, the flag to an enemy or rebel without proper authority, or when engaged in battle shall treacherously yield or pusillanimously cry for quarter;

**Ninth.** Or shall in time of battle display cowardice, negligence, or dissatisfaction, or withdraw from or keep out of danger to which he should expose himself; or shall desert his duty or station, or entice others to do so; or shall not properly observe the orders of his commanding officer and use his utmost exertions to carry them into execution, when ordered to prepare for, join in, or when actually engaged in battle, or while in sight of an enemy;

**Tenth.** Or when commanding a fleet, squadron, or vessel acting singly, shall, upon the probability of an engagement, or on sight of any armed...
vessel of an enemy or rebel, neglect to prepare and clear his ship for action; or shall not, upon signal for battle, use his utmost exertions to join in battle, or shall fail to encourage in his own person his inferior officers and men to fight courageously; or shall not do his utmost to overtake and capture or destroy any vessel which it is his duty to encounter; or shall not afford all practicable relief and assistance to vessels belonging to the United States or their allies when engaged in battle.

**ARTICLE 4.** Spies, and all persons who shall come or be found in the capacity of spies, or who shall bring or deliver any seducing letter or message from an enemy or rebel, or endeavor to corrupt any person in the navy to betray his trust, shall suffer death, or such other punishment as a court-martial shall adjudge.

**ARTICLE 5.** The crime of murder, when committed by an officer, seaman, marine, or other person belonging to any public ship or vessel of the United States, without the territorial jurisdiction of the same, may be punished with death by the sentence of a court-martial.

**ARTICLE 6.** In any case where a naval court-martial is authorized to adjudge the punishment of death it may sentence the person convicted to imprisonment for life, or for a stated term, at hard labor, and such sentences of imprisonment and hard labor may be carried into execution in any prison or penitentiary under the control of the United States, or the use of which shall be allowed by the legislature of a State; and persons convicted by a court-martial and imprisoned in the prison or penitentiary of any State or Territory shall in all respects be subject to the same discipline and treatment and under the same control as convicts sentenced by the courts of the State or Territory in which such prison or penitentiary is situated.

**ARTICLE 7.** Such punishment as a court-martial shall adjudge may be inflicted on any person in the navy:

*First.* Who shall be guilty of cruelty, oppression, or maltreatment of those subject to his orders;

*Second.* Or shall be guilty of profane swearing, falsehood, gambling, fraud, theft, or any other scandalous conduct tending to the destruction of good morals;

*Third.* Or shall quarrel with, strike, or assault any other person in the navy, or use provoking or reproachful words, gestures, or menaces, or endeavor to foment quarrels between other persons in the navy, or send or accept a challenge to fight a duel, or act as second in a duel;

*Fourth.* Or shall treat with contempt his superior officer, or be disrespectful to him in language or deportment whilst in the execution of his office; or shall join in or abet any combination to weaken the lawful authority of, or lessen the respect due to his commanding officer;

*Fifth.* Or shall be negligent or careless in obeying orders, or culpably inefficient in the performance of duty;

*Sixth.* Or shall knowingly make or sign, or shall aid, abet, direct, or procure the making or signing of any false muster, or shall execute, or attempt or countenance any fraud against the United States, or shall waste, embezzle, or fraudulently buy, sell, or receive any ammunition, provisions, or other public stores, or, having the power to prevent it, shall knowingly permit such waste, embezzlement, sale, or receipt;

*Seventh.* Or shall, through inattention or negligence, suffer any vessel of the navy to be stranded or run upon a rock or shoal, or hazard;

*Eighth.* Or shall, when on shore, plunder, abuse, or maltreat any inhabitant or injure his property in any way;

*Ninth.* Or shall refuse or fail to use his utmost exertions to detect, apprehend, and bring to punishment all offenders, and aid and assist all persons appointed for the purpose;

*Tenth.* Or shall, in time of peace, desert or attempt to desert, or aid or entice others to desert; or shall be absent from his station or duty without leave, or after his leave shall have expired;
Eleventh. Or shall, when rated or acting as master-at-arms, refuse to receive such prisoners as shall be committed to his charge, or having received them shall suffer them to escape, or dismiss them without orders from the proper authority;

Twelfth. Or shall, when attached to any ship or vessel appointed as convoy to merchant or other vessels, fail diligently to perform his duty, or shall demand or exact any compensation for his services, or shall maltreat the officers or crews of such merchant or other vessels;

Thirteenth. Or shall take, receive, or permit to be received on board the vessel to which he is attached any goods or merchandise for freight, sale, or traffic, except gold, silver, or jewels, for freight or safe-keeping, or shall demand or receive any compensation for the receipt or transportation of any other article than gold, silver, or jewels, without authority from the President of the United States or the Secretary of the Navy;

Fourteenth. Or shall violate or refuse obedience to any lawful general order or regulation issued by the Secretary of the Navy.

ARTICLE 8. All offences committed by persons belonging to the navy, which are not specified in the foregoing articles, shall be punished as a court-martial shall direct; but in no case shall punishment by flogging be inflicted, nor shall any court-martial adjudge punishment by flogging.

ARTICLE 9. All offences committed by persons belonging to the navy, while on shore, shall be punished in the same manner as if they had been committed at sea.

ARTICLE 10. No commander of a vessel of the navy shall inflict any other punishment upon a commissioned or warrant officer than private reprimand, suspension from duty, arrest or confinement, neither of which shall continue longer than ten days, except a further period be necessary to bring the offender to a court-martial; nor shall he inflict, or cause or permit to be inflicted upon any petty officer or person of inferior rating, or marine, any punishment for a single offence or at any one time other than one of the following punishments, viz:

First. Reduction of any rating established by himself.

Second. Confinement with or without irons, single or double, such confinement not to exceed ten days, unless necessary in the case of a prisoner to be tried by court-martial.

Third. Solitary confinement on bread and water not exceeding five days.

Fourth. Solitary confinement not exceeding seven days.

Fifth. Deprivation of liberty on shore.

Sixth. Extra duties.

No other punishment shall be permitted on board of vessels belonging to the navy, except by sentence of a general or summary court-martial. Summary courts-martial may disrate any rated person for incompetency. All punishments inflicted by the commander, or by his order, except reprimands, shall be fully entered upon the ship's log.

ARTICLE 11. General courts-martial may be convened as often as the President of the United States, the Secretary of the Navy, or commander-in-chief of a fleet or a squadron shall deem it necessary: Provided, That in the waters of the United States no commander-in-chief of a fleet or squadron shall convene a general court-martial unless by express authority from the President of the United States: Provided, also, That no general court-martial shall consist of more than thirteen nor less than five commissioned officers as members; and as many officers shall be summoned on every such court as can be convened without injury to the service, so as not to exceed thirteen; and the senior officer shall always preside, the others taking place according to their rank; and in no case where it can be avoided without injury to the service shall more than one-half the members, exclusive of the president, be junior to the officer to be tried.

ARTICLE 12. The president of the court is authorized and required to
Oath to judge advocate.

administer the following oath or affirmation to the judge advocate or person officiating as such:

"I, A B, do swear (or affirm) that I will keep a true record of the evidence given to and the proceedings of this court; nor will I divulge or by any means disclose the sentence of the court until it shall have been approved by the proper authority; nor will I at any time divulge or disclose the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

This oath or affirmation being duly administered, each member of the court, before proceeding to trial, shall take the following oath or affirmation, which the judge advocate, or person officiating as such, is hereby authorized to administer:

"I, A B, do swear (or affirm) that I will truly try, without prejudice or partiality, the case now depending, according to the evidence which shall come before the court, the rules for the government of the navy, and my own conscience; and that I will not by any means divulge or disclose the sentence of the court until it shall have been approved by the proper authority, nor will I at any time divulge or disclose the vote or opinion of any particular member of the court unless required so to do before a court of justice in due course of law."

ARTICLE 13. All testimony given to a general court-martial shall be on oath or affirmation, which the president of the court is hereby authorized to administer; and if any person shall refuse to give his evidence as aforesaid, or shall prevaricate, or shall behave with contempt to the court, it shall and may be lawful for the court to imprison such offender at their discretion: Provided, That the imprisonment in no case shall exceed two months. And every person who shall commit wilful perjury on examination on oath or affirmation before such court, or who shall corruptly procure, or suborn, any person to commit such wilful perjury, shall and may be prosecuted by indictment or information in any court of justice of the United States, and shall suffer such penalties as are authorized by the laws of the United States in cases of perjury, or the suboration thereof. And in every prosecution for perjury, or the subonation thereof under this act, it shall be sufficient to set forth the offence charged on the defendant, without setting forth the authority by which the court was held, or the particular matters brought or intended to be brought before said court.

ARTICLE 14. The following oath shall be administered to witnesses before courts-martial and courts of inquiry:

"You do solemnly swear (or affirm, as the case may be) that the evidence you shall give in the case now before this court shall be the truth, the whole truth, and nothing but the truth, and that you will state everything within your knowledge and recollection in relation to the charges. So help you God." (or this you do under the pains and penalties of perjury.)

ARTICLE 15. The person accused shall be furnished with a true copy of the charges, with the specifications, at the time he is put under arrest; nor shall any other charges than those so exhibited be urged against the person to be tried before the court, unless it appear to the court that intelligence of such charge had not reached the officer ordering the court when the person so tried was put under arrest, or that some witness material to the support of such charge, who was at that time absent, can be produced, in which case reasonable time shall be given to the person to be tried to make his defence against such new charge. Every officer so arrested is to deliver up his sword to his commanding officer, and to confine himself to the limits assigned him, under the pain of dismission from the service.

ARTICLE 16. When the proceedings of any general court-martial shall have commenced, they shall not be suspended or delayed on account of the
absence of any of the members, provided five or more be assembled; but the court is enjoined to sit from day to day, Sundays excepted, until sentence be given, unless temporarily adjourned by the authority which convened the court. And no member of said court shall, after the proceedings are begun, absent himself therefrom, unless in case of sickness or orders to go on duty from a superior officer, on pain of being cashiered.

Art. 17. If a member of a court-martial shall, from any legal cause, fail to attend after the commencement of a case, and witnesses shall be examined during his absence, the court must, when he is ready to resume his seat, cause every person who may have been examined in his absence to be called into court, and the recorded testimony of each witness must be read over to him, and such witness must acknowledge the same to be correct, and be subject to such further examination as the said member may require; and without a compliance with this rule, and an entry of it upon the record, a member who shall have been absent during the examination of a witness shall not be allowed to sit again in that particular case.

Art. 18. Whenever a court-martial shall sentence an officer to be suspended, the court shall have the power to suspend his pay and emoluments for the whole or any part of the time of his suspension.

Art. 19. All sentences of courts-martial which shall extend to the loss of life shall require the concurrence of two-thirds of the members present, and no such sentence shall be carried into execution until confirmed by the President of the United States. All other sentences may be determined by a majority of votes, and carried into execution on confirmation of the commander of the fleet, or officer ordering the court, except such as go to the discharge of a commissioned or warrant officer, which are first to be approved by the President of the United States.

Art. 20. Every officer who is by this act authorized to convene courts-martial shall have power on revival of its proceedings to remit or mitigate, but not to commute the sentence of any such court, which by this act he is authorized to approve and confirm.

Art. 21. It shall be the duty of a court-martial, in all cases of conviction, to adjudge a punishment adequate to the character and nature of the offence committed; but the members of a court may recommend the person convicted as deserving of clemency, and state on the record their reasons for so doing.

Art. 22. The judgment of every court-martial shall be authenticated by the signature of the president, and all the members of the same who may be present when the said judgment shall be pronounced, and also of the judge advocate.

Art. 23. Courts of inquiry may be ordered by the President of the United States, the Secretary of the Navy, or the commander of a fleet or squadron, provided such court shall not consist of more than three members, who shall be commissioned officers, and a judge advocate, or person to do duty as such; and such courts shall have power to summon witnesses, administer oaths, and punish contempt, in the same manner as courts-martial. But such court shall merely state facts, and not give their opinion unless expressly required so to do in the order for convening; and the party whose conduct shall be the subject of inquiry, or his attorney, shall have permission to cross-examine all the witnesses.

Art. 24. The proceedings of the courts of inquiry shall be authenticated by the signature of the president of the court and judge advocate, and shall, in all cases not capital, or extending to the dismissal of a commissioned or warrant officer, be evidence before a court martial, provided oral testimony cannot be obtained.

Art. 25. The judge advocate, or person officiating as such, shall administer to the members the following oath or affirmation:

"You do swear (or affirm) well and truly to examine and inquire,
according to the evidence, into the matter now before you, without part
ality or prejudice."

After which the president shall administer to the judge advocate, or
person officiating as such, the following oath or affirmation:

"You do swear (or affirm) truly to record the proceedings of this court
and the evidence to be given in the case in hearing."

SEC. 2. And be it further enacted, That the proceeds of all ships and
vessels, and the goods taken on board of them, which shall be adjudged
good prize, shall, when of equal or superior force to the vessel or vessels
making the capture, be the sole property of the captors; and when of
inferior force, shall be divided equally between the United States and the
officers and men making the capture.

SEC. 3. And be it further enacted, That the prize money belonging to
the officers and men shall be distributed in the following manner:

First. To the commanding officer of a fleet or squadron, one twentieth
part of all prize money awarded to a vessel or vessels under his immedi-
ate command.

Second. To the commander of a single ship, one tenth part of all prize
money awarded to the ship under his command, if such ship, at the time
of making the capture, was under the immediate command of the com-
manding officer of a fleet or squadron, and three-twentieths if his ship
was acting independently of such superior officer.

Third. The share of the commanding officer of the fleet or squadron,
if any, and the share of the commander of the ship being deducted, the
residue shall be distributed and apportioned among all others doing duty
on board, and borne upon the books, according to their respective rates of
pay in the service.

Fourth. When one or more vessels of the navy shall be within signal
distance of another making a prize, all shall share in the prize, and
money awarded shall be apportioned among the officers and men of the
several vessels according to the rates of pay of all on board who are
borne upon the books, after deducting one-twentieth to the flag-officer, if
there be any such entitled to share.

Fifth. No commander of a fleet or squadron shall be entitled to receive
any share of prizes taken by vessels not under his immediate command;
nor of such prizes as may have been taken by ships or vessels intended
to be placed under his command before they have acted under his imme-
diate orders; nor shall a commander of a fleet or squadron, leaving the
station where he had the command, have any share in the prizes taken
by ships left on such station after he has gone out of the limits of his
said command, nor after he has transferred his command to a successor.

Sixth. No officer or other person who shall have been temporarily
absent on duty from the vessel, on the books of which he continued to be
borne while so absent, shall be deprived, in consequence of such absence,
of any prize money to which he would otherwise be entitled.

SEC. 4. And be it further enacted, That a bounty shall be paid by the
United States for each person on board any ship or vessel-of-war belong-
ing to an enemy at the commencement of an engagement which shall be
sunk or otherwise destroyed in such engagement, by any ship or vessel
belonging to the United States, or which it may be necessary to destroy
in consequence of injuries sustained in action, of one hundred dollars, if
the enemy's vessel was of inferior force; and of two hundred dollars, if
of equal or superior force; to be divided among the officers and crew in
the same manner as prize money; and when the actual number of men
on board any such vessel cannot be satisfactorily ascertained, it shall be
estimated according to the complement allowed to vessels of their class in
the navy of the United States; and there shall be paid as bounty to the
captors of any vessel-of-war captured from an enemy, which they may
be instructed to destroy, or which shall be immediately destroyed for the
public interest but not in consequence of injuries received in action, fifty dollars for every person who shall be on board at the time of such capture.

SEC. 5. And be it further enacted, That the commanding officer of every vessel, or the senior officers of all vessels of the navy, which shall capture or seize upon any vessel or vessels as a prize, shall carefully preserve all the papers and writings found on board, and transmit the whole of the originals, unaltered, to the judge of the district to which such prize is ordered to proceed, with the necessary witnesses, and a report of the circumstances attending the capture, stating the names of vessels claiming a share thereof; and the commanding officer of every vessel in the navy entitled to, or claiming an award of prize money shall, as early as practicable after the capture, transmit to the Navy Department a complete list of the officers and men of his vessel, entitled to share, inserting thereon the quality of every person rating, on pain of forfeiting his whole share of the prize money resulting from such capture, and suffering such further punishment as a court-martial shall adjudge.

SEC. 6. And be it further enacted, That any armed vessel in the service of the United States which shall make a capture, or assist in a capture, under circumstances which would entitle a vessel of the navy to prize money, shall be entitled to an award of prize money in the same manner as if such vessel belonged to the navy; and such prize money shall be distributed and apportioned in the same manner and under the same rules and regulations as provided for persons in the naval service, and paid under the direction of the Secretary of the Navy.

SEC. 7. And be it further enacted, That no person in the navy shall take out of a prize, or vessel seized as a prize, any money, plate, goods, or any part of her equipment, unless it be for the better preservation thereof, or absolutely necessary for the use of any of the vessels or armed forces of the United States, before the same shall be adjudged lawful prize by a competent court; but the whole, without fraud, concealment, or embezzlement, shall be brought in, and judgment passed thereon, upon pain that every person offending herein shall forfeit his share of the capture, and suffer such further punishment as a court-martial shall adjudge.

SEC. 8. And be it further enacted, That no person in the navy shall strip off the clothes, or pilgrage, or in any manner maltreat, persons taken on board a prize, on pain of such punishment as a court-martial shall adjudge.

SEC. 9. And be it further enacted, That all ransom money, salvage, bounty, or proceeds of forfeiture or confiscation, accruing or awarded to any vessel of the navy, shall be distributed and paid to the officers and men entitled thereto, in the same manner as prize money, under the direction of the Secretary of the Navy.

SEC. 10. And be it further enacted, That any person entitled to wages or prize money may have the same paid to his assignee, provided the assignment be attested by the captain and paymaster; and in case of the assignment of wages, the power shall specify the precise time they commence. But the commander of every vessel is required to discourage his crew from selling any part of their wages or prize money, and never to attest any power of attorney, until he is satisfied that the same is not granted in consideration of money given for the purchase of wages or prize money.

SEC. 11. And be it further enacted, That all money accruing or which has already accrued to the United States from sale of prizes shall be and remain forever a fund for the payment of pensions to the officers, seamen, and marines who may be entitled to receive the same; and if the said fund shall be insufficient for the purpose, the public faith is hereby pledged to make up the deficiency; but if it should be more than

Duty of commanders, &c., in cases of capture of vessels as prize.

Armed vessels making capture to be entitled to prize money.

Property not to be removed from prize.

Persons taken on board prizes, not to be maltreated.

Ransom money, &c., to be distributed.

Assignment of wages or prize money.

Prize money accruing to the United States, to remain a fund for pensions.

If fund is insufficient.
If there is a surplus.

District attorney in each district to give navy department list of prize cases.

To furnish monthly list.

Secretary of navy may employ counsel to protect interest of capitors.

Post, p. 760.

Marshals to furnish to navy department statements of prize vessels and cargoes.

Of fees and allowances.

Fees for disbursements not to be allowed, unless, &c.

Sale.

Proceeds of sale to be deposited with the assistant treasurer of the United States.

Pay of district attorneys, marshals, and prize commissioners.

Pensions to disabled officers, seamen, &c.

Authority of officers to continue over crew, although vessel, &c., is lost.

Sufficient, the surplus shall be applied to the making of further provision for the comfort of the disabled officers, seamen, and marines.

Sec. 12. And be it further enacted, That the district attorneys of the several districts of the courts of the United States, in which any cases of prize are, or may be depending, shall, as soon as may be after the passage of this act, furnish to the Navy Department a complete list of all the prize cases which have been determined, or may still be pending within their respective districts, with a statement of the condition of each, in such form and embracing such particulars as the Secretary of the Navy may require, and shall, as often as once in each month, thereafter, furnish a further statement of the condition of every case in their respective districts, and of any further proceedings had therein since their last returns.

And the Secretary of the Navy is hereby authorized to appoint an agent or to employ counsel when the capitors do not employ counsel themselves, in any case in which he may consider it necessary to assist the district attorneys and protect the interests of the capitors, with such compensation as he may think just and reasonable. And it shall be the duty of the several marshals of the United States to furnish to the Navy Department on request, or to its agent, a full and particular statement of the disposition of every prize vessel and cargo, in such form and with such details as the Secretary of the Navy may require, and as often as he may require the same; and said marshals shall also furnish to the Navy Department or their aforesaid agent, a full and particular statement of all fees, charges, and allowances of every description, claimed by them in each case of prize, before the same are allowed by the court, and no such charges for disbursements of any kind, shall be allowed, unless accompanied by the affidavit of the marshal that the same have been actually and necessarily incurred in the case; and it shall be the duty of the district attorney to attend on the settlement and allowance of all such bills and protect the interests of the United States and of the capitors against any improper and unlawful claims. And whenever a final decree of condemnation shall have been made, or any interlocutory sale has been ordered, the property shall be sold by the marshal pursuant to the practice and proceedings in admiralty, and the gross proceeds of such sale shall be forthwith deposited with the assistant treasurer of the United States, at, or nearest to, the place where such sale is made, and the money so deposited shall remain in the Treasury of the United States until a final decree of distribution, or until a decree of restitution shall be made, and a certified copy thereof furnished, upon which the costs of court, and the lawful charges and expenses shall be paid, and the balance distributed according to said decree: Provided, That the annual salaries of district attorneys, prize commissioners, and marshals shall in no case be so increased under the several acts for compensation in prize as so as to exceed, in the aggregate, the following sums, and any balance beyond the several sums shall be paid into the Treasury, viz.: District attorneys, six thousand dollars. Prize commissioners, three thousand dollars. Marshals, six thousand dollars.

Sec. 13. And be it further enacted, That every officer, seaman, or marine, disabled in the line of his duty, shall be entitled to receive for life, or during his disability, a pension from the United States, according to the nature and degree of his disability, not exceeding in any case his monthly pay.

Sec. 14. And be it further enacted, That in all cases where the crews of the ships or vessels of the United States shall be separated from their vessels, by the latter being wrecked, lost, or destroyed, all the command, power, and authority given to the officers of such ships or vessels shall remain and be in full force as effectually as if such ship or vessel were not so wrecked, lost, or destroyed, until such ship's company be regularly
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discharged from, or ordered again into, the service, or until a court-martial or court of inquiry shall be held to inquire into the loss of such ship or vessel; and if, by the sentence of such court or other satisfactory evidence, it shall appear to the Secretary of the Navy that all or any of the officers and men of such ship’s company did their utmost to preserve her, and after the loss thereof behaved themselves agreeably to the discipline of the navy, then the pay and emoluments of such officers and men, or such of them as shall have done their duty, as aforesaid, shall go on until their discharge or death; and every officer or man who shall, after the loss of such vessel, act contrary to the discipline of the navy, shall be punished, at the discretion of a court-martial, in the same manner as if such vessel had not been so lost.

Sec. 15. And be it further enacted, That all the pay and emoluments of the officers and men, of any of the ships or vessels of the United States taken by an enemy, who shall appear by the sentence of a court-martial, or otherwise, to have done their utmost to preserve and defend their ship or vessel, and after the taking thereof, have behaved themselves obediently to their superiors, agreeably to the discipline of the navy, shall go on, and be paid them until their death, exchange, or discharge.

Sec. 16. And be it further enacted, That each commanding officer shall, whenever a man enters on board, cause an accurate entry to be made in the ship’s books of his name, the date, place, and term of his enlistment, the place or vessel from which he was received on board, his rating, and his descriptive list of his age, place of birth, and citizenship, with such remarks as may be necessary; and shall, before sailing, transmit to the Secretary of the Navy a complete list or muster-roll of the rated men under his command, showing the particulars above set forth, and also a list of officers and passengers with the date of their entering; and he shall cause similar lists to be made out on the first day of every third month, to be transmitted to the Secretary of the Navy, as opportunities shall occur; accounting in such lists or muster-rolls for any casualties which may have taken place since the last list or muster-roll. He shall not receive on board any man transferred from any other vessel or station to him unless such man be furnished with an account, signed by the captain and paymaster of the vessel or station from which he came, specifying the date of his entry, the period and term of service, the sums paid, the balance due him, the quality in which he was rated, and his descriptive list. He shall cause to be accurately minuted on the ship’s books the names of and times at which any death or desertion may occur; and in case of death, shall take care that the paymaster secure all the property of the deceased for the benefit of his legal representative or representatives. He shall cause frequent inspections to be made into the condition of the provisions, and use every precaution for their preservation. He shall, whenever he orders officers and men to take charge of a prize and proceed to the United States, and whenever officers or men are sent from his ship, for whatever cause, take care that each man be furnished with a complete statement of his account, specifying the date of his enlistment, the periods and terms of his service, and his descriptive list; which account shall be signed by the commanding officer and paymaster. He shall cause the articles for the government of the navy to be hung up in some public part of the ship, and read once a month to his ship’s company. He shall cause a convenient place to be set apart for sick or disabled men, to which he shall have them removed, with their hammocks and bedding, when the surgeon shall so advise, and shall direct that some of the crew attend them and keep the place clean. He shall frequently consult with the surgeon in regard to the sanitary condition of his crew, and shall use all proper means to preserve their health, and when his crew is finally paid off he shall attend in person, or appoint a proper officer, to see that justice

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be done to the men and to the United States in the settlement of the accounts. Any commanding officer offending herein shall be punished at the discretion of a court-martial.

SEC. 17. And be it further enacted, That it shall be the duty of the commanding officer of any fleet, squadron, or vessel acting singly, when on service, to send to an Atlantic port of the United States in some public or other vessel, all petty officers and persons of inferior ratings desiring to go there at the expiration of their terms of service, or as soon thereafter as may be, unless in his opinion the detention of such persons for a longer period should be very essential to the public interests; in which case he may detain them or any of them until the vessel to which they belong shall return to such Atlantic port; and in case of such detention the person so sent home, or so detained, shall be subject in all respects to the laws and regulations for the government of the Navy, until their return to an Atlantic port, and their regular discharge; and all persons who shall be so detained beyond their terms of service, or who shall, after the termination of their service voluntarily reenter to serve until the return to an Atlantic port of the vessel to which they belong, and their regular discharge therefrom, shall for the time during which they are so detained, or shall so serve beyond their original terms of service, which shall in no case exceed thirty days after their arrival in an Atlantic port, receive an addition of one-fourth of their former pay: Provided, That the shipping articles shall hereafter contain the substance of this section.

SEC. 18. And be it further enacted, That all officers not holding commissions or warrants, or who are not entitled to them, except, such as are temporarily appointed to the duties of a commissioned or warrant officer, or secretaries and clerks, shall be deemed petty officers, and shall be entitled to obedience in the execution of their offices from those of inferior ratings.

SEC. 19. And be it further enacted, That the Secretary of the Navy shall cause each commissioned or warrant officer of the navy, on his entry into the service, to be furnished with a copy of the regulations and general orders of the department then in force, and thereafter with a copy of all such as may be issued.

SEC. 20. And be it further enacted, That all provisions of previous laws which are inconsistent with those of this act, shall be and are hereby repealed.

Approved, July 17, 1862.

July 17, 1862.

Chap. CXXV. — An Act requiring the Commanders of American vessels sailing to foreign ports and persons prosecuting claims, to take the Oath of Allegiance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commanders of all American vessels sailing from ports in the United States to foreign ports, during the continuance of the present rebellion, and all persons prosecuting claims either as attorney or on his own account, before any of the departments or bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States, (or affirm, as the case may be,) as required of persons in the civil service of the United States by the provisions of the act of Congress approved August sixth, eighteen hundred and sixty-one.

SEC. 2. And be it further enacted, That the oath or affirmation herein provided for in the first section of this act may be taken before any justice of the peace, notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered; and that any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of willful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.

Approved, July 17, 1862.
RESOLUTIONS.

[No. 1.] Joint Resolution expressive of the Recognition by Congress of the gallant and patriotic Services of the late Brigadier General Nathaniel Lyon, and the Officers and Soldiers under his Command at the Battle of Springfield, Missouri.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, 1. That Congress deems it just and proper to enter upon its records a recognition of the eminent and patriotic services of the late Brigadier General Nathaniel Lyon. The country to whose service he devoted his life will guard and preserve his fame as a part of its own glory.

2. That the thanks of Congress are hereby given to the brave officers and soldiers who, under the command of the late General Lyon, sustained the honor of the flag and achieved victory against overwhelming numbers at the battle of Springfield, in Missouri; and that, in order to commemorate an event so honorable to the country and to themselves, it is ordered that each regiment engaged shall be authorized to bear upon its colors the word "Springfield," embroidered in letters of gold; and the President of the United States is hereby requested to cause these resolutions to be read at the head of every regiment in the army of the United States.

APPROVED, December 24, 1861.

[No. 2.] Joint Resolution explanatory of an Act entitled "An Act to increase the Duties on Tea, Coffee, and Sugar," approved twenty-fourth of December, eighteen hundred and sixty-one.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and is hereby authorized and directed to permit goods warehoused at the date of the passage of "An act to increase the duties on tea, coffee, and sugar," approved December twenty-fourth, eighteen hundred and sixty-one, to be withdrawn on payment of the duties imposed by the act entitled "An act to provide an increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one; and to refund any excess of duties above those imposed by said last mentioned act, which may have been collected on such goods already withdrawn, any laws or parts of laws to the contrary notwithstanding.

APPROVED, January 11, 1862.

[No. 3.] Joint Resolution authorizing Henry Sawyer to accept a Medal.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry Sawyer, consul to Surinam, be and he is hereby authorized to accept the medal recently transmitted to him by the King of Holland, for an act of humanity in an effort to save the life of a subject of that kingdom.

APPROVED, January 11, 1862.
January 18, 1862.

[No. 4.] Joint Resolution for the Sale of the Ruins of the Washington Infirmary.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings be and hereby is directed to sell at public auction all the material, building and otherwise, now remaining on Judiciary Square, of the late "Washington Infirmary," with the condition that the same be removed by the purchaser or purchasers within a reasonable time from the day of sale, to be fixed by the Commissioner, and the avails of said sale may be used by the Commissioner to pay for the taking care of said property since the fire, and to the improvement of said Judiciary Square, he rendering his accounts in the usual manner to the Treasury for the same.

APPROVED, January 18, 1862.

January 21, 1862.

[No. 5.] Joint Resolution authorizing the Secretary of the Treasury to transfer certain Balances of an Appropriation for Printing of the second Session of the Thirty-sixth Congress, to the Sum appropriated for the first Session of the Thirty-sixth Congress.

Whereas the appropriation for supplying the deficiencies in the appropriations for printing ordered to be executed by the first session of the Thirty-sixth Congress has been exhausted, leaving a balance to be provided for of five thousand six hundred and eight dollars and seventy-one cents, and said printing having been completed; and whereas there remains of the appropriation for printing ordered at the second session of the Thirty-sixth Congress a balance of twenty-five thousand six hundred and eight dollars and fifty-five cents, which will not be required, as the printing for the second session Thirty-sixth Congress has been completed and paid for, Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to transfer from the balance of the appropriation now standing to the credit of said appropriation on the books of the treasury for printing for the second session Thirty-sixth Congress, a sum sufficient to meet the outstanding claim for printing for the first session Thirty-sixth Congress.

APPROVED, January 21, 1862.

January 21, 1862.

[No. 6.] Joint Resolution declaratory of the Purpose of Congress to Impose a Tax.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to pay the ordinary expenses of the Government, the interest on the national loans, and have an ample sinking fund for the ultimate liquidation of all public debts, a tax shall be imposed which shall, with the tariff on imports, secure an annual revenue of not less than one hundred and fifty million dollars.

APPROVED, January 21, 1862.

January 25, 1862.

[No. 7.] A Resolution authorizing certain Officers of the Navy to accept Presents offered by the Japanese Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain W. W. McKeen, commander of the United States steam frigate Niagara, and such of the officers of that vessel during her late voyage to Japan, and other officers of the navy as may yet remain in the service of the United States, be authorized to accept the presents recently transmitted to this Government for presentation to them by the Government of Japan.

APPROVED, January 25, 1862.
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[No. 8.] A Resolution for Payment of the Expenses of the Joint Committee of Congress appointed to inquire into the Conduct of the War.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to pay the expenses of the Joint Committee of Congress, appointed to inquire into the conduct of the present war; and that said sum shall be drawn from the Treasury, upon the order of the Secretary of the Senate, as the same shall be required from time to time by the committee having such investigation in charge.

Approved, January 27, 1862.

[No. 9.] A Resolution in Relation to Allotment Certificates of Pay to Persons held as Prisoners of War in the so-called Confederate States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to procure from such officers and enlisted men of the United States army as are now or hereafter may be held as prisoners of war in the so-called Confederate States, from time to time, their respective allotments of their pay to their families or friends, certified by them in writing, and only attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the said Secretary of War shall cause drafts to be made payable in the city of New York, or Boston, to the order of such persons to whom said allotments were, or may be made, and to remit said drafts to the address of such person as may be designated in said allotment tickets.

Approved, February 6, 1862.

[No. 10.] A Resolution for the Collection of War Statistics.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to develop, concentrate, and bring into effective action the mechanical and other resources of the United States, for the suppression of the rebellion and the future defence of this Government, the Superintendent of the Census be authorized to furnish the Secretary of War with such war statistics, as from time to time, the Secretary may judge necessary for the use of his Department.

Approved, February 22, 1862.

[No. 11.] A Resolution tendering the Thanks of Congress to Captain Samuel F. Du Pont, and Officers, Petty Officers, Seamen, and Marines under his Command, for the Victory at Port Royal.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be and they are hereby tendered to Captain Samuel F. Du Pont, and through him to the officers, petty officers, seamen, and marines attached to the squadron under his command, for the decisive and splendid victory achieved at Port Royal, on the seventh day of November last.

Approved, February 22, 1862.

[No. 12.] A Resolution giving the Thanks of Congress to the Officers, Soldiers, and Seamen of the Army and Navy, for their Gallantry in the recent brilliant Victories over the Enemies of the Union and the Constitution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are due and are hereby tendered to the officers, soldiers, and seamen of the army and navy of the United States, for the heroic gallantry that, under the

Approved, February 22, 1862.
Providence of Almighty God, has won the recent series of brilliant victories over the enemies of the Union and the Constitution.

APPROVED, February 22, 1862.

Feb. 22, 1862.  [No. 13.] A Resolution for the Relief of the loyal Portion of the Creek, Seminole, Chickasaw, and Choctaw Indians.

Relief of loyal Creeks, Seminoles, Chickasaws, and Choctaws.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be authorized to pay out of the annuities payable to the Seminoles, Creeks, Choctaws, and Chickasaws, and which have not been paid, in consequence of the cessation of intercourse with those tribes, so much of the same as may be necessary to be applied to the relief of such portions of said tribes as have remained loyal to the United States, and have been or may be driven from their homes in the Indian Territory into the State of Kansas or elsewhere.

APPROVED, February 22, 1862.

Feb. 22, 1862.  [No. 14.] A Resolution providing a Stenographer for the Joint Committee appointed to inquire into the Conduct of the War.

Stenographer to committee on the conduct of the war.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the conduct of the present war be authorized to employ a stenographer, who shall be paid by the Secretary of the Senate out of the money already appropriated to meet the expenses of said committee, at the same rate of compensation as that received by the reporters for the Congressional Globe.

APPROVED, February 22, 1862.

March 6, 1862.  [No. 15.] Joint Resolution in Relation to certain Railroads in the State of Missouri.

Pay to certain railroads in Missouri for transportation of troops, &c.

 Whereas by the fourth section of an act of Congress entitled "An act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain railroads in said State," approved June the tenth, eighteen hundred and fifty-two, it is provided as follows: "That the said lands, hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purposes aforesaid and no other; and the said railroads shall be and remain public highways for the use of the government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States"; and whereas the said grant of lands has, by virtue of said act, and of an act of the legislature of the State of Missouri, been applied in the construction of the Hannibal and Saint Joseph railroad, constructed and owned by the Hannibal and Saint Joseph Railroad Company, and the Pacific railroad by the Pacific Railroad Company, which last-mentioned road is finished and running from St. Louis to Rolla; and whereas the ability of said railroad companies to transport the property and troops of the United States over their respective railroads has been greatly impaired by the destruction of bridges, depots, and other property of said companies, and the partial destruction of said roads, and in view of the pressing public necessities, the United States, not waiving the right to have their property and troops transported free from toll or other charge by said railroads, as contemplated by the reservation aforesaid, have resolved as follows: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to make such an adjustment with the Hannibal and Saint Joseph Railroad Company and the Pacific Railroad Company, for the transportation, past and prospective, of the property and troops of the
United States, over said railroads during the existence of this rebellion, as in view of the public exigency may be just and reasonable, and liquidate the same: Provided, however, That the sums paid to said companies shall be as near as may be the cost of transporting such property and troops, and not exceeding the prices fixed by the War Department on the twelfth day of July, eighteen hundred and sixty-one, for transportation by railroads, which adjustment and liquidation shall preclude any further claim on behalf of such companies against the Government for compensation or damages previously accrued, or for the military occupation of the said roads by the United States Government up to the time of the passage of this act: And provided further, That the Secretary of War may, in his discretion, withhold from time to time such portion of the moneys which may be due to either of said railroad companies, to indemnify the Government against any failure of such company to promptly transport such troops and supplies; but nothing herein shall be so construed as to prevent the Secretary of War from taking possession of said railroads and their appurtenances, and applying the same to the exclusive use of the Government whenever, in his judgment, the public interests may require it, without, in such case, compensation to said companies.

Approved, March 6, 1862.

[No. 16.] A Resolution declaratory of the Intent and Meaning of a certain Act therein named.

Whereas doubts have arisen as to the true intent and meaning of act numbered eighteen, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States," approved July twenty-seven, eighteen hundred and sixty-one:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said act shall be construed to apply to expenses incurred as well after as before the date of the approval thereof.

Approved, March 8, 1862.

[No. 18.] A Resolution providing for the Payment of the Awards of the Commission to investigate the military Claims in the Department of the West.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all sums allowed to be due from the United States to individuals, companies, or corporations, by the Commission heretofore appointed by the Secretary of War, (for the investigation of military claims against the Department of the West), composed of David Davis, Joseph Holt, and Hugh Campbell, now sitting at St. Louis, Missouri, shall be deemed to be due and payable, and shall be paid by the disbursing officers, either in St. Louis or Washington, in each case, upon the presentation of the voucher with the Commissioners' certificate thereon, in any form, plainly indicating the allowance of the claim and to what amount. This resolution shall apply only to claims and contracts for service, labor, or materials, and for subsistence, clothing, transportation, arms, supplies, and the purchase, hire, and construction of vessels.

Approved, March 11, 1862.

[No. 19.] A Resolution to amend an Act entitled "An Act to carry into effect Conventions between the United States and the Republics of New Grenada and Costa Rica."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to carry into effect conventions between the United States and the Republics of New Grenada and Costa Rica," approved the twentieth day of March 15, 1862.

Unwilling witness may be compelled to testify.

1891, ch. 45, §§ 6, 13.

Approved, March 11, 1862.
of February, eighteen hundred and sixty-one, be amended in its sixth and thirteenth sections, so that when a witness refuses or is unwilling to testify, under the provisions of the said act, the proceedings to compel his testimony may be at the suggestion of either party, instead of at the suggestion of any claimant, as is provided in the said act.

APPROVED, March 15, 1862.

March 15, 1862.  [No. 20.] A Resolution providing for the Custody of the Letter and Gifts from the King of Siam.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the letter from His Majesty the Major King of Siam to the President of the United States and the accompanying gifts, be deposited in the collection of curiosities at the Department of the Interior.

APPROVED, March 15, 1862.

March 17, 1862.  [No. 21.] Joint Resolution authorizing the Secretary of the Navy to inquire into the Causes of the Failure of certain Contracts for Steam Machinery, and to remit Penalties connected therewith.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized and empowered to inquire into the circumstances attending the failure of certain contractors for building steam machinery, to deliver the same within the time specified in their several contracts; and to remit the whole of the penalties for such failure, or a part thereof, as to him may seem just and equitable.

APPROVED, March 17, 1862.

March 19, 1862.  [No. 22.] A Resolution to authorize the Secretary of War to accept Money appropriated by any State for the Payment of its Volunteers, and to apply the same as directed by such State.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That if any State during the present rebellion shall make any appropriation to pay the volunteers of that State, the Secretary of War is hereby authorized to accept the same, and cause it to be applied by the paymaster-general to the payments designated by the legislative act making the appropriation, in the same manner as if appropriated by act of Congress; and also to make any regulations that may be necessary for the disbursement and proper application of such funds to the specific purpose for which they may be appropriated by the several States.

APPROVED, March 19, 1862.

March 19, 1862.  [No. 23.] A Resolution expressive of the Thanks of Congress to Captain A. H. Foote, of the United States Navy, and to the Officers and Men under his Command in the Western Flotilla.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress and of the American people are due, and are hereby tendered, to Captain A. H. Foote, of the United States navy, and to the officers and men of the western flotilla under his command, for the great gallantry exhibited by them in the attacks upon Forts Henry and Donaldson, for their efficiency in opening the Tennessee, Cumberland, and Mississippi rivers to the pursuits of lawful commerce, and for their unwavering devotion to the cause of the country in the midst of the greatest difficulties and dangers.

APPROVED, March 19, 1862.
[No. 24.] Joint Resolution for the Appointment of Theodore D. Woolsey, of Connecticut, a Regent of the Smithsonian Institution, in place of Cornelius C. Felton, deceased.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress, caused by the decease of Cornelius C. Felton, be filled by the appointment of Theodore D. Woolsey, of Connecticut.

APPROVED, April 2, 1862.

[No. 25.] A Resolution to authorize the President to assign the Command of Troops in the same Field or Department to Officers of the same Grade without Regard to Seniority.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever military operations may require the presence of two or more officers of the same grade in the same field or department, the President may assign the command of the forces in such field or department without regard to seniority of rank.

APPROVED, April 4, 1862.

[No. 26.] Joint Resolution declaring that the United States ought to cooperate with, affording pecuniary Aid to any State which may adopt the gradual Abolishment of Slavery.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States ought to cooperate with any State which may adopt gradual abolition of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

APPROVED, April 10, 1862.

[No. 27.] Joint Resolution authorizing the Secretary of the Navy to test Plans and Materials for rendering Ships and floating Batteries invulnerable.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and hereby is authorized to expend, out of any money in the treasury not otherwise appropriated, a sum not exceeding twenty-five thousand dollars, for the purpose of testing plans and materials for rendering ships or floating batteries invulnerable.

APPROVED, April 10, 1862.

[No. 28.] A Resolution transferring the Supervision of the Capitol Extension and the Erection of the new Dome to the Department of the Interior.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the supervision of the Capitol extension and the erection of the new dome be and the same is hereby transferred from the War Department to the Department of the Interior. And all unexpended money which has been heretofore appropriated, and all money which may be hereafter appropriated for either of the improvements heretofore mentioned, shall be expended under the direction and supervision of the Secretary of the Interior: Provided, That no money heretofore appropriated shall be expended upon the Capitol until authorized by Congress, except so much as is necessary to protect the building from injury by the elements and to complete the dome.

APPROVED, April 16, 1862.
April 24, 1862.

[No. 29.] Joint Resolution to supply the Smithsonian Institution with Volumes of Wilkes' Exploring Expedition.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the officer in charge of the Library of Congress be, and lie is hereby, directed to furnish to the officer in charge of the Smithsonian Institution a copy of each of the volumes of the Exploring Expedition of Captain Wilkes, now in the possession of the Library.

Approved, April 24, 1862.

April 25, 1862.

[No. 30.] A Resolution explanatory of and in Addition to the Act of June third, eighteen hundred and fifty-six, granting public Lands to the State of Wisconsin to aid in the Construction of Railroads in said State.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the word "northerly," in the first section of the act entitled "An act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad in said first section provided for, upon any eligible route within ranges sixteen to twenty-three, inclusive, east of the fourth principal meridian. And the line of railroad as now located according to the records of the General Land Office in pursuance of said act is hereby authorized to be changed to within the above specified limits: Provided, however, That upon the construction of said railroad upon the new line, or of a sufficient part thereof, according to the terms of said act, the State of Wisconsin, its grantees or assigns, shall receive upon the route originally located, and in the manner prescribed by the act, the same quantity of lands, and no more or other, except as hereinafter provided for, as it or they would have received if such railroad had been constructed upon the line originally located.

SEC. 2. And be it further resolved, That there be and is hereby granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Appleton, in said State, to some point on Green Bay, at or near the mouth of Fox River, in said State, so much of the public lands of the United States lying at or near the mouth of said river, in the county of Brown and State of Wisconsin, known as the Fort Howard Military Reserve, as may be required for right of way, tracks, turnouts, depots, workshops, warehouses, wharves, and other railroad uses, not exceeding eighty acres, to be so selected by the State of Wisconsin or her assigns as to exclude the fort therefrom: Provided, however, That if no railroad be constructed and in running order between the termini in this section mentioned within three years from the passage of this joint resolution, then this grant shall be void.

SEC. 3. And be it further resolved, That the Secretary of the Interior be and he is hereby authorized to cause all even sections or parts of even sections of public land that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner as those have been upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six-mile limits of the said originally located route, who shall be more than six miles from the new line of route herein authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line, upon the same terms, in like quantities, and in the same manner, as on the line first established as aforesaid, or, at their option, to enter without further payment, anywhere within the Menasha land district, in the
State of Wisconsin, an additional quantity of public lands subject to private entry at one dollar and twenty-five cents an acre equal to the quantity entered by them at two dollars and fifty cents an acre, so that the lands originally entered by them shall thus be reduced to the rate of one dollar and twenty-five cents an acre.

SEC. 4. And be it further resolved, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of railroad north of the said town of Appleton, and along which no railroad has been constructed, shall hereafter be sold at one dollar and twenty-five cents an acre.

APPROVED, April 25, 1862.

[No. 32.] Joint Resolution relating to the Time of holding the second Session of the Legislative Assembly of the Territory of Colorado.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second session of the Legislative Assembly of the Territory of Colorado, now fixed by law for the first Monday of June, one thousand eight hundred and sixty-two, shall be postponed by proclamation of the Governor of said Territory until the first Monday in July, A. D. one thousand eight hundred and sixty-two.

APPROVED, May 21, 1862.

[No. 34.] A Joint Resolution authorizing the Payment of certain Moneys heretofore appropriated for the Completion of the Washington Aqueduct.

WHEREAS by act of Congress, approved June twenty-five, eighteen hundred and sixty, there was appropriated for the completion of the Washington Aqueduct five hundred thousand dollars, to be expended according to the plans and estimates of Captain Meigs and under his superintendence; and whereas, while the work was in progress and before it was completed, Captain Meigs was removed from such superintendence, and certain parties have claims for work done and materials furnished to and for the completion of said aqueduct which have not been paid; Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of the Washington Aqueduct be, and he is hereby, authorized to pay to Robert McIntyre and others, according to the amount of their respective claims, for work done and materials furnished for the Washington Aqueduct, under the direction of Captain H. W. Benham and Lieutenant James St. C. Morton, such sum of money as may be necessary, not to exceed five thousand six hundred and six dollars and sixty cents, out of the sum of money heretofore appropriated as aforesaid: Provided, That no sum or sums of money shall be paid under this resolution except such as shall be certified to be just and equitable by General M. C. Meigs.

APPROVED, June 14, 1862.

[No. 35.] Joint Resolution to change the Name of the Barque "Quebec" to the "General Burnside."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the barque "Quebec," late of Kingston, Canada, be changed to that of "General Burnside," of Clayton, New York, and that the Secretary of the Treasury be authorized to issue a register therefor.

APPROVED, June 17, 1862.
Joint Resolution transferring [the] Supervision of [the] Potomac Water-works to the Department of the Interior.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the supervision of the Potomac water-works be and the same is hereby transferred from the War Department to the Department of the Interior. And all unexpended money which has been heretofore appropriated, and all money which may be hereafter appropriated, for the completion of said water-works, shall be expended under the direction and supervision of the Secretary of the Interior.

Approved, June 18, 1862.

Joint Resolution to encourage Enlistments in the Regular Army and Volunteer Forces.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the ninth section of the act approved August third, eighteen hundred and sixty-one, entitled, "An act [providing] for the better organization of the military establishment," as abolishes the premium paid for bringing accepted recruits to the rendezvous, be and the same is hereby repealed, and hereafter a premium of two dollars shall be paid to any citizen, non-commissioned officer or soldier for such accepted recruit for the regular army he may bring to the rendezvous. And every soldier who hereafter enlists, either in the regular army or the volunteers, for three years or during the war, may receive his first month's pay in advance, upon the mustering of his company into the service of the United States, or after he shall have been mustered into and joined a regiment already in the service.

Approved, June 21, 1862.

Joint Resolution relative to a certain Grant of Land for Railroad Purposes made to the State of Michigan in eighteen hundred and fifty-six.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "Wisconsin State line," in the first section of an act entitled "An act making a grant of lands to the State of Michigan, in alternate sections, to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad provided for in said act from Marquette, on Lake Superior, to the Wisconsin State line, upon any eligible route from the township of Marquette aforesaid, to a point on the Wisconsin State line, near the mouth of the Menomonee River, and touching at favorable points on Green Bay, with a view of securing a railroad available for military purposes from Green Bay to the waters of Lake Superior. And the line of railroad as now located in pursuance of said act from Marquette to the Wisconsin State line, according to the records of the General Land Office, is hereby authorized to be changed so as to conform to the route above indicated; which line, when surveyed and the maps and plans thereof filed in the proper office, as required under said act of June third, eighteen hundred and fifty-six, shall confer the same rights upon and benefits to the State of Michigan and its assigns in said new line, as though the same had been originally located under said act.

Sec. 2. And be it further resolved, That the provisions of an act of Congress, approved August fourth, eighteen hundred and fifty-two, entitled "An act to grant the right of way to all rail and plank roads and

Words "Wisconsin State line," in act 1856, ch. 44, § 1, how to be construed.


Provisions of act of 1852, ch. 80, extended, &c.

Vol. x. p. 25.
McAdamized turnpikes passing through the public lands belonging to the United States, be, and the same are hereby, extended so as to be applicable to the new line of railroad so as above to be located: Provided, The same shall be commenced within two years from the fourth day of August, eighteen hundred and sixty-two, and shall be completed within five years thereafter.

SEC. 3. And be it further resolved, That the Secretary of the Interior be, and he is hereby, authorized to cause all even sections or parts of even sections of public lands that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner those have or might have been, according to the said act of June third, eighteen hundred and fifty-six, upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six mile limits of said originally located route, who shall be more than six miles from the new line of route hereby authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line upon the same terms, in like quantities, and in the same manner, as on the line first established, as aforesaid, or at their option to enter, without further payment, anywhere within the Marquette land district, in the State of Michigan, or that of the Grand Traverse land district, in said State, lying north or west of Lake Michigan, an additional quantity of public lands subject to private entry, at one dollar and twenty-five cents an acre, equal to the quantity entered by them at two dollars and fifty cents per acre, so that the lands originally entered by them shall be thus reduced to the rate of one dollar and twenty-five cents an acre.

SEC. 4. And be it further resolved, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of the Marquette and Wisconsin State Line Railroad Company, except where such sections shall fall within six miles of the new line of road so as aforesaid proposed to be located, and along which no railroad has been constructed, shall hereafter be subject to sale at one dollar and twenty-five cents per acre.

SEC. 5. And be it further resolved, That upon the filing in the General Land Office of the lists of said railroad lands, in whole or in part, as now selected and certified in the General Land Office, with the certificate of the Governor of the State of Michigan, under the seal of the State, that said State and its assigns surrender all claim to the lands, as aforesaid, set forth and described in the lists thereof thus certified, and that the same have never been pledged or sold or in anywise encumbered, then the State of Michigan or its assigns shall be entitled to receive a like quantity of land, selected in like manner, upon the new line of road as thus surrendered upon the first line, and to the extent of six sections per mile in the aggregate for every mile of the new line, according to the general provisions of the act of June third, eighteen hundred and fifty-six. And it shall be the duty of the Commissioner of the General Land Office to reoffer for public sale, in the usual manner, the lands embraced in the lists of surrendered lands aforesaid, when duly filed in his office, as herein directed.

APPROVED, July 5, 1862.
and they are hereby, tendered to Captain Louis M. Goldsborough, and through him to the officers, petty officers, seamen, and marines attached to the squadron under his command, for the brilliant and decisive victory achieved at Roanoke Island on the seventh, eighth, and tenth days of February last.

Approved, July 11, 1862.

July 11, 1862.

[No. 40.] A Resolution expressive of the Thanks of Congress to Lieutenant J. L. Worden of the U. S. Navy, and to the Officers and Men under his Command in the Monitor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress and of the American people are due and are hereby tendered to Lieutenant J. L. Worden, of the United States Navy, and to the officers and men of the iron-clad gunboat Monitor, under his command, for the skill and gallantry exhibited by them in the late remarkable battle between the Monitor and the rebel iron-clad steamer Merrimack.

Sec. 2. Be it further resolved, That the President of the United States be requested to cause this resolution to be communicated to Lieutenant Worden, and through him to the officers and men under his command.

Approved, July 11, 1862.

July 11, 1862.

[No. 41.] A Resolution of Thanks to Captain David G. Farragut, of the United States Navy, and to the Officers and Men under his Command.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of the people and of the Congress of the United States are due and are hereby tendered to Captain David G. Farragut, of the United States Navy, and to the officers and men under his command, composing his squadron in the Gulf of Mexico, for their successful operations on the lower Mississippi River, and for their gallantry displayed in the capture of Forts Jackson and St. Philip, and the city of New Orleans, and in the destruction of the enemy's gunboats and armed flotilla.

Sec. 2. And be it further resolved, That the Secretary of the Navy be directed to communicate this resolution to Captain Farragut, and through him to the officers and men under his command.

Approved, July 11, 1862.

July 11, 1862.

[No. 42.] A Resolution for the Relief of the Officers, Non-commissioned Officers, and Privates of the Battalion of Marines on board the Transport Governor on the third of November, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of seven thousand one hundred and sixty-three dollars and fifty-one cents be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to compensate the officers, non-commissioned officers, and privates who composed the marine battalion attached to the Port Royal naval expedition under Flag Officer Du Pont, for the losses of their personal effects by the foundering of the steamer Governor, in which they were embarked, on the third of November last; and that the Secretary of the Navy cause the said sum, or so much thereof as may be necessary, to be paid to them according to the estimated value of their personal effects lost in the manner aforesaid.

Approved, July 11, 1862.

July 11, 1862.

[No. 43.] A Resolution to compensate the Crew of the United States Steamer Varuna, for Clothing and other Property lost in the Public Service.

Resolved by the Senate and House of Representatives of the United
States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, and others of the crew of the United States steamer Varuna, which was sunk during the engagement near New Orleans on or about the twenty-fourth day of April, eighteen hundred and sixty-two, to credit each of them with the amount of sixty dollars to cover their losses of bedding, clothing, and other property, occasioned by the sinking of the said steamer.

Approved, July 11, 1862.

[No. 44.] Joint Resolution providing for the Distribution of surplus Copies of the Biennial Register for eighteen hundred and sixty-one among the several Bureaus in the Executive Departments.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be and he is hereby authorized and directed to distribute to each of the several bureaus in the Executive Department[s] one or more copies of the Biennial Register for eighteen hundred and sixty-one and eighteen hundred and sixty-two, from the surplus copies now deposited in the Interior Department: Provided, That the number of copies delivered to any one bureau shall not exceed two copies.

Approved, July 11, 1862.

[No. 51.] A Resolution to suspend all Payments under the Act approved twenty-fifth of March, eighteen hundred and sixty-two, entitled "An Act to secure to the Officers and Men actually employed in the Western Department or Department of Missouri, their Pay, Bounty, and Pension," and for other Purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to suspend all payments under the act approved twenty-fifth March, eighteen hundred and sixty-two, entitled "An act to secure to the officers and men actually employed in the western department, or department of Missouri, their pay, bounty, and pension;" and that there shall be appointed by the President, immediately after the passage of this resolution, by and with the advice and consent of the Senate, three commissioners, to examine all claims arising under the provisions of that act, and report the same, with the facts connected therewith, to the Secretary of War; said commissioners to have such compensation for their services as the Secretary of War may consider just and reasonable. Provided, That said commissioners shall be required to examine and report within sixty days after the passage of this resolution upon all such claims as may be presented by persons claiming to have been organized or employed in the State of Missouri, and have performed service according to the provisions of the said recited act, whereupon payments shall be made as recommended by said commissioners, and as required by said act: And provided further, That within ninety days from the passage of this resolution the said commissioners shall examine and report upon all other claims arising under the act aforesaid, when payments shall be made as herein prescribed.

Approved, July 12, 1862.

[No. 52.] A Resolution to provide for the Presentation of "Medals of Honor" to the Enlisted Men of the Army and Volunteer Forces who have distinguished, or may distinguish, themselves in Battle during the present Rebellion.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause two thousand "Medals of honor" for non-commissioned officers and privates.
"medals of honor" to be prepared with suitable emblematic devices, and to direct that the same be presented, in the name of Congress, to such non-commissioned officers and privates as shall most distinguish themselves by their gallantry in action, and other soldier-like qualities, during the present insurrection. And that the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying this resolution into effect.

Approved, July 12, 1862.

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[No. 53.] A Resolution in Relation to Contracts with the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the several executive departments of the government to publish in one of the daily newspapers of the city of Washington, on Tuesday of each week, a list of all contracts which shall have been solicited or proposed to each, respectively, during the week next preceding, which list shall state briefly the subject matter of each contract so solicited or proposed to be made, its terms, the name of the proposed contractor and of all persons known to be interested therein, directly or indirectly, and of all persons who solicit, request, or recommend the making of any such contract: Provided, That the foregoing provision shall not be applicable to bids made in pursuance of advertisements for contracts or purchases made under existing laws, but shall apply to all proposed modifications of existing contracts.

Approved, July 12, 1862.

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[No. 54.] A Resolution relating to the Compensation of Senators elected or appointed to fill Vacancies.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of a vacancy in either house of Congress, by death or otherwise, of any member elected or appointed thereto, after the commencement of the Congress to which he shall have been elected, each person afterwards elected or appointed to fill such vacancy shall be compensated and paid from the time that the compensation of his predecessor ceased: Provided, That no member shall receive for his compensation more than three thousand dollars for any one year.

Approved, July 12, 1862.

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[No. 55.] A Joint Resolution authorizing the Secretary of War to furnish extra Clothing to Sick, Wounded, and other Soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to furnish extra clothing to all sick, wounded, and other soldiers who may have lost the same by the casualties of war, under such rules and regulations as the department may prescribe, during the existence of the present insurrection.

Approved, July 12, 1862.

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[No. 56.] A Joint Resolution authorizing the State of Minnesota to change the Line of certain Branch Railroads in said State, and for other Purposes.

Whereas, by an act of Congress, approved March third, eighteen hundred and fifty-seven, there was granted to the Territory of Minnesota lands to aid in the construction of a railroad from Stillwater, via St. Paul and St. Anthony, to a point between the foot of Big Stone Lake and the
month of Sioux Wood River, with a branch, via St. Cloud and Crow Wing, to the navigable waters of the Red River of the North, the northern terminus of which was fixed by the legislature of said Territory at St. Vincent; and whereas it is now believed that the public interests require a change of location of a part of said branch road: Therefore—

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of that part of the railroad grant to Minnesota Territory by act of Congress, approved third March, eighteen hundred and fifty-seven, which extends northwesterly from the intersection of the tenth standard parallel with the fourth guide meridian, there shall be granted to the State of Minnesota the alternate sections within six mile limits of such new branch line of route as the authorities of the State may designate, having its southwestern terminus at any point on the existing line, between the Falls of Saint Anthony and Crow Wing, and extending in a northeasterly direction to the waters of Lake Superior, with a right of indemnity between the fifteen mile limits thereof, provided this resolution shall take effect from the filing in the General Land Office of the acceptance by the authorities aforesaid of such substitution; whereupon the land north of the intersection aforesaid in the grant as authorized by the said act of third March, eighteen hundred and fifty-seven, being by said acceptance disencumbered of the railroad grant, shall be dealt with as other public lands of the United States.

APPROVED, July 12, 1862.

[No. 57.] A Resolution to change the Name of the Schooner Sally McGee to that of Ocean Eagle.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the schooner Sally McGee, late of Baltimore, Maryland, be, and the same is hereby, changed to that of the Ocean Eagle, of Perth Amboy, New Jersey, and that the Secretary of the Treasury be, and he is hereby, directed to issue a register therefor.

APPROVED, July 14, 1862.

[No. 58.] Joint Resolution to declare the Meaning of "An Act to authorize the President of the United States in certain Cases to take Possession of Railroad and Telegraph Lines, and for other Purposes," approved January thirty-first, eighteen hundred and sixty-two, and to repeal a Part of said Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to authorize the President of the United States in certain cases to take possession of railroad and telegraph lines, and for other purposes," approved January thirty-first, eighteen hundred and sixty-two, shall not be so construed as to authorize the construction of any railroad, or the completion of any line of road, the greater part of which remained uncompleted at the time of the approval of said act, or to engage in any work of railroad construction. And so much of said act as authorizes the President of the United States to extend and complete any railroad, is hereby repealed.

APPROVED, July 14, 1862.

[No. 59.] Joint Resolution to grant Pensions to Masters and other Officers upon the Gunboats in the Service of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the masters serving on board of gunboats employed in the service of the United States shall be entitled to pensions.
titled to all the benefits, including bounty and pension, provided for in an act entitled "An act to grant pensions," passed during the present session of Congress, and the widows, mothers, and heirs of such officers shall be entitled to all the benefits of said act.

APPROVED, July 16, 1862.

July 16, 1862. [No. 60.] Joint Resolution tendering the Thanks of Congress to Captain Andrew H. Foote, of the United States Navy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and the same are hereby, tendered to Captain Andrew H. Foote, of the United States navy, for his eminent services and gallantry at Fort Henry, Fort Donelson, and Island No. Ten, while in command of the naval forces of the United States.

And be it further resolved, That the President of the United States be, and he is hereby, requested to transmit a certified copy of the foregoing resolution to Captain Foote.

APPROVED, July 16, 1862.

July 16, 1862. [No. 61.] Joint Resolution requiring the Superintendent of Metropolitan Police to pay over certain Moneys collected for Fines and Penalties, to constitute a contingent Fund for certain Purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of Metropolitan Police of the District of Columbia shall pay over all such moneys as may be paid to him under the act of Congress entitled "An act to provide for the payment of fines and penalties collected by or paid the justices of the peace in the District of Columbia, under the acts of Congress, approved the third and fifth of August, eighteen hundred and sixty-one, and for other purposes," to the treasurer of the board of said Metropolitan Police, in whose hands the same shall constitute a "contingent fund" to be disbursed under the order, and for such purposes as the said board of police may direct.

APPROVED, July 16, 1862.

July 17, 1862. [No. 62.] A Resolution regulating the Employment of the Convicts in the Penitentiary of the District of Columbia for their Improvement and Benefit.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the warden of the penitentiary of the District of Columbia shall, so far as may be practicable, employ the convicts therein in the manufacture of shoes for the use of the army and navy, to be made as the War and Navy Departments shall direct; orders for which shall be, by said departments, given to the warden from time to time upon his request; the shoes to be paid for by said departments ordering the same at the customary rate for shoes of like quality.

SEC. 2. And be it further resolved, That all prisoners that may hereafter be confined in said penitentiary for a term of years, who conduct themselves so that no charge for misconduct shall be sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden of their good conduct, with the approval of the Secretary of the Interior.

APPROVED, July 17, 1862.
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the third clause of the fifth section of "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," shall be so construed as not to apply to any act or acts done prior to the passage thereof; nor to include any member of a State legislature, or judge of any State court, who has not in accepting or entering upon his office, taken an oath to support the constitution of the so-called "Confederate States of America"; nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

APPROVED, July 17, 1862.

[No. 68.] Joint Resolution explanatory of "An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the third clause of the fifth section of "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," shall be so construed as not to apply to any act or acts done prior to the passage thereof; nor to include any member of a State legislature, or judge of any State court, who has not in accepting or entering upon his office, taken an oath to support the constitution of the so-called "Confederate States of America"; nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

APPROVED, July 17, 1862.

[No. 64.] Joint Resolution to amend Section seventy-seven of "An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt," and for other Purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section seventy-seven of an act entitled "An act to provide internal revenue to support the government and to pay interest on the public debt," be, and the same is hereby, amended by striking out the word "May" and inserting "August."

SEC. 2. And be it further resolved, That all the sections of an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," which require any matter or thing to be done on or before the first day of July or August, eighteen hundred and sixty-two, shall be so amended and changed that said matters or things may be so done on or before any other day in the year eighteen hundred and sixty-two not later than the first day of October eighteen hundred and sixty-two, which may be fixed and determined upon by the Secretary of the Treasury, if in his judgment a later day should be so fixed in order to put said act into practical operation, and all parts of said act having reference to the said dates of the first days of July and August, eighteen hundred and sixty-two, shall be taken and construed as having reference to the said day which may be so fixed and determined upon:

Provided, That the Secretary of the Treasury shall give public notice of the day so fixed and determined upon, in such manner as he may deem expedient.

APPROVED, July 17, 1862.

[No. 65.] A Resolution in Relation to the Law of Prize.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all moneys arising from the sale of property under the prize laws of the United States, whether under interlocutory or final decree, shall be paid by the marshal into the treasury of the United States for safe-keeping immediately after the day of sale, instead of the registry of the court, less the costs and disbursements sworn to by the marshal and taxed by the court; and every clerk of a United States court now having any such moneys in hand shall immediately pay the same into the treasury of the United States, less the costs and disbursements to be sworn to and taxed as aforesaid, and upon a final decree of condemnation or restitution, it shall be the duty of the Secretary of the Treasury, and he is hereby authorized to pay over the same upon the order of the proper court, and no more shall be retained by any clerk from money received and paid over by him under this resolution as commissions or otherwise, than one per centum upon the first
one thousand dollars in each case, and one-fourth of one per centum on the excess above that sum, not, however, to exceed two hundred and fifty dollars in any case. 

Approved, July 17, 1862.

July 17, 1862. 
[No. 66.] A Resolution releasing to the Heirs at Law of Robert L. Stevens, deceased, all the Right, Title, and Interest of the United States in and to Stevens’ Battery. 

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States, in and to Stevens’ Battery be, and the same are hereby, released and conveyed to the heirs at law of the said Robert L. Stevens or their legal representatives. 

Approved, July 17, 1862.

July 17, 1862. 
[No. 67.] A Resolution to repeal and modify Sections two and three of an Act entitled “An Act to settle the Titles to certain Lands set apart for the Use of certain Half-breed Kansas Indians in Kansas Territory,” approved May twenty-six, eighteen hundred and sixty, and to repeal part of section one of said Act. 

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That sections two and three of an act entitled “An act to settle the titles to certain lands set apart for the use of certain Half-breed Kansas Indians in Kansas Territory,” approved May twenty-six, one thousand eight hundred and sixty, and so much of the first section as authorizes the Secretary of the Interior to decide what persons are heirs to deceased reservoies as mentioned therein be and the same are hereby, repealed. 

Approved, July 17, 1862.

July 17, 1862. 
[No. 68.] Joint Resolution further to provide for the Compensation of Members of Congress. 

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, until the further order of Congress, the Secretary of the Senate and the Sergeant-at-arms of the House are directed to receive, as a valid excuse for absence from duty in Congress, active employment in military service for the suppression of the rebellion without pay. 

Sec. 2. And be it further resolved, That when any senator or representative shall hereafter withdraw from his seat in anticipation of the adjournment of Congress and before the adjournment and does not return, he shall, in addition to the sum now deducted for each day, forfeit a further sum equal to the mileage now allowed by law for his return home, and it shall be deducted from his compensation, unless where said withdrawal is with the leave of the Senate or House of Representatives respectively. 

Approved, July 17, 1862.

July 17, 1862. 
[No. 69.] Joint Resolution authorizing the Secretary of the Interior to expend, from a Fund in the United States Treasury belonging to the Winnebago Indians, the sum of fifty thousand Dollars, or so much thereof as may be necessary, for the Benefit of said Indians. 

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to expend, from a fund in the treasury of the United States belonging to the Winnebago Indians, the sum of fifty thousand dollars, or so much thereof as may be necessary, to make such improvements upon their lands and purchase such stock and agricultural implements as their necessities may require, and that the amount so expended shall be replaced from the proceeds of the sales.
of the lands belonging to said Indians, which the Government is now authorized to sell by virtue of an existing treaty with said Indians.

Approved, July 17, 1862.

[No. 70.] A Resolution to regulate the Compensation for paying Pensions.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That agents for paying pensions shall receive two per centum on all disbursements made by them to pensioners of the United States: Provided, That the aggregate compensation to any one agent, paying both army and navy pensions, shall not exceed two thousand dollars per annum.

Approved, July 17, 1862.

[No. 71.] A Resolution making further 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 thirty, eighteen hundred and sixty-three.

Whereas, certain appropriations agreed to by the Senate of the United States as amendments to the "Act (H. R. 260) 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 sixty-three," approved July fifth, eighteen hundred and sixty-two, were accidentally omitted to be sent to the House of Representatives for concurrence therein; and whereas said appropriations are necessary to be made, Therefore —

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes:

For Indian Service in Nevada Territory. — For pay of interpreter, five hundred dollars.

For presents of goods and clothing to Indians to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Nevada Territory, including office and travelling expenses, two thousand dollars.

For Indian Service in Colorado Territory. — For pay of interpreter, five hundred dollars.

For presents of goods and clothing to Indians, to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Colorado Territory, including office and travelling expenses, two thousand dollars.

For the Indian service in Utah Territory for fiscal year ending June thirty, eighteen hundred and sixty-three.

For interpreter for Shoshones, one thousand dollars.

For interpreter for Utahs, one thousand dollars.

For interpreter for Ruby Valley agency, five hundred dollars.

For interpreter for Fort Bridger agency, five hundred dollars.

For interpreter for Spanish Fork agency, five hundred dollars.

For presents of goods and clothing to Indians, to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Utah Territory, including office and travelling expenses, two thousand dollars.

Approved, July 17, 1862.
[No. 72.] A Resolution suspending the Sale by sealed Bids, of the Lands of the Kansas and Sac and Fox Indians.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sales of the lands of the Kansas and Sac and Fox tribes of Indians of the State of Kansas, by sealed bids, be, and the same are postponed until the fourth day of March, eighteen hundred and sixty-three, any treaty or law to the contrary notwithstanding.

Approved, July 17, 1862.
PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS
OF THE
UNITED STATES,

Passed at the third session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the first day of December, A. D. 1862, and ended on Wednesday, the fourth day of March, A. D. 1863.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, pro tempore, on the eighteenth day of February, and so acted until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — An Act authorizing the Holding of a special Session of the United States District Court for the District of Indiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a special session of the United States District Court for the district of Indiana shall be holden, at the usual place of holding said court, on the first Monday in February, in the year of our Lord one thousand eight hundred and sixty-three, and to continue in session so long as the business thereof may require.

SEC. 2. And be it further enacted, That all suits and proceedings of a civil or criminal nature now pending in or returnable to said court shall be proceeded in, heard, tried, and determined by said court at said special session in the same manner as at a regular term of said court.

Approved, December 15, 1862.

CHAP. III. — An Act to adjust Appropriations heretofore made for the Civil Service of the Navy Department to the present Organization of that Department.

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 directed to transfer the amounts heretofore appropriated for the pay of chiefs of bureaus, clerks, messengers, and laborers connected with the Navy Department, so that they will correspond with the present organization and pay as authorized by the act of Congress of July fifth, eighteen hundred and sixty-two, viz: For the Bureau of Equipment and Recruiting, three thousand eight hundred and seventy-four dollars.

For the Bureau of Yards and Docks, ten thousand six hundred and forty-three dollars.

For the Bureau of Navigation, three thousand and fifty-seven dollars.

For the Bureau of Ordnance, six thousand nine hundred and fifty-four dollars.

For the Bureau of Construction and Repairs, nine thousand five hundred and thirty-four dollars.

For the Bureau of Steam Engineering, four thousand two hundred and twenty-four dollars.

For the Bureau of Provisions and Clothing, five thousand eight hundred and fifty-eight dollars.

Dec. 15, 1862.

Dec. 19, 1862.

1862, ch. 134.
Ante, p. 510.
Bureau of Equipment and Recruiting, of Yards and Docks, of Navigation, of Ordnance, of Construction and repairs, of Steam Engineering, of Provisions and Clothing,
Bureau of Medicine and Surgery.

Remaining balances may be expended for clerical services.

Further transfer.

BUREAU OF MEDICINE AND SURGERY.

For the Bureau of Medicine and Surgery, five thousand eight hundred dollars.

SEC. 2. And be it further enacted, That all remaining balances shall attach to the office of the Secretary of the Navy, and may be expended by him for such clerical services as he shall judge the interests of the department require.

SEC. 3. And be it further enacted, That the sum of one thousand dollars, heretofore appropriated for the contingent expenses of the Bureau of Construction, Equipment, and Repair, be transferred to the Bureau of Steam Engineering, and the sum of one thousand dollars to the Bureau of Equipment and Recruiting. And also that the sum of one thousand dollars, heretofore appropriated for the contingent expenses of the Bureau of Ordnance, be transferred to the Bureau of Navigation.

APPROVED, December 19, 1862.

CHAP. IV. — An Act to amend an Act entitled “An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt,” approved July first, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assessors, assistant assessors, collectors, and deputy collectors, appointed, or who may be appointed, under the provisions of an act entitled “An act to provide internal revenue to support the Government and to pay interest on the public debt,” approved July first, eighteen hundred and sixty-two, and all subsequent acts in relation thereto which have been or may be enacted, are hereby authorized and empowered to administer oaths or affirmations in all cases where the same are or may be required by the acts as aforesaid: Provided, That no fees shall be charged or allowed therefor.

SEC. 2. And be it further enacted, That the Commissioner of Internal Revenue shall be authorized and empowered, and hereby is authorized and empowered, to furnish and supply the assistant treasurers or collectors of the United States at San Francisco, State of California, and Portland, State of Oregon, with adhesive stamps, or stamped paper, vellum, or parchment, according to the provisions of the internal revenue laws referred to in the preceding section, under such regulations and conditions as he may from time to time prescribe, and without requiring payment in advance therefor, anything in existing laws to the contrary notwithstanding: Provided, That no greater commission shall be allowed than is now provided for by law.

SEC. 3. And be it further enacted, That no instrument, document, writing, or paper of any description, required by law to be stamped, shall be deemed or held invalid and of no effect for the want of the particular kind or description of stamp designated for and denoting the duty charged on any such instrument, document, writing, or paper, provided a legal stamp, or stamps, denoting a duty of equal amount, shall have been duly affixed and used thereon: Provided, That the provisions of this section shall not apply to any stamp appropriated to denote the duty charged on proprietary articles.

SEC. 4. And be it further enacted, That all official instruments, documents, and papers, issued or used by the officers of the United States Government shall be, and hereby are, exempt from duty.

SEC. 5. And be it further enacted, That the ninety-fifth section of an act entitled “An act to provide internal revenue to support the Government and to pay interest on the public debt,” approved July first, eighteen hundred and sixty-two, be so amended that no instrument, document, or paper made, signed, or issued prior to the first day of March, Anno Domini, eighteen hundred and sixty-three, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon.
shall, for that cause, be deemed invalid and of no effect: Provided, That no instrument, document, writing, or paper, required by law to be stamped, signed, or issued, without being duly stamped prior to the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto, or used thereon, and the initials of the officer using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper, as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as hereinbefore provided. And section twenty-four of an act entitled "An act increasing, temporarily, the duties on imports, and for other purposes," approved July fourteen, Anno Domini, eighteen hundred and sixty-two, is hereby repealed. 

APPROVED, December 25, 1862.

CHAP. V. — An Act to facilitate the Discharge of disabled Soldiers from the Army, and the Inspection of convalescent Camps and Hospitals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the present medical corps of the army eight medical inspectors, who shall, immediately after the passage of this act, be appointed by the President, by and with the advice and consent of the Senate, without regard to their rank when so selected, but with sole regard to qualifications, and who shall have the rank, pay, and emoluments now authorized by law to officers of that grade.

SEC. 2. And be it further enacted, That the officers of the medical inspector's department shall, in addition to the duties now assigned to them by existing laws, with the duty of making regular and frequent inspections of all military general hospitals and convalescent camps, and shall, upon each such inspection, designate to the surgeon in charge of such hospitals or camps, all soldiers who may be, in their opinion, fit subjects for discharge from the service, on surgeon's certificate of disability, or sufficiently recovered to be returned to their regiments for duty, and shall see that such soldiers are discharged or so returned. And the medical inspecting officers are hereby empowered, under such regulations as may be hereafter established, to direct the return to duty, or the discharge from service, as the case may be, of all soldiers designated by them.

APPROVED, December 27, 1862.

CHAP. VI. — An Act for the Admission of the State of "West Virginia" into the Union, and for other Purposes.

Whereas the people inhabiting that portion of Virginia known as West Virginia did, by a Convention assembled in the city of Wheeling on the twenty-sixth of November, eighteen hundred and sixty-one, frame for themselves a Constitution with a view of becoming a separate and independent State; and whereas at a general election held in the counties composing the territory aforesaid on the third day of May last, the said Constitution was approved and adopted by the qualified voters of the proposed State; and whereas the Legislature of Virginia, by an act passed on the thirteenth day of May, eighteen hundred and sixty-two, did give its consent to the formation of a new State within the jurisdiction of the said State of Virginia, to be known by the name of West Virginia, and to embrace the following named counties, to wit: Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Tyler, Pleasants, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt, Counties composing the State

West Virginia. Preamble.

Dec. 31, 1862.

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Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upahur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Mercer, McDowell, Webster, Pocahontas, Fayette, Raleigh, Greenbrier, Monroe, Pendleton, Hardy, Hampshire, and Morgan; and whereas both the Convention and the Legislature aforesaid have requested that the new State should be admitted into the Union, and the Constitution aforesaid being republican in form, Congress doth hereby consent that the said forty-eight counties may be formed into a separate and independent State. Therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of West Virginia be, and is hereby, declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever, and until the next general census shall be entitled to three members in the House of Representatives of the United States: Provided, always, That this act shall not take effect until after the proclamation of the President of the United States hereinafter provided for.

It being represented to Congress that since the Convention of the twenty-sixth of November, eighteen hundred and sixty-one, that framed and proposed the Constitution for the said State of West Virginia, the people thereof have expressed a wish to change the seventh section of the eleventh article of said Constitution by striking out the same and inserting the following in its place, viz: "The children of slaves born within the limits of this State after the fourth day of July, eighteen hundred and sixty-three, shall be free; and that all slaves within the said State who shall, at the time aforesaid, be under the age of ten years, shall be free when they arrive at the age of twenty-one years; and all slaves over ten and under twenty-one years shall be free when they arrive at the age of twenty-five years; and no slave shall be permitted to come into the State for permanent residence therein:” Therefore —

SEC. 2. Be it further enacted, That whenever the people of West Virginia shall, through their said Convention, and by a vote to be taken at an election to be held within the limits of the said State, at such time as the Convention may provide, make, and ratify the change aforesaid, and properly certify the same under the hand of the president of the Convention, it shall be lawful for the President of the United States to issue his proclamation stating the fact, and thereupon this act shall take effect and be in force from and after sixty days from the date of said proclamation.

APPROVED, December 31 1862.

January 6, 1863.

Cavalry regiments to have two assistant surgeons.

Number of privates in company.

Chap. VII. — An Act to improve the Organization of the Cavalry Forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter each regiment of cavalry organized in the United States service, may have two assistant surgeons, and each company or troop of cavalry shall have from sixty to seventy-eight privates.

APPROVED, January 6, 1863.

January 13, 1863.

Ante, p. 576.

Terms of Circuit Court in Iowa, Minnesota, and Kansas.

Chap. IX. — An Act prescribing the Times and Places for holding Terms of the Circuit Court for the Districts of Iowa, Minnesota, and Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the Circuit Court for the districts of Iowa, Minnesota, and Kansas shall be held in each and every year at the following times and places, to wit: For the district of Iowa, at Des Moines, on the first Tuesday in May and Novem-
ber; for the district of Minnesota, at St. Paul, on the third Monday of June and October; and for the district of Kansas, at the place prescribed by law for holding terms of the district court therein, on the fourth Monday of May and November.

Sec. 2. And be it further enacted, That all writs, process, and other proceedings of whatever kind relative to any cause, civil or criminal, pending in or returnable to the Circuit Court for said districts of Iowa, Minnesota, and Kansas, at terms heretofore prescribed by law, are hereby declared continued, transferred, and returnable to the said Circuit Court for said districts, respectively, at the terms first to be held under the provisions of this act. And no process issued, proceeding pending, bail-bond or recognizance taken in or returnable to either of said circuit courts shall be avoided, invalidated, or impaired by the change in the time or place of holding the terms of such court made by this act; and the entries of record may be made in conformity with the provisions of this act.

Sec. 3. And be it further enacted, That so much of the first section of "An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled 'An act supplementary to the act entitled "An act to amend the judicial system of the United States,"' approved July fifteen, eighteen hundred and sixty-two, as conflicts with this act be and is hereby repealed.

Approved, January 13, 1863.

CHAP. X.—An Act to provide for the Imprisonment of Persons convicted of Crime by the Criminal Court of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who shall hereafter be convicted by the Criminal Court of the District of Columbia of any offence, the punishment of which by law shall be confinement in the penitentiary, shall be confined during the term for which they shall be sentenced by said court in some suitable prison in a convenient State, where they can be employed at suitable labor, to be designated by the Secretary of the Interior.

Sec. 2. And be it further enacted, That it shall be the duty of the Secretary of the Interior to contract with the managers or superintendent of a suitable prison in some convenient State for the imprisonment and subsistence and proper employment of all prisoners who shall be convicted in said court of such offences, on the best terms that he can; and he shall, on or before the first day of each term of the Criminal Court of the District of Columbia, inform said court in writing of the designation and location of the prison in which he shall have made provision for the confinement and support of prisoners; and said court shall sentence all persons who shall, during said term, be convicted of such offences, to confinement at hard labor in the prison so designated.

Sec. 3. And be it further enacted, That it shall be the duty of the Secretary of the Interior to make suitable provision for the safe transportation of all prisoners to the prison to which they shall be sentenced by the court, and until they shall be so transported they shall be confined in the jail of Washington City.

Sec. 4. And be it further enacted, That the action of the Secretary of the Interior, in transferring the prisoners confined in the penitentiary of the District of Columbia to the penitentiary in the city of Albany, in the State of New York, in the month of September last, by direction of the President, is hereby legalized and declared valid, and the said prisoners shall continue in confinement in said prison until the expiration of their several terms of imprisonment, or until they shall be legally discharged.

Sec. 5. And be it further enacted, That all appropriations hereof
made for the support of the prisoners in the penitentiary of the District of Columbia, or for the payment of watchmen, laborers, and officers connected with said penitentiary, and all appropriations which shall hereafter be made for the expenses and support of prisoners convicted in the District of Columbia, shall be applied, under the direction of the Secretary of the Interior, to defray the expenses of transporting to and subsisting prisoners in any prison selected by him, as before provided for their confinement. The Secretary of the Interior shall also cause to be paid from such appropriations the sum of ten dollars to each prisoner when he or she shall be legally discharged, to enable such prisoner to reach the point he or she may wish to go to.

SEC. 6. And be it further enacted, That whenever a suitable penitentiary shall be erected in the District of Columbia, and completed for the reception of prisoners, it shall be the duty of the Secretary of the Interior to cause to be transferred to such penitentiary all persons who shall then be imprisoned outside of the District of Columbia, under sentence of the Criminal Court of said District.

Approved, January 16, 1863.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-four:

For pay of officers, instructors, cadets, and musicians, one hundred and seventeen thousand one hundred and seventy-six dollars.

For commutation of subsistence, five hundred and forty-seven dollars and fifty cents.

For pay in lieu of clothing to officers' servants, three thousand six hundred and seventy-three dollars and fifty cents.

For current and ordinary expenses, as follows: repairs and improvements, fuel and apparatus, forage, postage, telegrams, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-nine thousand seven hundred and five dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, four thousand dollars.

For forage of artillery and cavalry horses, five thousand dollars.

For supplying horses for artillery and cavalry exercise, one thousand dollars.

For repairs of officers' quarters, one thousand five hundred dollars.

For targets and batteries for artillery exercise, one hundred dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas-pipes and retorts, three hundred dollars.

For kitchen of cadets' mess hall, two thousand dollars.

For furniture for soldiers' hospital, two hundred and ninety-two dollars.

For replacing roofs of academic buildings, four thousand dollars: Provided, That the walls of said buildings are, in the opinion of the superintendent, strong enough to bear the weight of a slate roof.

For fire apparatus, three thousand dollars.

Approved, January 23, 1863.
CHAP. XIII. — An Act to amend the Act entitled " An Act to amend the Act of the third March, eighteen hundred and thirty-seven, entitled ' An Act Supplementary to the Act entitled "An Act to amend the Judicial System of the United States."'"

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the districts of Ohio and Michigan shall constitute the seventh circuit, and the district of Illinois, the district of Indiana, and the district of Wisconsin shall constitute the eighth circuit.

APPROVED, January 28, 1863.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury to cause the annual report upon the Banks of the United States to be completed at as early a day before the first Monday in October in each year as is practicable.

SEC. 2. And be it further enacted, That when completed, or in the course of its progress towards completion, if that will give dispatch to the business, the work of printing, under the superintendence of said Secretary, shall be commenced, and the whole shall be printed and ready for delivery, on or before the first day of December next ensuing the close of the year to which the report relates.

SEC. 3. And be it further enacted, That until Congress shall otherwise direct, the Secretary of the Treasury shall cause to be printed five thousand copies of said report for the use of Congress and of the Treasury Department.

APPROVED January 30, 1863.

CHAP. XVII. — An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-four.

For army invalid pensions under various acts, three million dollars.

For pensions to Revolutionary soldiers, and the widows of those who served in the Revolutionary War, under acts of eighteen hundred and eight, eighteen hundred and thirteen, May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventh June, eighteen hundred and forty-four, second February and twentieth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, two hundred and fifty thousand dollars.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, act third June, eighteen hundred and fifty-eight, and act fourteenth July, eighteen hundred and sixty-two, three million eight hundred thousand dollars.

For navy invalid pensions, one hundred and thirty-five thousand dollars.

For navy pensions to widows and orphans, under act of eleventh Au-
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 17, 19. 1863.

1848, ch. 155.

Privateer.

Pensions not to be paid to those in rebellion, &c.

consuls-general, eighteen hundred and forty-eight, and fourteenth July, eighteen hundred and sixty-two, five hundred thousand dollars.

For privateer invalid pensions, three hundred dollars: Provided, That no pension shall be paid under this act to any person who has been engaged in the present rebellion against the Government of the United States, or has in any way given aid and comfort to those engaged in the rebellion.

APPROVED, February 3, 1863.

February 4, 1863.

Consular and diplomatic appropriation.

Envoys, ministers, and commissioners.

Secretaries of Legation, &c.

Constitutional expenses of foreign missions.

Barbary Powers.

Turkish Consulates.

Relief, &c., of seamen.

Blank books, &c.

Office rent of consuls-general, &c.

Salaries of consuls-general and consuls.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-four, namely:

For salaries of envos extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Grenada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, Japan, three hundred and one thousand dollars.

For salaries of secretaries of legation, thirty thousand dollars.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

For salary of the interpreter to the legation to China, five thousand dollars.

For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.

For salary of the interpreter to the legation to Japan, two thousand five hundred dollars.

For contingent expenses of all the missions abroad, sixty thousand dollars.

For contingent expenses of foreign intercourse, eighty thousand dollars.

For expenses of intercourse with the Barbary Powers, three thousand dollars.

For expenses of the consulates in the Turkish dominions, namely, interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, five thousand dollars.

For the purchase of blank books, stationery, arms of the United States, seals, presses, and flags, and for the payment of postages, and miscellaneous expenses of the consuls of the United States, forty-five thousand dollars.

For office rent for those consuls-general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-one thousand eight hundred and ninety dollars.

For salaries of consuls-general at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; consuls at Kanagawa and Nagasaki, in Japan, Liverpool, London, Melbourne, Hong-Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demara, Halifax,
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 19, 20. 1863.


For interpreters to the consulates in China, including loss by exchange thereon, five thousand eight hundred dollars.

For expenses incurred, under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, ten thousand dollars.

For salaries of the marshals for the consular courts in Japan, China, Siam, and Turkey, including loss by exchange thereon, nine thousand dollars.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

For salaries of commissioners and consuls-general to Hayti and Liberia, eleven thousand five hundred dollars.

For expenses under the act of Congress to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, passed July eleventh, eighteen hundred and sixty-two, seventeen thousand dollars.

APPROVED, February 4, 1863.

CHAP. XX. — An Act in Relation to Commissioned Officers of the United States Revenue Cutter Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioned officers of the United States revenue cutter service shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 2. And be it further enacted, That the grades of engineers shall

Salary of consul at Guaymas.

Amount due William L. Baker to be paid his widow.

Interpreters in China.

Bringing home persons charged with crime.

Marshals in consular courts.

Prisons in Japan, China, &c.

Commissioners, &c., to Liberia and Hayti.

Treaty for suppression of African slave-trade.

February 4, 1863.
Grades of
engineers.

Wages of
petty officers
and crew.

Relative rank
of revenue officers
when serving as part of
navy.

Pay not to be
increased thereby.

be chief engineers, first and second assistant engineers, with the pay and
relative rank of first, second, and third lieutenants, respectively.

SEC. 3. And be it further enacted, That the wages of petty officers
and crew shall not exceed the average wages paid for like services on the
Atlantic or Pacific coasts, respectively, in the merchant service.

SEC. 4. And be it further enacted, That the officers of the revenue
cutter service, when serving in accordance with law, as part of the navy,
shall be entitled to relative rank, as follows: Captains, with and next after
lieutenants commanding in the navy; first lieutenants, with and next after
lieutenants in the navy; second lieutenants, with and next after masters
in line in the navy; third lieutenants, with and next after passed midship-
men in the navy: Provided, That no change of rank by this bill shall
increase the pay to which such officer is now entitled by law.

APPROVED, February 4, 1863.

February 6, 1863. CHAP. XXI. — An Act to amend an Act entitled "An Act for the Collection of Direct
Taxes in Insurrectionary Districts within the United States and for other Purposes,"
approved June seven, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the seventh section of an
act entitled "An act for the collection of direct taxes in insurrectionary
districts within the United States and for other purposes," approved June
seven, eighteen hundred and sixty-two, be amended so as to read as fol-
lows: Section 7. And be it further enacted, That the said Board of
Commissioners shall be required, in case the taxes charged upon the said
lots and parcels of land shall not be paid, as provided for in the third
section of this act, to cause the same to be advertised for sale in a news-
paper published in the town, parish, district, or county where situate; and
if there be no such newspaper published in said town, parish, district, or
county, or if the publisher thereof refuse to publish the same, then in any
other newspaper to be selected by said commissioners in said district, or
in the city of Washington, for at least four weeks, and by posting notices
of said sale in three public places in the town, parish, district, or county
within which said lands are situate, at least four weeks previous to the
day of sale; and at the time and place of sale to cause the same to be
severely sold to the highest bidder for a sum not less than the taxes,
penalty, and costs, and ten per centum per annum interest on said tax,
pursuant to said notice; in all cases where the owner of said lots or par-
cels of ground shall not, on or before the day of sale, appear in person
before the said Board of Commissioners and pay the amount of said tax,
with ten per centum interest thereon, with the cost of advertising the
same, or request the same to be struck off to a purchaser for a less sum
than two thirds of the assessed value of said several lots or parcels of
ground, the said commissioners shall be authorized at said sale to bid off
the same for the United States at a sum not exceeding two thirds of the
assessed value thereof, unless some person shall bid a larger sum; and in
that case the same shall be struck off to the highest bidder, who shall,
upon paying the purchase-money in gold and silver coin, or in the Treas-
ury notes of the United States, or in United States notes, or in certificates
of indebtedness against the United States, be entitled to receive from said
commissioners their certificate of sale; which said certificate shall be re-
ceived in all courts and places as primi facie evidence of the regularity
and validity of said sale, and of the title of the said purchaser or pur-
chasers under the same: Provided, That the owner of said lots of ground,
or any loyal person of the United States having any valid lien upon or
interest in the same, may, at any time within sixty days after said sale,
appear before the said Board of Tax Commissioners in his or her own
proper person, and, if a citizen, upon taking an oath to support the Con-
stitution of the United States, and paying the amount of said tax and penalty, with interest thereon from the date of the said proclamation of the President mentioned in the second section of this act, at the rate of fifteen per centum per annum, together with the expenses of the sale and subsequent proceedings, to be determined by said commissioners, may redeem said lots of land from said sale; and any purchaser under the same having paid moneys, Treasury notes, or other certificates of indebtedness of the United States, shall, upon such redemption being made, be entitled to have the same, with the interest accruing after said sale, returned to him by the said commissioners, upon surrendering up the certificates of sale: And provided further, That if the owner of said lots of ground shall be a minor, a non-resident alien or loyal citizen beyond seas, a person of unsound mind, or under a legal disability, the guardian, trustee, or other person having charge of the person or estate of such person, may redeem the same at any time within two years after the sale thereof, and in the manner above provided, and with like effect: And provided further, That at such sale any tracts, parcels, or lots of land which may be selected under the direction of the President for Government use, for war, military, naval, revenue, charitable, educational, or police purposes, may, at said sale, be bid in by said commissioners, under the direction of the President, and struck off to the United States: And provided further, That the certificate of said commissioners shall only be affected as evidence of the regularity and validity of sale by establishing the fact that said property was not subject to taxes, or that the taxes had been paid previous to sale, or that the property had been redeemed according to the provisions of this act.

APPROVED, February 6, 1863.

CHAP. XXII. — An Act to increase the clerical and other Force of the Quartermaster-General’s Office, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the clerical and other force in the office of the Quartermaster-General, to be appointed by the Secretary of War, four clerks of class four, and ninety clerks of class one; also, thirty copyists and six laborers, at an annual compensation of six hundred dollars each.

SEC. 2. And be it further enacted, That in settling the accounts of the commanding officer of a company for clothing and other military supplies, the affidavit of any such officer may be received to show the loss of vouchers, or company books, or any matter or circumstance tending to prove that any apparent deficiency was occasioned by unavoidable accident, or lost in actual service, without any fault on his part, or that the whole or any part of such clothing and supplies had been properly and legally used and appropriated; and such affidavit may be considered as evidence to establish the facts set forth, with or without other evidence, as may seem to the Secretary of War just and proper under the circumstances of the case.

APPROVED, February 7, 1863.

CHAP. XXIII. — An Act to authorize the raising of a Volunteer Force for the better Defence of the United States of America in Congress assembled, That the Governor of the State of Kentucky, by the consent and under the direction of the President of the United States, shall have power to raise and organize into regiments a volunteer force not exceeding twenty thousand, rank and file, to be raised within the State of Kentucky, to serve for the term of twelve years.

PROCEEDINGS FOR REDEMPTION.

Redemption where the owner is a minor or under disability.

CERTIFICATE OF COMMISSIONERS, how alone impeached.

CHAP. XXIII. — An Act to authorize the raising of a Volunteer Force for the better Defence of Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of Kentucky may raise a volunteer force not exceeding 20,000. Term of service.
Where and how to be employed.

Officers, how appointed and commissioned.

Pay.

To be mustered into the service of the United States, and subject to the articles of war.

Pay, subsistence, &c.

Two regiments may be mounted riflemen.

President may make regulations.

These volunteers may become three years' volunteers.

months, to be employed within the limits of Kentucky in repelling invasion, suppressing insurrection, and guarding and protecting the public property: Provided, That at any time it may be necessary, in the discretion of the President of the United States, these troops may be employed out of the limits of Kentucky against the enemies of the United States.

SEC. 2. And be it further enacted, That the regimental and company officers shall be appointed and commissioned by the State of Kentucky according to the laws thereof: Provided, That the officers of said regiments shall be entitled to pay only when the regiments or companies are enrolled, as now required by law, and while in actual service.

SEC. 3. And be it further enacted, That the regiments, when raised and officered as aforesaid, shall be mustered into the service of the United States, and be subject to the command of the President of the United States.

SEC. 4. And be it further enacted, That the officers and soldiers thus enrolled and mustered into service shall be subject to the rules and articles of war, and shall be placed on the same footing as other volunteers in the service of the United States as to pay, subsistence, clothing, and other emoluments, except bounty, for and during the time they may be in actual service.

SEC. 5. And be it further enacted, That a portion of this volunteer corps, not exceeding two regiments, may, when necessary, in the opinion of the President of the United States, be mounted and armed as mounted riflemen.

SEC. 6. And be it further enacted, That the President shall have power to make such other regulations in regard to the organization and service of this force as he shall deem expedient for the interest of the service.

SEC. 7. And be it further enacted, That, by and with the consent of the President of the United States, the volunteers authorized to be raised by this act, or any portion of them, may be attached to and become part of the body of the three years' volunteers, according to such rules and regulations as the President of the United States may prescribe.

APPROVED, February 7, 1863.

February 7, 1863.

CHAP. XXIV. — An Act to provide for the Protection of Overland Emigrants to the States and Territories of the Pacific.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the protection of emigrants by the overland routes to the States and Territories of the Pacific the sum of thirty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War: Provided, That ten thousand dollars of said appropriation shall be applied to the protection of emigrants on the route from Fort Abercrombie by Fort Benton.

APPROVED, February 7, 1863.

February 9, 1863.

CHAP. XXV. — An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-four, and for a Deficiency for the Signal Service for the Year ending June thirty, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-four:

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, two hundred and seventy-five thousand dollars.
For bounties and premiums for recruits of the regular army, three hundred and twenty-four thousand dollars.

For bounties for recruits of the volunteer service, five million dollars.

For collecting, drilling, and organizing volunteers, and all other necessary expenses, ten million seven hundred thousand dollars.

For pay of the army, nine million five hundred and ninety-six thousand and twenty thousand and forty-eight dollars.

For commutation of officers' subsistence, one million six hundred and twenty thousand dollars.

For commutation of forage for officers' horses, one hundred and four thousand six hundred dollars.

For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.

For payments in lieu of clothing for officers' servants, seventy-six thousand nine hundred and seventy dollars.

For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and sixty-six million four hundred and ten thousand nine hundred and eighty-one dollars and six cents.

For subsistence in kind for regulars, volunteers, engineers, Indians, and hospital stewards, one hundred and forty million one hundred and thirty-two thousand six hundred and eighty-nine dollars and twenty cents.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; for the printing of division and department orders and reports, sixty-seven million two hundred and seventeen thousand seven hundred and ninety-one dollars.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads, and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department head-quarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit;
and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz.: the purchase of travelling forges, blacksmiths' and shoering tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, nineteen million one hundred and twenty-five thousand dollars.

For the purchase of cavalry and artillery horses, twenty-three million one hundred and eighty-nine thousand three hundred and seventy-five dollars.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one million of dollars.

For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp, and garrison equipage, from the depots at Philadelphia and New York and Cincinnati, to the several posts and army depots, and from those depots to the troops in the field; and of subsistence from the places of purchase, and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordinance, ordnance stores, and small arms, from founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships, and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, fifty-six million five hundred thousand dollars.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe keeping of military stores; of grounds for summer cantonments; for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, eight million dollars.

For heating and cooking stoves, one hundred and forty thousand dollars.

For telegraph for military purposes, and for expenses in operating the same, five hundred thousand dollars.

For supplies, transportation, and care of prisoners of war, one million five hundred thousand dollars.

For contingencies of the army, six hundred thousand dollars.

For clothing for the army, camp, and garrison equipage, and for expenses of offices and arsenals, seventy-six million two hundred and eighty-one thousand nine hundred and eleven dollars and fifty-four cents.

For medicines, instruments, dressings, and so forth, for the regular army, one hundred and thirty-five thousand dollars.

For hospital stores, bedding, and so forth, for the regular army, one hundred thousand dollars.

For hospital furniture and field equipments, for the regular army, thirty thousand dollars.

For medical books, stationery, and printing, for the regular army, eight thousand seven hundred and fifty dollars.
For private physicians, and medicines furnished by them, for the regular army, fifty-seven thousand five hundred dollars.

For hire of clerks and laborers in purveying depots, for the regular army, one thousand six hundred dollars.

For continuing meteorological observations and tabulating the same, under the direction of the surgeon-general, for the regular army, five hundred dollars.

For contingencies, for the regular army, two thousand one hundred and fifty dollars.

For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eighteen hundred and fifty-seven, for the regular army, two thousand dollars.

For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the regular army, twenty thousand dollars.

For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the regular army, four thousand dollars.

For hospital clothing, for the regular army, fifteen thousand dollars.

For care of sick soldiers in private hospitals, for the regular army, eighteen thousand five hundred dollars.

For artificial limbs for soldiers, for the regular army and seamen, five thousand dollars.

For medicines, instruments, dressings, and so forth, for the volunteers, four millions of dollars.

For hospital stores, bedding, and so forth, for the volunteers, three million five hundred thousand dollars.

For hospital furniture and field equipments, for the volunteers, one million dollars.

For medical books, stationery, and printing, for the volunteers, one hundred thousand dollars.

For private physicians, and medicines furnished by them, for the volunteers, four hundred dollars.

For hire of clerks and laborers in purveying depots, for the volunteers, twenty-five thousand dollars.

For continuing meteorological observations and tabulating the same, under the direction of the surgeon-general, for the volunteers, one thousand dollars.

For contingencies, for the volunteers, twelve thousand five hundred dollars.

For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eighteen hundred and fifty-seven, for the volunteers, seventy-five thousand dollars.

For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the volunteers, one hundred and seventy thousand dollars.

For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the volunteers, one hundred thousand dollars.

For hospital clothing, for the volunteers, eighty thousand dollars.

For care of sick soldiers in private hospitals, for the volunteers, one hundred and sixteen thousand five hundred dollars.

For artificial limbs for volunteer soldiers and seamen, forty-five thousand dollars.

For the army medical museum, five thousand dollars.

For medicines and medical attendance for negro refugees, (commonly called contrabands,) fifty thousand dollars.

For contingent expenses of the adjutant-general's department at department head-quarters, two thousand dollars.

For expenses of the commanding general's office, ten thousand dollars.
Armament of fortifications.

Ordinance service.

Ordinance stores, supplies.

Manufacture of arms.

Repairs, &c. at National armory.

Gunpowder and lead.

Arsenals.

Purchase, &c., of arms, ordnance, &c.

Military defences.

Purchase, &c. of instruments.

Charts of lake surveys.

Survey of lakes.

Signal service.

Deficiency for signal service.

No money to be paid as salary in any office, unless authorized, &c., nor to any person appointed to fill certain vacancies.

For armament of fortifications, two million five hundred thousand dollars.

For the current expenses of the ordnance service, nine hundred thousand dollars.

For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, six million five hundred and forty-five thousand dollars.

For the manufacture of arms at the national armory, two million eight hundred and eighty thousand dollars.

For repairs and improvements and new machinery at the national armory at Springfield, Massachusetts, one hundred and fifty thousand dollars.

For the purchase of gunpowder and lead, two million four hundred and eighty thousand dollars.

For additions to and extensions of shop room, machinery, tools, and fixtures, at arsenals, five hundred thousand dollars.

For purchase and manufacture of arms for volunteers and regulars, and ordnance and ordnance stores, fourteen million nine hundred and sixty thousand dollars.

For surveys of military defences, one hundred and fifty thousand dollars.

For purchase and repair of instruments, ten thousand dollars.

For printing charts of lake surveys, fifteen thousand dollars.

For continuing the survey of the northern and northwestern lakes, including Lake Superior, one hundred and six thousand eight hundred and seventy-nine dollars.

For the signal service of the United States army, one hundred and fifteen thousand eight hundred and ninety-one dollars.

For deficiency for signal service for the United States army for the year ending June thirty, eighteen hundred and sixty-three, twelve thousand two hundred and twenty-five dollars.

SEC. 2. And be it further enacted, That no money shall be paid from the Treasury of the United States to any person acting or assuming to act as an officer, civil, military, or naval, as salary in any office, which office is not authorized by some previously existing law, unless where such office shall be subsequently sanctioned by law, nor shall any money be paid out of the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, which vacancy existed while the Senate was in session and is by law required to be filled by and with the advice and consent of the Senate, until such appointee shall have been confirmed by the Senate.

Approved, February 9, 1863.
For compensation to postmasters, two million four hundred and thirty thousand dollars.
For clerks for post-offices, nine hundred and fifty thousand dollars.
For payments to letter-carriers, one hundred and eighty thousand dollars.
For compensation of blank agents and assistants, six thousand dollars.
For wrapping paper, forty thousand dollars.
For twine, fifteen thousand dollars.
For office stamps, six thousand dollars.
For office furniture, three thousand dollars.
For advertising, fifty-five thousand dollars.
For postage stamps and stamped envelopes, one hundred thousand dollars.
For mail depredations and special agents, seventy-five thousand dollars.
For mail boys [bags] sixty-five thousand dollars.
For mail locks, keys, and miscellaneous items, ten thousand dollars.
For payment of balances due to foreign countries, two hundred and ten thousand dollars.
For miscellaneous payments, one hundred and fifty-five thousand dollars; of which not exceeding four thousand dollars may be appropriated for fitting up a portion of the custom-houses at Newport, Rhode Island, and New Bedford, Massachusetts, for the use of the post-offices in said cities.

SEC. 2. And be it further enacted, That the sum of one million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the California central route.

SEC. 3. And be it further enacted, That in case the revenues of the Post-Office Department are insufficient to meet the appropriations made by this act, the undrawn balances of appropriations hereof to supply deficiencies of that department are hereby made applicable to the payment thereof.

SEC. 4. And be it further enacted, That the sum of six thousand dollars be transferred from the appropriation for paper for the public printing provided for by act approved March fourteenth, eighteen hundred and sixty-two, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-three, and additional appropriations for the year ending thirtieth June, eighteen hundred and sixty-two," to enable the Postmaster-General to pay therefrom the compensation of the blank agents and their assistants, hereof to pay out of the appropriation for post-office blanks.

SEC. 5. And be it further enacted, That the Postmaster-General be, and he is hereby, authorized to contract and provide for the transportation of the United States mails on the steamships running between San Francisco, California, and Victoria, Van Couver's Island, to be delivered at Crescent City and Trinidad, California, Astoria and Portland in Oregon, as often as said steamships touch at said ports named, and at Port Angelos, Washington Territory, as often as said steamships approach or pass that point going to or returning from Victoria; and that the mail service provided for by the fifth section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three," shall cease on the termination of the year for which it was contracted: Provided, nevertheless, That the service herein provided for shall not exceed the sum of twenty-four thousand dollars per annum.

Approved, February 9, 1863.
February 9, 1863. Ch. XXVII. — An Act concerning the District Courts of the Territory of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court in and for the several districts in the Territory of Washington, shall be held at such times and places in said districts (not exceeding three places in each district) as the legislative assembly of said Territory shall by law determine: Provided, That until said legislative assembly shall otherwise provide, said courts shall be held as now provided by law.

Approved, February 9, 1863.

February 9, 1863. Ch. XXVIII. — An Act to make the State of Wisconsin a Part of the Ninth Judicial Circuit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Wisconsin shall be, and is hereby, made a part of the ninth judicial circuit of the United States.

Approved, February 9, 1863.

February 9, 1863. Ch. XXIX. — An Act to promote the Efficiency of the Commissary Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be added to the subsistence department of the army one brigadier-general, to be selected from the subsistence department, who shall be commissary-general of subsistence, and, by regular promotion, one colonel, one lieutenant-colonel, and two majors; the colonels and lieutenant-colonels to be assistant commissioners-general of subsistence, and that vacancies in the above-mentioned grades shall be filled by regular promotions in said department. And the vacancies created by promotions herein authorized may be filled by selections from the officers of the regular or volunteer force.

Approved, February 9, 1863.

February 9, 1863. Ch. XXXII. — An Act to supply Deficiencies in the Appropriations for the Service of the Fiscal Year ending June thirty-first, eighteen hundred and sixty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, out of any money in the Treasury not otherwise appropriated:

State Department. — For salary of the marshal of the United States Consular Court at Bangkok, from September sixth, eighteen hundred and sixty to June thirtieth, eighteen hundred and sixty-one, at one thousand dollars per annum, eight hundred and seventeen dollars and ninety-three cents.

For salary of marshal in Consular Court at Canton, from first July, eighteen hundred and sixty, to thirtieth August, eighteen hundred and sixty, one hundred and sixty-five dollars and seventy-six cents.

To supply deficiencies in the appropriations for the contingent fund of the War Department, as follows: In the office of the Secretary of War, seven thousand five hundred dollars; office of the Adjutant-General, four thousand five hundred dollars; office of the Commissary-General, five thousand dollars; office of the Surgeon-General, five thousand dollars; office of the Chief of Ordnance, two thousand five hundred dollars; Northwest Executive building, five thousand dollars; building corner of
F and Seventeenth streets, two thousand dollars,—making thirty-one thousand five hundred dollars.

Treasury Department. — For amount required for additional clerks, keeper, messenger, watchmen, fireman, a laborer in the office of the Assistant Treasurer, at New York, from January first to June thirtieth, eighteen hundred and sixty-three, four thousand three hundred and fifty dollars.

For amount required for additional clerks and messenger in the office of the Assistant Treasurer at Philadelphia, from January first to June thirtieth, eighteen hundred and sixty-three, two thousand seven hundred and fifty dollars.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of Treasury notes, five hundred and eighty thousand dollars.

For expenses incident to carrying into effect an act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes, for salaries of tax commissioners who have been or may be appointed in the present fiscal year, their clerks, and contingent expenses, fifty-four thousand six hundred dollars.

Interior Department. — For travelling expenses for a special agent, authorized by act of July fourteenth, eighteen hundred and sixty-two, two thousand dollars.

To supply the deficiency in the appropriation for annual repairs of the President’s House, one thousand dollars.

For liquidation of agency debts contracted under late agents Head and Colley, Colorado Territory, and for the pay of employees to the close of eighteen hundred and sixty-one, seven thousand five hundred dollars.

To supply deficiency in the appropriation, under the treaty of Fort Laramie, the amount expended in the purchase of guns and ammunition for the Upper Platte agency in eighteen hundred and sixty-one, and seized by order of the Government as contraband, two thousand four hundred and thirty-nine dollars and thirteen cents: Provided, If the said guns and ammunition, or any part thereof, are on hand and not in actual use, they shall be forwarded in compliance with said treaty, and shall be considered a part of the guns and ammunition provided for by this appropriation.

To supply the deficiency in the appropriation for salary of Surveyor-General of Illinois and Missouri for the six months ending December thirty-first, eighteen hundred and sixty-two, one thousand dollars.

War Department. — To supply deficiency in the appropriation for additional clerks in the War Department, twenty-three thousand four hundred dollars.

To supply deficiency in the appropriation for blank books, stationery, binding, and miscellaneous items for Paymaster-General’s office, two thousand five hundred dollars.

For regular supplies for the Quartermaster’s department, six million dollars.

For the purchase of cavalry and artillery horses, eleven million dollars.

For transportation of the army and its supplies, twenty-five million dollars.

For the erection, hire, and repairs of barracks, quarters, and hospitals, one million seven hundred and thirty thousand dollars.

For clothing, camp, and garrison equipage, twenty-seven million one hundred and thirty-six thousand dollars.

To supply deficiency in the appropriation for maintenance and support of fleet of steam rams from September thirtieth, eighteen hundred and sixty-two, to June thirtieth, eighteen hundred and sixty-three, four hundred and fifty thousand dollars.
For purchase of arms for volunteers and regulars, and ordnance and ordnance stores, thirteen million two hundred and twenty-six thousand seven hundred and eighty-eight dollars.

For purchase of gunpowder and lead, one million five hundred thousand dollars.

To supply deficiency in the appropriation for the medical and hospital department of the army, four million four hundred and seventy-four thousand dollars.

For surveys for military defences, including the purchase of campaign maps, manuscript surveys of railroads, canals, of lines within the States in rebellion, fifty thousand dollars.

For subsistence in kind for regulars and volunteers, eighteen million one hundred and sixty-three thousand four hundred and fifty-seven dollars and twenty cents.

*Contingent expenses of the House of Representatives.* — For folding documents, two thousand five hundred dollars.

For miscellaneous items, four thousand dollars.

For stationery, five thousand five hundred dollars.

For furniture, repairs, and packing boxes for members, seven thousand dollars.

*Contingent expenses of the Senate.* — For miscellaneous items, fifteen thousand nine hundred and forty-two dollars and ninety-eight cents.

For clerks of committees, messengers, pages, horses, and carriages, thirteen thousand seven hundred and eighty-six dollars and fifty cents.

*Public Printing.* — To supply the deficiency in the appropriation for paper for the public printing, two hundred and eighty-three thousand dollars.

To supply the deficiency in the appropriation for the public printing, fifty thousand dollars.

APPROVED, February 12, 1863.

Feb. 14, 1863.

CHAP. XXXIII. — An Act to incorporate the National Association for the Relief of Destitute Colored Women and Children.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Sayles J. Bowen, Daniel Breed, George E. Baker, their associates and successors, being members of said society, by paying into its treasury the sum of two dollars annually, or life members by paying fifty dollars at one time, are hereby incorporated and made a body politic by the name of "The National Association for the Relief of Destitute Colored Women and Children," for the purpose of supporting such aged or indigent and destitute colored women and children as may properly come under the charge of such association; to provide for them a suitable home, board, clothing, and instruction, and to bring them under Christian influence; and by that name shall have perpetual succession, with power to use a common seal, to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make by-laws, rules, and regulations needful for the government of said corporation, not inconsistent with the laws of the United States; to have, hold, and receive real and personal estate by purchase, gift, or devise; to use, sell, or convey the same for the purposes and benefit of said corporation, and to choose such officers and teachers as may be deemed necessary, prescribe their duties, and fix the rate of their compensation.

SEC. 2. *And be it further enacted,* That the officers of said association, shall consist of a president, vice-president, secretary, treasurer, and a board of managers to be composed of nine members, the whole to constitute an
executive committee, whose duty it shall be to carry into effect the plans and purposes for which said association was formed, all of which officers shall be elected on the fifteenth day of March next, and hold their offices till the second Tuesday of January, eighteen hundred and sixty-four, on which day, and annually on the second Tuesday of January in each succeeding year, at the annual meeting of said association, which shall be held on said day, their successors shall be elected and hold their offices for the term of one year, and until their successors shall be duly elected. And in case of a vacancy it shall be filled by the other members of the executive committee.

SEC. 3. And be it further enacted, That said society may receive into a house or building to be provided by it, any destitute child or children at the request of the parents or guardians, or next friend, or the mother, if the father be dead, or has abandoned his family, or does not provide for their support, or is an habitual drunkard, such parent, guardians, or next friend, or mother, making a written surrender of such child or children. The superintendent or other officer in immediate charge, with the concurrence of the executive committee, or of a board of trustees to be appointed by said committee, and to consist of three persons, citizens of Washington City, govern the inmates, preserve order, enforce discipline, impart instruction in useful knowledge and some regular course of labor, and establish rules for the preservation of health, and for their proper physical, intellectual, and moral improvement. The trustees may, with the consent of the executive committee, bind out by indenture, such children as may be deemed capable of learning trades or of becoming useful in other occupations to such persons as will give them the benefit of good examples, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society.

SEC. 4. And be it further enacted, That it shall be lawful for said association, by and with the advice and consent of the Secretary of War, to occupy for the objects of said association any lands, not exceeding one hundred acres, and the improvements thereon, which the Government may now own or may hereafter acquire, contiguous to the city of Washington, by confiscation or purchase, such occupation to continue for such a number of years as the Secretary of War may, in writing, prescribe.

APPROVED, February 14, 1863.

CHAP. XXXIV. — An Act to establish the Office of Register of Deeds for the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, a register of deeds for the District of Columbia, who shall perform all the duties respecting the recording of deeds and other instruments of writing, and all other services connected therewith, authorized to be performed by the clerk of the Circuit Court of said District by the fifth section of the act approved March three, eighteen hundred and one, entitled "An act supplementary to the act entitled 'An act concerning the District of Columbia,'" and shall receive the same fees and emoluments for the same. And the said register shall receive and have the charge and custody of all the records, papers, and property which may be in the custody or possession of said clerk of the Circuit Court, properly appertaining to and belonging to the office of the register of deeds; and the said clerk is hereby required to deliver the same to said register upon proper application therefor.

SEC. 2. And be it further enacted, That the Secretary of the Interior be directed to appropriate such rooms in any of the public buildings under
Thirtieth Congress. 3d Session. Ch. 34, 36, 37. 1863.

his charge for the use of said register as may be necessary for his accommodation, unless it shall appear to said Secretary that such rooms cannot be so appropriated without interfering with the business of his Department; and in that event the said register shall procure, with the approbation of said Secretary, such rooms, in the city of Washington, as may be necessary for the security of the records and the convenient transaction of the business of said office.

Repealing clause.

SEC. 3. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Approved, February 14, 1863.

Feb. 16, 1863.

Chap. XXXVI.—An Act to issue an American Register to the Steamship Karnak.

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 is hereby directed to issue an American register to the steamship or vessel known as the Karnak, of the collection district of the port of New York, the same being a British built vessel, but now owned by American citizens.

Approved, February 16, 1863.

Feb. 16, 1863.


Whereas the United States heretofore became bound by treaty stipulations to the Sisseton, Wahpaton, Medawakanton, and Wa[h]pakoota bands of the Dakota or Sioux Indians to pay large sums of money and annuities, the greater portion of which remains unpaid according to the terms of said treaty stipulations; and whereas during the past year the aforesaid bands of Indians made an unprovoked, aggressive, and most savage war upon the United States, and massacred a large number of men, women, and children within the State of Minnesota, and destroyed and damaged a large amount of property, and thereby have forfeited all just claim to the said moneys and annuities to the United States; and whereas it is just and equitable that the persons whose property has been destroyed or damaged by the said Indians, or destroyed or damaged by the troops of the United States in said war, should be indemnified in whole or in part out of the indebtedness and annuities so forfeited as aforesaid: Therefore—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all treaties heretofore made and entered into by the Sisseton, Wahpaton, Medawakanton, and Wa[p]akoota bands of Sioux or Dakota Indians, or any of them, with the United States, are hereby declared to be abrogated and annulled, so far as said treaties or any of them purport to impose any future obligation on the United States, and all lands and rights of occupancy within the State of Minnesota, and all annuities and claims heretofore accorded to said Indians, or any of them, to be forfeited to the United States.

SEC. 2. And be it further enacted, That two thirds of the balance remaining unexpended of annuities due and payable to said Indians for the present fiscal year, not exceeding one hundred thousand dollars, and the further sum of one hundred thousand dollars, being two thirds of the annuities becoming due and payable to said Indians during the next fiscal year, is hereby appropriated, and shall be paid from the Treasury of the United States, out of any moneys not otherwise appropriated, to the commissioners hereinafter provided for, to be apportioned by them among the heads of families, or, in case of their decease, among the surviving members of
families of the State of Minnesota who suffered damage by the depredations of the Sisseton, Wahpaton, Medawakanton, and Wahpeton bands of Sioux or Dakota Indians, or by the troops of the United States in the late Indian war in the State of Minnesota, not exceeding the sum of two hundred dollars to any one family, nor the actual damages aforesaid, and no moneys shall be paid under this section except upon those claims which shall be presented to said commissioners on or before the first day of June next, for the payment of which the said commissioners shall take and return to the Secretary of the Interior and to the Secretary of the Treasury duplicate vouchers therefor, certified by them.

SEC. 3. And be it further enacted, That, for the purpose of making the proper distribution of the moneys hereby appropriated for the present relief of such families, and for the purpose of ascertaining the whole amount of said damages and the persons who have suffered the same, it shall be lawful for the President, by and with the advice and consent of the Senate, to appoint three commissioners, not more than one of whom shall be a resident of Minnesota, who shall take an oath in the manner prescribed by the laws of the United States to faithfully discharge their duties; they shall entertain and hear the complaints (in writing, duly verified on oath) of all and every person aggrieved by the depredations of said Indians, and by the troops of the United States in said war; they shall have power to compel the attendance of witnesses, and to administer the proper oaths to them to testify the truth; they shall have power to compel the claimants to be examined and cross-examined on oath, to be administered by them, as to their said claim; they shall hold their sessions at such times and places as will give the persons complaining the fairest opportunity of verifying their claim with the least expense; they shall take care that no unjust or fictitious claim shall be established; and if they have any reason to suppose that any such claim is presented, they shall have power, and it shall be their duty, to procure any countervailing proof, to their knowledge, that the same may be finally rejected. The testimony of the witnesses and the examination of the complainant shall be reduced to writing, signed and certified by them, respectively, and shall, with the petition and all the papers relating to each case, with the finding of the commission, be transmitted to the Secretary of the Interior for his approval, rejection, or modification, to be by him laid before the next Congress. A majority of the commission may select their presiding officer, and shall be competent to decide all questions arising before them.

SEC. 4. And be it further enacted, That said commissioners shall hold their first session at Saint Peter's, in the State of Minnesota, on or before the first day of April next, for the hearing of claimants, and that all claims must be presented to said commissioners on or before the first day of September next, or the same shall not be heard by them; and the said commissioners shall make and return their finding, and all the papers relating thereto, on or before the first day of December next.

SEC. 5. And be it further enacted, That said commissioners shall receive for their services and expenses the sum of two thousand five hundred dollars each. And they are authorized to depute a proper person to summon witnesses, who shall be entitled to receive his actual expenses, to be allowed by said commissioners, and the sum of three dollars per day for his services. Witnesses subpoenaed in behalf of the United States shall receive pay for attendance, not to exceed the fees allowed by the laws of Minnesota for witnesses attending justices' courts. And, for paying the expenses of said commission, the further sum of ten thousand dollars is hereby appropriated out of the said annuities in the Treasury of the United States, or so much thereof as may be necessary to pay the same.

SEC. 6. And be it further enacted, That the Secretary of the Interior, this act to be immediately after the passage of this act, shall cause the same to be published in four
newspapers in Minnesota. lished in four of the newspapers of the State of Minnesota which, in his opinion, will give the most publicity to the same among the people who have suffered by said depredations, and give notice of the first meeting of said commissioners, the expenses to be paid out of the sum appropriated in the next preceding section.

Punishment of perjury.

SEC. 7. And be it further enacted, That if the complainant, or any witness testifying before said commissioners, shall be guilty of perjury, upon conviction thereof in the proper court of the United States, he shall suffer the pains and penalties prescribed by the laws of the United States for that offence.

Commissioners may make rules, &c.

SEC. 8. And be it further enacted, That the said commissioners may make rules, not inconsistent with this act, prescribing the order and mode of presenting, prosecuting, and proving said claims before them, which rules shall be published in one newspaper in the city of Saint Paul and one in Saint Peter for at least two weeks prior to the first session of said commission, to be held at Saint Peter as directed in the fourth section of this act, and the expenses of such publication shall be paid out of the fund appropriated in the fifth section of this act.

Certain land to be set apart for Indians who aided the whites, to be free from taxes, &c.

SEC. 9. And be it further enacted, That the Secretary of the Interior is hereby authorized to set apart of the public lands, not otherwise appropriated, eighty acres in severalty to each individual of the before-named bands who exerted himself in rescuing the whites from the late massacre of said Indians. The land so set apart shall not be subject to any tax, forfeiture, or sale, by process of law, and shall not be aliened or devised, except by the consent of the President of the United States, but shall be an inheritance to said Indians and their heirs forever.

Commissioners to give bonds.

SEC. 10. And be it further enacted, That said commissioners, before entering upon the discharge of their duties as such, shall give bonds in the usual form to the United States, in the sum of twenty thousand dollars each, with good and sufficient security, to be approved by the Secretary of the Treasury, faithfully to discharge their duties as such, and to account for any money which may come into their hands.

APPROVED, February 16, 1863.

Feb. 20, 1863. CHAP. XLIII.—An Act making appropriations for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending thirtieth of June, eighteen hundred and sixty-four.

Appropriations for fortifications.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-four:

For Fort Montgomery, at outlet of Lake Champlain, New York, one hundred thousand dollars.

For Fort Knox, at Narrows of Penobscot River, Maine, one hundred and fifty thousand dollars.

For fort at entrance of Kennebec River, Maine, one hundred thousand dollars.

For fort on Hog Island Ledge, Portland Harbor, Maine, one hundred and fifty thousand dollars.

For new Fort Preble, Portland Harbor, Maine, one hundred and fifty thousand dollars.

For new Fort Constitution, Portsmouth Harbor, New Hampshire, two hundred thousand dollars.
For new Fort McClary, Portsmouth Harbor, New Hampshire, one hundred thousand dollars.
For Fort Winthrop and exterior batteries, Governor's Island, Boston Harbor, Massachusetts, fifty thousand dollars.
For Fort Warren, Boston Harbor, Massachusetts, twenty-five thousand dollars.
For permanent forts at Provincetown Harbor, Massachusetts, one hundred and fifty thousand dollars.
For permanent forts at New Bedford Harbor, Massachusetts, one hundred and fifty thousand dollars.
For Fort Adams, Newport Harbor, Rhode Island, twenty-five thousand dollars.
For permanent defences at Narragansett Bay, Rhode Island, one hundred and fifty thousand dollars.
For additional fortifications at New London Harbor, Connecticut, two hundred thousand dollars: Provided, however, That this appropriation shall not be expended unless New London be selected as a permanent site for a navy yard or naval station.
For Fort Schuyler, East River, New York, twenty-five thousand dollars.
For fort at Willet's Point, opposite Fort Schuyler, New York, two hundred and fifty thousand dollars.
For fort on site of Fort Tompkins, Staten Island, New York, two hundred thousand dollars.
For casemated battery on Staten Island, New York, two hundred thousand dollars.
For new battery near Fort Hamilton, New York, one hundred thousand dollars.
For fort at Sandy Hook, New Jersey, one hundred and fifty thousand dollars.
For Fort Delaware, Delaware River, two hundred thousand dollars.
For permanent work, for Delaware Breakwater Harbor, one hundred thousand dollars.
For Fort Carroll, Baltimore Harbor, Maryland, two hundred thousand dollars.
For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars.
For Fort Wool, Hampton Roads, Virginia, two hundred thousand dollars.
For Fort Clinch, entrance to Cumberland Sound, Florida, one hundred and fifty thousand dollars.
For Fort Taylor, Key West, Florida, three hundred thousand dollars.
For Fort Jefferson, Garden Key, Florida, three hundred thousand dollars.
For new fort at Tortugas, Florida, one hundred thousand dollars.
For fort at Ship Island, Coast of Mississippi, one hundred and seventy-five thousand dollars.
For Fort Jackson, Mississippi River, one hundred thousand dollars.
For Fort Saint Philip, Mississippi River, one hundred thousand dollars.
For fort at Fort Point, San Francisco Bay, California, two hundred thousand dollars.
For fort at Alcatraz Island, San Francisco Bay, California, one hundred thousand dollars.
For defensive works in Oregon, and Washington Territory, two hundred thousand dollars.
For contingencies of fortifications, including field works and field operations, seven hundred thousand dollars.
For tool and siege trains for armies in the field, two hundred and fifty thousand dollars.
For bridge trains and equipage for armies in the field, five hundred thousand dollars.

For completing fortifications and erecting new ones for the defence of Washington, two hundred thousand dollars.

Approved, February 20, 1863.

Feb. 20, 1863.  

Chap. XLIV. — An Act to provide for the Appointment of an Assistant Register in the Treasury Department and a Solicitor for the War Department, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized, to appoint, by and with the advice and consent of the Senate, for the term of one year, an officer in the office of the Register of the Treasury, to be called the assistant register, at an annual salary of two thousand dollars.

Sec. 2. And be it further enacted, That the duties of said assistant shall be such as may be devolved on him by the Register of the Treasury, and, in the absence of the Register, said assistant shall act in his place and stead; and any official record, certificate, or other document, excepting warrants, bonds, and drafts, if signed by the assistant register, shall have the same legal force and validity as if signed by the Register of the Treasury.

Sec. 3. And be it further enacted, That the President be, and he is hereby authorized, to appoint, by and with the advice and consent of the Senate, an officer in the War Department, to be called the Solicitor of the War Department, at an annual salary of twenty-five hundred dollars.

Sec. 4. And be it further enacted, That the amount necessary to pay the salaries of the officers authorized to be appointed by this act, for the current and next fiscal years, be paid out of any moneys in the treasury not otherwise appropriated.

Approved, February 20, 1863.

Feb. 20, 1863.  

Chap. XLV. — An Act temporarily to supply Vacancies in the Executive Departments in Certain Cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of the death, resignation, absence from the seat of Government, or sickness, of the head of any Executive Department of the Government, or of any officer of either of the said Departments whose appointment is not in the head thereof, whereby they cannot perform the duties of their respective offices, it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize the head of any other Executive Department, or other officer in either of said Departments, whose appointment is vested in the President, at his discretion, to perform the duties of the said respective offices until a successor be appointed, or until such absence or inability by sickness shall cease: Provided, That no one vacancy shall be supplied in manner aforesaid for a longer term than six months.

Sec. 2. And be it further enacted, That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved, February 20, 1863.

Feb. 20, 1863.  

Chap. XLVI. — An Act concerning Pardons and the Remission of Penalties and Forfeitures in Criminal Cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (to remove doubts as to the true meaning of former laws) hereafter, whenever by the judgment of any court or judicial officer of the United States, in any criminal
proceeding, any person shall be sentenced, or shall have been sentenced heretofore, to two kinds of punishment, the one pecuniary and the other corporal, the President shall have full discretionary power to pardon or remit, in whole or in part, either one of the two kinds, without in any manner impairing the legal validity of the other kind, or of any portion of either kind, not pardoned or remitted.

SEC. 2. And be it further enacted, That in all criminal cases in which there has been or shall be a judgment or sentence against any person, as a fine or penalty, whether alone or along with any other kind of punishment, the same shall be deemed a judgment debt, and (unless pardoned or remitted by the President) may be collected on execution in the common form of law.

Approved, February 20, 1863.

CHAP. XLVII. — An Act to change the Times of holding the Circuit and District Courts of the United States for the District of Indiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times now fixed by law, the circuit and district courts of the United States for the district of Indiana shall be held on the first Tuesdays of May and November. And all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried, according to the times of holding such courts as herein provided.

Approved, February 20, 1863.

CHAP. XLIX. — An Act to change the Times of holding the Circuit and District Courts of the United States in the several Districts in the Seventh Circuit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times now fixed by law, the circuit and district courts of the United States for the several districts in the States composing the seventh judicial circuit shall hereafter be held as follows: —

Ohio. — At Cleveland, for the northern district of Ohio, on the first Tuesdays in the months of January, May, and September in each year.

At Cincinnati, for the southern district of Ohio, on the first Tuesdays in the months of February, April, and October in each year.

Michigan. — At Detroit, for the district of Michigan, on the first Tuesdays in June, November, and March in each year. And all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried, according to the times of holding said courts as herein provided.

Approved, February 21, 1863.

CHAP. L. — An Act to allow the United States to prosecute Appeals and Writs of Error without giving Security.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any writ of error, appeal, or other process in law, admiralty, or equity shall issue from or be brought up to the Supreme Court of the United States, either by the United States or by direction of any Department of the Government thereof, no bond, obligation, or security shall be required from the United States, or from any party acting under the direction aforesaid, by any judge or clerk of court, either to prosecute said suit or to answer in damages or costs. In case of an adverse decision, such costs as by law are taxable against the United States shall be paid out of the contingent costs, how paid.

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Repealing clause. All acts and parts of acts inconsistent herewith are hereby repealed.
The President may fill vacancies in the levy court.

Feb. 21, 1863.

Chap. LII.—An Act extending the Time for carrying into Effect the Provisions of the Third Section of the Act entitled “An Act relating to Highways in the County of Washington and District of Columbia,” approved May three, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period named in the third section of the act entitled “An act relating to highways in the county of Washington and District of Columbia,” approved May three, eighteen hundred and sixty-two, requiring that the roads designated in said section shall be surveyed, platted, and recorded within one year from the passage of said act, be extended to three years; and the levy court of said county of Washington is hereby authorized to cause the survey, platting, and recording of such roads, in each year, as it may deem proper and necessary: Provided, That all of said roads be so surveyed, platted, and recorded within the period of three years.

Sec. 2. And be it further enacted, That the President of the United States be, and he is hereby empowered, by and with the advice and consent of the Senate, to fill any vacancy that may hereafter occur in said levy court; and all acts or parts of acts inconsistent with the above recited act or with this act are hereby repealed.

Approved, February 21, 1863.

Feb. 21, 1863.

Chap. LIII.—An Act to annex a Part of the State of New Jersey to the Collection District of New York, and to appoint an Assistant Collector, to reside at Jersey City.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the State of New Jersey which lies north and east of Elizabethtown and Staten Island, comprising the counties of Hudson and Bergen, be, and the same is hereby, annexed to the collection district of New York; that an assistant collector, to be appointed by the President of the United States, shall reside at Jersey City, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do, but such assistant collector shall, nevertheless, act in conformity to such instructions and regulations as he shall from time to time receive from the collector of New York; and that the said assistant collector shall receive for his annual salary two thousand dollars in full for all services to be by him performed, and in lieu of commissions and fees.

Approved, February 21, 1863.

Feb. 21, 1863.

Chap. LIII.—An Act for the Removal of the Winnebago Indians, and for the Sale of their Reservation in Minnesota for their Benefit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to assign to and set apart for the Winnebago Indians a tract of unoccupied land beyond the limits of any State, in extent at least equal to their diminished reservation, the same to be well adapted for agricultural purposes. And it shall be lawful for the President to take such steps as he may deem proper to effect the peaceful and quiet removal of the said Indians from the State of Minnesota, and to settle them upon the lands which may be assigned to them under the provisions of this act.

Sec. 2. And be it further enacted, That, upon the removal of the said Indians from the reservation where they now reside, it shall be the duty
of the Secretary of the Interior to cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preemption, settlement, entry, or location under any act of Congress, unless the party preempting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

Sec. 3. And be it further enacted, That after the appraisal of the said reservation the same shall be opened to preemption, entry, and settlement, in the same manner as other public lands: Provided, That before any person shall be entitled to enter any portion of the said lands, by preemption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bonâ fide settler thereon, and shall conform to all the regulations now provided by law in cases of preemption, and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portion of the said reservation which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, unless otherwise provided by law: Provided, That where improvements have been made upon said lands by persons authorized by law to trade with said Indians, the value of such improvements, or the price for which the same may be sold, shall be paid to the parties making the same; and in case the land upon which such improvements shall have been made shall be purchased by the parties making the same, at the appraised value as aforesaid, the value of the improvements so made by him shall form no part of the purchase price to be paid for said land.

Sec. 4. And be it further enacted, That the lands of said Indians which have been set apart for the payment of the debts of the said Indians, shall be sold on sealed bids for the best price the same will bring; but no bids shall be received for said lands until the first day of January, Anno Domini eighteen hundred and sixty-five, for less than two dollars and fifty cents per acre. Bids shall be received for tracts of quarter sections; and for such tracts conforming to the Government surveys less than one hundred and sixty acres as will secure the largest price for said lands, the Secretary is authorized to receive, in payment of said lands, certificates of indebtedness of said Indians, issued by the Commissioner of Indian Affairs for the debts of said Indians, secured to be paid out of the sale of said lands by the third article of the treaty of the said Indians with the United States, concluded at Washington on the fifteenth day of April, eighteen hundred and fifty-nine. The money arising from the sale of their said lands, after paying the indebtedness required by said treaty to be paid, shall be paid into the treasury of the United States, and shall be expended as the same is received, under the direction of the Secretary of the Interior, in necessary improvements upon their new reservation; and it shall be the duty of the Secretary of the Interior to allot to said Indians in severalty lands which they may respectively cultivate and improve, not exceeding eighty acres to each head of a family other than to the chiefs, to whom larger allotments may be made, which lands, when so allotted, shall be vested in said Indian and his heirs, without the right of alienation, and shall be evidenced by patent.

Sec. 5. And be it further enacted, That the money to be annually
priations, how expended.

Discrimination in favor of faithful chiefs.

Contracts of Indians.

Education.

appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the President, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the Government. And in such expenditure reasonable discrimination may be made in favor of the chiefs who shall be found faithful to the Government of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the State or Territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be deemed incapable of making any valid civil contract with any person other than a native member of their tribe without the consent of the President of the United States. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

Approved, February 21, 1863.

Feb. 24, 1863. CHAP. LIV. — An Act to divide the State of Michigan into two Judicial Districts, and to provide for holding the District and Circuit Courts therein.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Michigan be, and the same is hereby, divided into two judicial districts, in the following manner, namely: —

THE EASTERN AND WESTERN DISTRICTS.

Western district. The western district shall embrace all the territory and waters within the following boundaries, to wit: Commencing at the southwest corner of Hillsdale county, in the State of Michigan, and running from thence north, on the west line of said county, to the south line of Calhoun county; thence east, on the south line thereof, to the southeast corner of said last-named county; thence north, on the east boundary of said county, to the south line of Eaton county; thence east, on said south line, to the southeast corner of Eaton county; thence north, on the east boundary of Eaton county, to the south line of Clinton county; thence west, on the south boundary of said county, to the southwest corner thereof; thence north, on the west boundary of Clinton and Gratiot counties, to the south boundary of Isabella county; thence west, on its south boundary, to the southwest corner of said last-named county; thence north, on the west line of Isabella and Clare counties, to the south boundary of Missaukee county; thence east, on its south boundary, to the southeast corner of Missaukee county; thence north, on the east line of Missaukee, Kalkaska, and Antrim counties, to the south boundary [of] Emmet county; thence east to the southeast corner of Emmet county; thence north, on the east boundary of Emmet county, to the Straits of Mackinac; thence north to midway across said straits; thence westerly, in a direct line, to a point on the shore of Lake Michigan where the north boundary of Delta county reaches Lake Michigan; thence west, on the north line of Delta county, to the northwest corner of said Delta county; thence south, on the west boundary of said county, to the dividing line between the States of Michigan and Wisconsin in Green Bay; thence northeasterly, on the said dividing line, into Lake Michigan; and thence southerly, through Lake Michigan, to the southwest corner of the State of Michigan, on a line that will include within said boundaries the waters of Lake Michigan within the admiralty jurisdiction of the State of Michigan; thence east, on the south boundary of the State of Michigan, to the intersection of the west line of Hillsdale county. The judicial centre of which district shall be at Grand Rapids, in the county of Kent, where the courts of
said district shall be held. The eastern district shall embrace all the 
other territory of the State of Michigan and all other waters of said State 
not embraced within the foregoing boundaries of said western district. 
The judicial centre of said eastern district shall be at Detroit, in the county 
of Wayne, where the courts of said district shall be held.

Sec. 2. And be it further enacted, That there shall be two terms of the 
circuit and district courts begun and held in each of said districts, to wit: 
At the city of Detroit, for the eastern district, on the first Tuesday in
June, November, and March in each year; and at the city of Grand Rap-
ids, for the western district, on the third Monday of May and third Mon-
day of October in each year. And the said courts are hereby authorized 
to hold adjourned terms when the business before the courts shall, in the 
opinion of the court, require it.

Sec. 3. And be it further enacted, That all suits and other proceedings, 
of whatever name or nature, now pending in the circuit or district courts 
of the United States for the district of Michigan, shall be tried and dis-
posed of in the circuit and district courts, respectively, for the eastern 
district of Michigan, in the same manner as the same would have been in 
case said State had not been divided into two districts; and for that pur-
pose the jurisdiction is reserved to said courts in the eastern district; and 
the clerk of the circuit and district courts for the present district of Michi-
gan shall remove the records and files of the said circuit and district courts 
to the city of Detroit, and do and perform all the duties appertaining to 
his office within the eastern district; and all process and other proceedings 
taken or issued, or made returnable to the circuit or district court for the 
present district of Michigan, shall be returnable at the next term of the 
said courts, respectively, in the eastern district of Michigan.

Sec. 4. And be it further enacted, That, upon the application of any 
party to any suit now pending which would have been commenced in the 
western district if this act had been in force before the commencement of 
said suit, the proper court may, and, if all parties consent, shall, order 
that the same be removed for further proceedings to the proper court for 
the western district; and thereupon the clerk shall transmit all the pa-
pers in the cause, with a transcript of the order of the removal, to the 
clerk of the court to which the said suit shall be removed; and all fur-
ther proceedings shall be had in said court as if the suit had been origi-
nally commenced therein.

Sec. 5. And be it further enacted, That the present judge of the district 
of Michigan be, and he is hereby, assigned to hold said courts in the eastern 
district of Michigan, and shall exercise the same jurisdiction and perform 
the same duties within said district as he now exercises and performs 
within his present district.

Sec. 6. And be it further enacted, That final process upon any judg-
ment or decree entered in the circuit or district court of the United States 
for the district of Michigan, and all other process for the enforcement of 
any order of said courts, respectively, in any case now pending therein, 
except causes removed as hereinbefore provided, shall be issued from and 
made returnable to the proper court for the eastern district of Michigan, 
and may run and be executed by the marshal of said eastern district in 
any part of said State.

Sec. 7. And be it further enacted, That there be appointed a district 
judge for the said western district of Michigan, who shall possess the same 
powers and do and perform all such duties in his district as are now 
ensioned or in any wise appertaining to the present district judge for the 
district of Michigan; and the district judge of each district shall be en-
titled to the same compensation as by law is provided for the present judge 
for the district of Michigan.

Sec. 8. And be it further enacted, That there be appointed one person 
as district attorney, and one person as marshal for said western district,
Pay and duties, whose terms of appointment and service, as well as duties and emoluments, shall be the same with those respectively appertaining to the said offices in the district of Michigan. And said marshal shall give the same bond that other marshals are required to give, to be approved and recorded as now directed by law: Provided, That the present district attorney of the district of Michigan shall be the district attorney of the eastern district, and retain the charge of all suits already commenced until final termination, unless the President of the United States shall otherwise direct, and the present marshal of the district of Michigan shall be the marshal of the eastern district, during their respective official terms.

SEC. 9. And be it further enacted, That all suits hereafter to be brought in either of said courts not of a local nature, shall be brought in the court of the district where the defendant resides; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendants, directed to the marshal of the other district, on which an endorsement shall be made that the writ thus sent is a copy of a writ sued out of the court of the proper district; and the said writs, when executed and returned into the office from whence they issued, shall constitute one suit, and be proceeded in accordingly.

APPROVED, February 24, 1863.

Feb. 24, 1863.

CHAP. LV. — An Act to establish certain Post Roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

CALIFORNIA.
From Colusa to Bear Valley.
From Folsom to Lincoln.
From Trinity Centre, via Summerville, Cecilville, and Centreville, to the Forks of Salmon River, in Klamath county.

MISSOURI.
From Warrenton to Troy.
From Warrenton to Pinkney.
From St. Charles to Elsah, in Jersey county, Illinois, via Portage de Sioux.
From Wellsburg, by Chain of Rocks, Bailey's, Chantilly, and Snow Hill, to New Hope, in Lincoln county.
From Mount Vernon to Carthage, via Bower's Mills.

ILLINOIS.
From Peru Station to Blue Grass.

INDIANA.
From Knox to Hamlet.
From Bristol, Indiana, via Osborn's Corners, to Brownsville, Michigan.
From Wilmot, via Indian Village, Cromwell, to Ligonier.
From Brookville to Sumanville.

IOWA.
From Des Moines, via Adelphia, Vandalia, Bennington, and Red Rock to Knoxville.
From Sioux City to the Yancton Agency, Fort Randal, Fort Pierre, Fort Berthol, Fort Union, mouth of Milk River, Fort Benton, Sun River Farms, Deer Lodge, to Bitter Root Valley.
From Masonville to Marion.
From Vanceburg, via Kinny Mills and the mouth of Laurel, to Olive Hill.

From Omaha City, via De Witt, to West Point.
From Omaha City, via Hazleton, to Forest City.
From Fremont, via Jalapa, to West Point.
From Columbus, via Monroe, to Genoa.
From Columbus to Camden.
From Nebraska Centre, via Elm Creek, Buffalo Creek, mouth of North Fork of Platte River, and Lodge Pole Creek, to Boulder City, Colorado Territory.
From Fort Laramie, via Deer Creek, Platte Bridge, Green River, and Fort Bridger, to Salt Lake City, Utah Territory.
From Cottonwood Springs, via Republican Fork, to Fort Riley, Kansas.
From Plattsmouth, via Plattsford and Forks of Salt Creek, to Camden.
From Brownsville, via St. Frederick, Tecumseh, Vesta, and Austin, to Camden.

From Beaver, via Greenville and Fort Adams, to Minersville.
From Payson to Goshen.

From Boonville, via East Road, to Port Leyden, and thence, via River Road, to Lyons Falls.
From Pittsfield, Pennsylvania, via Freehold and Lottsville, to Broken Straw.

From New England to Amesville.
From Braceville to Farmington.
From Greenville, via Clapboard Town, Dill's Station, Beansville, Nevada, Brock, to North Star, in Darke county.

From Mapleton, the present terminus of route number twenty-five hundred and eighty-three, to Newtown.
From Pittsburg to West Middleton.
From Germantown to Silver Rock.
From New Germantown to Concord.
From Quakertown, via Richlandtown, Pleasant Valley, Springtown, and Durham, to Rieglesville.
From Pike, via Wyulusing, to Dushore.
From Pleasantville, via Tionesta, to Clarion.
From New Germantown, in Perry county, to Concord, in Franklin county.
From Milton, Northumberland county, to Lewistonville, in the county of Montour.
From West Nanticoke, via Harvey's Creek, to Silver Rock.
From Stroudsburg, in Monroe county, via Snyder'sville, Kellersville, and Fennersville, to Brodheads ville.
From Kelly's Station, on the Alleghany Valley Railroad, to Cochran's Mills, in Armstrong county.
From Reading, via Adams', Brownsville, and Klop's Store, to Womsdorp.
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From New Germantown, Perry county, to Concord, in the county of Franklin.

WISCONSIN.

From Wausau to Jenny.
From Waupacca, via Amherst, to Plover.

WEST VIRGINIA.

From Kingwood, via Albright, to Portland.

COLORADO.

From Denver to Bear Cañon, on the headwaters of West Plumb Creek.
From Golden City to Ralston Creek.

DAKOTA.

From Mankato, Minnesota, via Madalia, Ashipman, Randolph Lake, Stevens Lake, north and south bends of the Des Moines River, Lake Graham, Blue Mound, Sioux Falls, Upper James Crossing, Yankton, Smutty Bear's Camp, Bon Homme, Wannavi, Tuffs ville, (or Neshuda,) Philbrick's Crossing, (or Chouteau,) and Greenwood, to Fort Randall.
From Elkpoint, via Brule Creek and Valley of Big Sioux River, to Sioux Falls City.
From Great Salt Lake City, Utah, via Ogden City, Cache Valley, Snake River Ferry, and Bannack City, to Fort Benton.

NEVADA.

From Chico, California, via Susanville, to Humboldt City.

WASHINGTON.

From Fort Laramie, Nebraska, to Hell-Gate, Washington.

SEC. 2. And be it further enacted, That the true intent and meaning of the eighth section of the act entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-two," shall be taken, deemed, and construed to be directory to the Postmaster-General to make the mail service on the route therein mentioned semi-weekly for the period therein provided.

SEC. 3. And be it further enacted, That the Overland Mail Company now engaged in carrying the United States mail from Saint Joseph, Missouri, to Placerville, California, shall have the privilege of occupying the public lands where their stations are fixed at the rate of not more than one for every ten miles of the route on which said company carry the said mail, and shall have preemption right therein of any land, not mineral, and not disposed of or reserved, or to which a preemption or homestead claim has not attached when the same shall be brought into market to the extent of one hundred and sixty acres, to be selected contiguous to and to include their improvements; said preemption right being in lieu of the same heretofore granted by the twelfth section of the act approved third March, eighteen hundred and fifty-seven, entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending thirtieth June, eighteen hundred and fifty-eight."

APPROVED, February 24, 1863.

CHAP. LVI. — An Act to provide a temporary Government for the Territory of Arizona, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the present Territory of New Mexico situate west of a line running due south from
the point where the southwest corner of the Territory of Colorado joins the northern boundary of the Territory of New Mexico to the southern boundary line of said Territory of New Mexico be, and the same is hereby, erected into a temporary government by the name of the Territory of Arizona: Provided, That nothing contained in the provisions of this act shall be construed to prohibit the Congress of the United States from dividing said Territory or changing its boundaries in such manner and at such time as it may deem proper: Provided, further, That said government shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State, on an equal footing with the original States.

SEC. 2. And be it further enacted, That the government hereby authorized shall consist of an executive, legislative, and judicial power. The executive power shall be vested in a governor. The legislative power shall consist of a council of nine members, and a house of representatives of eighteen. The judicial power shall be vested in a supreme court, to consist of three judges, and such inferior courts as the legislative council may by law prescribe; there shall also be a secretary, a marshal, a district attorney, and a surveyor-general for said Territory, who, together with the governor and judges of the supreme court, shall be appointed by the President, by and with the advice and consent of the Senate, and the term of office for each, the manner of their appointment, and the powers, duties, and the compensation of the governor, legislative assembly, judges of the supreme court, secretary, marshal, district attorney, and surveyor-general aforesaid, with their clerks, draughtsman, deputies, and sergeant-at-arms, shall be as are conferred upon the same officers by the act organizing the Territorial government of New Mexico, which subordinate officers shall be appointed in the same manner, and not exceed in number those created by said act; and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act, are hereby extended to and continued in force in the said Territory of Arizona, until repealed or amended by future legislation: Provided, That no salary shall be due or paid the officers created by this act until they have entered upon the duties of their respective offices within the said Territory.

SEC. 3. And be it further enacted, That there shall neither be slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted; and all acts and parts of acts, either of Congress or of the Territory of New Mexico, establishing, regulating, or in any way recognizing the relation of master and slave in said Territory, are hereby repealed.

Approved, February 24, 1863.

CHAP. LVIII. — An Act to provide a national Currency, secured by a Pledge of United States Stocks, and to provide for the Circulation and Redemption thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Treasury Department a separate bureau, which shall be charged with the execution of this and all other laws that may be passed by Congress respecting the issue and regulation of a national currency secured by United States bonds. The chief officer of the said bureau shall be designated the comptroller of the currency, and shall be under the general direction of the Secretary of the Treasury. He shall be appointed by the President, on the nomination of the Secretary of the Treasury, by and with the advice and consent of the Senate, and shall hold his office for the term of five years unless sooner removed by the

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President, by and with the advice and consent of the Senate; he shall receive an annual salary of five thousand dollars; he shall have a competent deputy, appointed by the Secretary, whose salary shall be two thousand five hundred dollars, and who shall possess the power and perform the duties attached by law to the office of comptroller during a vacancy in such office, and during his absence or inability; he shall employ, from time to time, the necessary clerks to discharge such duties as he shall direct, which clerks shall be appointed and classified by the Secretary of the Treasury in the manner now provided by law. Within fifteen days from the time of notice of his appointment, the comptroller shall take and subscribe the oath of office prescribed by the Constitution and laws of the United States; and he shall give to the United States a bond in the penalty of one hundred thousand dollars, with not less than two responsible freeholders as sureties, to be approved by the Secretary of the Treasury, conditioned for the faithful discharge of the duties of his office. The deputy comptroller so appointed shall also take the oath of office prescribed by the Constitution and laws of the United States, and shall give a like bond in the penalty of fifty thousand dollars. The comptroller and deputy comptroller shall not, either directly or indirectly, be interested in any association issuing national currency under the provisions of this act.

SEC. 2. And be it further enacted, That the comptroller of the currency, with the approval of the Secretary of the Treasury, shall devise a seal, with suitable inscriptions, for his office, a description of which, with a certificate of approval by the Secretary of the Treasury, shall be filed in the office of the Secretary of State with an impression thereof, which shall thereupon become the seal of office of the comptroller of the currency, and the same may be renewed when necessary. Every certificate, assignment, and conveyance executed by the comptroller, in pursuance of any authority conferred on him by law, and sealed with his seal of office, shall be received in evidence in all places and courts whatsoever; and all copies of papers in the office of the comptroller, certified by him and authenticated by the said seal, shall in all cases be evidence equally and in like manner as the original. An impression of such seal directly on the paper shall be as valid as if made on wax or wafer.

SEC. 3. And be it further enacted, That there shall be assigned to the comptroller of the currency by the Secretary of the Treasury suitable rooms in the treasury building for conducting the business of the currency bureau, in which shall be safe and secure fire-proof vaults, in which it shall be the duty of the comptroller to deposit and safely keep all the plates and other valuable things belonging to his department; and the comptroller shall from time to time furnish the necessary furniture, stationery, fuel, lights, and other proper conveniences for the transaction of the said business.

SEC. 4. And be it further enacted, That the term "United States bonds," as used in this act, shall be construed to mean all coupon and registered bonds now issued or that may hereafter be issued on the faith of the United States by the Secretary of the Treasury in pursuance of law.

SEC. 5. And be it further enacted, That associations for carrying on the business of banking may be formed by any number of persons, not less in any case than five.

SEC. 6. And be it further enacted, That persons uniting to form such an association shall, under their hands and seals, make a certificate which shall specify—

First. The name assumed by such association.
Second. The place where its operations of discount and deposit are to be carried on; designating the State, Territory, or district, and also the particular city, town, or village.
Third. The amount of its capital stock, and the number of shares into which the same shall be divided; which capital stock shall not be less than fifty thousand dollars; and in cities whose population is over ten thousand persons, the capital stock shall not be less than one hundred thousand dollars.

Fourth. The names and places of residence of the shareholders, and the number of shares held by each of them.

Fifth. The time when such association shall commence.

Sixth. A declaration that said certificate is made to enable such persons to avail themselves of the advantages of this act.

The said certificate shall be acknowledged before a judge of some court of record or a notary public, and the acknowledgement thereof certified under the seal of such court or notary, and shall be transmitted, together with a copy of the articles of association which shall have been adopted, to the comptroller of the currency, who shall record and carefully preserve the same in his office. Copies of such certificate, duly certified by the comptroller, and authenticated by his seal of office, shall be legal and sufficient evidence in all courts and places within the United States, or the jurisdiction of the Government thereof, of the existence of such association, and of every other matter or thing which could be proved by the production of the original certificate.

Sec. 7. And be it further enacted, That at least thirty per centum of the capital stock of such association shall be paid in at the time of the commencement of its banking business, and the remainder of the capital stock of such association shall be paid in instalments of at least ten per centum each on the whole amount to which the association shall be limited, as frequently as one installment at the end of each succeeding two months from the time of the commencement of its banking operations, until the whole of the capital stock shall be paid in.

Sec. 8. And be it further enacted, That if any shareholder, or his assignee, shall fail to pay any instalment on the stock when the same is required by the foregoing section to be paid, the directors of such association may sell the stock held by such delinquent shareholder, at public auction, having given three weeks' previous notice thereof in a newspaper published and of general circulation in the city where the association is located, if the same be located in a city, and if not so located, then in a newspaper printed, or of general circulation, in the county where the same is located, to any person who will pay the highest price therefor, and not less than the amount then due thereon, with the expenses of advertisement and sale; and the excess, if any, shall be paid to the delinquent shareholder. If no bidder can be found who will pay for such stock the amount due thereon to the association, and the costs of advertisement and sale, the amount previously paid shall be forfeited to the association, and such stock may subsequently be sold as the directors may order.

Sec. 9. And be it further enacted, That whenever a certificate shall have been transmitted to the comptroller of the currency, as provided in this act, and the association transmitting the same shall notify the comptroller that at least thirty per centum of its capital stock has been paid as aforesaid, and that such association has complied with all the provisions of this act required to be complied with before such association shall be authorized to commence the business of banking, and that such association is desirous of commencing such business, the comptroller shall immediately proceed, in such manner as he shall by general rules prescribe, to examine the condition of such association; to ascertain especially the amount of money paid in on account of its capital stock; the name and place of residence of each of the directors of such association, and the amount of the capital stock of which each is the bona fide owner; and generally whether such association has complied with all the require-
ments of this act to entitle it to engage in the business of banking; and shall cause to be made, and attested by the oaths of a majority of the directors and by the president or cashier of such association, a statement of all the facts necessary to enable the comptroller to determine whether such association is lawfully entitled to commence the business of banking under this act.

SEC. 10. And be it further enacted, That if, upon a careful examination of the facts so reported, and of any other facts which may come to the knowledge of the comptroller, whether by means of a special commission appointed by him for the purpose of inquiring into the condition of such association, or otherwise, it shall appear that such association is lawfully entitled to commence the business of banking, the comptroller shall give to such association a certificate under his hand and official seal, showing that such association has complied with all the provisions of this act required to be complied with before being entitled to commence the business of banking under it, and that such association is authorized to commence said business accordingly; and it shall be the duty of such association to cause said certificate to be published in some newspaper, published in the city or county where such association is located, for at least sixty days next after the issuing thereof: Provided, That if no newspaper is published in such city or county, such certificate shall be published as the comptroller of the currency shall direct.

SEC. 11. And be it further enacted, That every association formed pursuant to the provisions of this act may make and use a common seal, and shall have succession by the name designated in its articles of association and for the period limited therein, not, however, exceeding twenty years from the passage of this act; by such name may make contracts, sue and be sued, complain and defend in any court of law or equity as fully as natural persons, and may make by-laws, approved by the comptroller of the currency, not inconsistent with the laws of the United States or the provisions of this act, for the election of directors, the management of its property, the regulation of its affairs, and for the transfer of its stock; and shall have power to carry on the business of banking by obtaining and issuing circulating notes in accordance with the provisions of this act; by discounting bills, notes, and other evidences of debt; by receiving deposits; by buying and selling gold and silver bullion, foreign coins, and bills of exchange; by loaning money on real and personal security, in the manner specified in their articles of association, for the purposes authorized by this act, and by exercising such incidental powers as shall be necessary to carry on such business; to choose one of their number as president of such association, and to appoint a cashier and such other officers and agents as their business may require; and to remove such president, cashier, officers, and agents at pleasure, and appoint others in their place; and their usual business shall be transacted in banking offices located at the places specified respectively in its certificate of association, and not elsewhere.

SEC. 12. And be it further enacted, That the shares of associations formed under this act shall be deemed personal property, and shall be transferable on the books of the association in such manner as may be prescribed in the by-laws or articles of association; and every person becoming a shareholder by such transfer shall, in proportion to his shares, succeed to all the rights and liabilities of the prior holder of such shares; and no change shall be made in the articles of association by which the rights, remedies, or security of the existing creditors of the association shall be impaired. For all debts, contracted by such association for circulation, deposits, or otherwise, each shareholder shall be liable to the amount, at their par value, of the shares held by him in addition to the amount invested in such shares.

SEC. 13. And be it further enacted, That it shall be lawful for any
association formed under this act, by its articles of association, to provide for an increase of its capital from time to time as may be deemed expedient, subject to the limitations of this act; but no such increase shall be valid until the increased capital shall be paid in, and notice thereof shall have been transmitted to the comptroller of the currency, and his certificate obtained, specifying the amount of such increase of capital stock, and that the same has been duly paid to such association.

Sec. 14. And be it further enacted, That it shall be lawful for any such association to purchase, hold, and convey real estate as follows:

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it in good faith by way of security for loans made by such association, or for moneys due thereto.

Third. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth. Such as it shall purchase at sales under judgments, decrees, or mortgages held by such association.

Such association shall not purchase or hold real estate in any other case or for any other purpose than as specified in this section.

Sec. 15. And be it further enacted, That every association, after having complied with the provisions of this act preliminary to the commencement of banking business under its provisions, shall transfer and deliver to the treasurer of the United States any United States bonds bearing interest to an amount not less than one third of the capital stock paid in; which bonds shall be deposited with the treasurer of the United States, and by him safely kept in his office until the same shall be otherwise disposed of, in pursuance of the provisions of this act.

Sec. 16. And be it further enacted, That upon the making of any such transfer and delivery, the association making the same shall be entitled to receive from the comptroller of the currency circulating notes of different denominations, in blank, registered and countersigned as hereinafter provided, equal in amount to ninety per centum of the current market value of the United States bonds so transferred and delivered, but not exceeding the par value thereof, if bearing interest at the rate of six per centum, or of equivalent United States bonds bearing a less rate of interest; and at no time shall the total amount of such notes, issued to any such association, exceed the amount at such time actually paid in of its capital stock.

Sec. 17. And be it further enacted, That the entire amount of circulating notes to be issued under this act shall not exceed three hundred millions of dollars. One hundred and fifty millions of which sum shall be apportioned to associations in the States, in the District of Columbia, and in the Territories, according to representative population, and the remainder shall be apportioned by the Secretary of the Treasury among associations formed in the several States, in the District of Columbia, and in the Territories, having due regard to the existing banking capital, resources, and business, of such States, District, and Territories.

Sec. 18. And be it further enacted, That, in order to furnish suitable notes for circulation, the comptroller of the currency is hereby authorized and required, under the direction of the Secretary of the Treasury, to cause plates to be engraved in the best manner to guard against counterfeiting and fraudulent alterations, and to have printed therefrom, and numbered, such quantity of circulating notes, in blank, of the denominations of five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars, as may be required to supply, under this act, the associations entitled to receive the same; which notes shall express upon their face that they are secured by United States bonds, deposited with the treasurer of the United States, and issued under the provisions of this act, which statement shall be attested
by the written or engraved signatures of the treasurer and register, and
by the imprint of the seal of the treasury; and shall also express upon
their face the promise of the association receiving the same, to pay on
demand, attested by the signatures of the president, or vice-president, and
cashier; and the said notes shall bear such devices and such other state-
ments, and shall be in such form, as the Secretary of the Treasury shall,
by regulation, direct.

Sec. 19. And be it further enacted, That the plates and special dies
to be procured by the comptroller of the currency for the printing of
such circulating notes shall remain under his control and direction, and
the expenses necessarily incurred in executing the provisions of this act
respecting the procuring of such notes, shall be audited and paid as con-
tingent expenses of the Treasury Department; and for the purpose of
reimbursing the same, and all other expenses incurred under this act, and
in lieu of all taxes upon the circulation authorized by this act, or upon
the bonds deposited for the security of the same, such association organ-
ized under this act shall semi-annually, on the first days of January and
July, after its organization, pay to the comptroller of the currency, in
lawful money of the United States, one per centum on the amount of cir-
culating notes received by such association, and in default thereof, the
treasurer of the United States is hereby authorized to reserve and retain
one per centum on the amount of said bonds so deposited, at each semi-
annual payment of interest thereon; and all sums so reserved and
recovered shall be paid into the treasury under the direction of the Secre-
tary, and every bank, banking association, or corporation, not organized
under the provisions of this act, issuing notes calculated or intended to
circulate as money, shall, on the first day of July next, and regularly on
the first days of January and July thereafter, make and deliver to the
comptroller of the currency a true and accurate return of the gross
amount of notes issued by it, whether in circulation, or in its vaults, or on
deposit elsewhere, and in default of any such return, the bank, banking
association, or corporation so failing to make return, shall pay to the
United States a penalty of two per centum upon its entire capital stock,
to be recovered, for the use of the United States, in any court of compe-
tent jurisdiction.

Sec. 20. And be it further enacted, That after any such association
shall have caused its promise to pay such notes on demand to be signed
by the president or vice-president and cashier thereof, in such manner as
to make them obligatory promissory notes, payable on demand, at its
place of business, such association is hereby authorized to issue and circu-
late the same as money; and the same shall be received at par in all
parts of the United States in payment of taxes, excises, public lands, and
all other dues to the United States, except for duties on imports, and also
for all salaries and other debts and demands owing by the United States
to individuals, corporations, and associations within the United States,
except interest on public debt; and no such association shall issue post
notes, or any other notes to circulate as money, than such as are author-
ized by the foregoing provisions of this act.

Sec. 21. And be it further enacted, That all transfers of United States
bonds which shall be made by any association as security for circulating
notes under the provisions of this act, shall be made to the treasurer of
the United States, with a memorandum written or printed on the cer-
tificate of such bonds, and signed by the cashier, or some other officer of
the association making the deposit, stating that it is held in trust for the
association on whose behalf such transfer is made, and as security for the
redemption and payment of the circulating notes delivered to such asso-
ciation; and no transfer of any such bonds by the treasurer shall be
deemed valid, or of binding force and effect, unless sanctioned by the
order or request of the comptroller of the currency upon the treasurer
It shall be the duty of the comptroller of the currency to keep in his office a book in which shall be entered the name of every association from whose account such transfer of bonds is made by the treasurer, and the name of the party to whom such transfer is made, unless such transfer is made in blank, in which case the fact shall be stated in said book, and in either case the par value of the bonds so transferred shall be entered therein; and it shall be the duty of the comptroller, immediately upon countersigning and entering the same, to advise by mail the association from whose account such transfer was made, the kind of bonds and the amount thereof so transferred.

Sec. 22. And be it further enacted, That it shall be the duty of the comptroller of the currency to countersign and enter in the book, in the manner aforesaid, every transfer or assignment of any bonds held by the treasurer presented for his signature; and the comptroller shall have at all times during office hours access to the books of the treasurer, for the purpose of ascertaining the correctness of the transfer or assignment presented to him to countersign; and the treasurer shall have the like access to the book above mentioned, kept by the comptroller, during office hours to ascertain the correctness of the entries in the same.

Sec. 23. And be it further enacted, That it shall be the duty of either the president or cashier of every banking association having stocks deposited in the office of the treasurer of the United States, once or more in each fiscal year, and at such time or times during the ordinary business hours as said officer or officers may select, to examine and compare the bonds so pledged with the books of said Department, and, if found correct, to execute to the said treasurer a certificate setting forth the different kinds and the amounts thereof, and that the same are in the possession and custody of the treasurer at the date of such certificate. Such examination may be made by an agent of such association, duly appointed in writing for that purpose, whose certificate before mentioned shall be of like force and validity as if executed by such president or cashier.

Sec. 24. And be it further enacted, That every association issuing circulating notes under the provisions of this act, shall make a quarterly report to the comptroller of the currency commencing on the first day of the quarter of the year next succeeding the organization of such association, and continuing on the first days of each succeeding quarter in every year thereafter, which report shall be verified by the oath or affirmation of the president and cashier, and all willful false swearing in respect to such report shall be perjury, and subject to the punishment prescribed by law for such offence. The report hereby required shall be in the form prescribed by the comptroller, and shall contain a true statement of the condition of the association making such report, before the transaction of any business on the morning of the day specified, next preceding the date of such report, in respect of the following items and particulars, to wit: Loans and discounts, overdrafts due from banks, amount due from the directors of the association, real estate, specie, cash items, stocks, bonds, and promissory notes, bills of solvent banks, bills of suspended banks, loss and expense account, capital, circulation, profits, amount due to banks, amount due to individuals and corporations other than banks, amount due the treasurer of the United States, amount due to depositors on demand, amount due, not included under either of the above heads. And it shall be the duty of the comptroller to publish full abstracts of such reports together in two newspapers to be designated by him for that purpose, one in the city of Washington and the other in the city of New York, exhibiting the items of capital, circulation, and deposits, specie and cash items, public securities and private securities; and the separate report of each association shall be published in a newspaper published in the place where such association is established, or, if there
be no newspaper at such place, then in a newspaper published at the capital of the State, at the expense of the association making such report. In addition to the quarterly reports required by this section, every association located and doing business in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, shall publish, or cause to be published, on the morning of the first Tuesday in each month, in a newspaper printed in the city in which the association making such report is located, to be designated by the comptroller of the currency, a statement, under the oath of the president or cashier, showing the condition of the association making such statement, on the morning of the day next preceding the date of such statement, in respect to the following items and particulars, to wit: average amount of loans and discounts, specie, deposits, and circulation.

SEC. 25. And be it further enacted, That if any such association shall, at any time fail to redeem, in the lawful money of the United States, any of its circulating notes, when payment thereof shall be lawfully demanded, during the usual hours of business, at the office of such association, the holder may cause the same to be protested, in one package, by a notary public, unless the president or cashier of the association shall offer to waive demand and notice of the protest, and shall, in pursuance of such offer, make, sign, and deliver to the party making such demand an admission in writing, stating the time of the demand, the amount demanded, and the fact of the non-payment thereof; and such notary public, on making such protest, or upon receiving such admission, shall forthwith forward such admission or notice of protest to the comptroller of the currency; and after such default it shall not be lawful for the association suffering the same to pay out any of its notes, discount any notes or bills, or otherwise prosecute the business of banking, except to receive and safely keep money belonging to it, and to deliver special deposits:

Provided, however, That if satisfactory proof be produced to such notary public that the payment of any such notes is restrained by order of any court of competent jurisdiction, such notary public shall not protest the same; and when the holder of such notes shall cause more than one note or package to be protested on the same day, he shall not receive pay for more than one protest.

SEC. 26. And be it further enacted, That on receiving notice that any such association has failed to redeem any of its circulating notes, as specified in the next preceding section, the comptroller of the currency, with the concurrence of the Secretary of the Treasury, may appoint a special agent, (of whose appointment immediate notice shall be given to such association,) who shall immediately proceed to ascertain whether such association has refused to pay its circulating notes, in the lawful money of the United States, when demanded as aforesaid, and report to the comptroller the facts so ascertained; and if, from such protest or the reports so made, the comptroller shall be satisfied that such association has refused to pay its circulating notes as aforesaid, and is in default, he shall, within thirty days after he shall have received notice of such failure, declare the United States bonds and securities pledged by such association forfeited to the United States, and the same shall thereupon be forfeited accordingly; and thereupon the comptroller shall immediately give notice, in such manner as the Secretary of the Treasury shall, by general rules or otherwise, direct, to the holders of the circulating notes of such association to present them for payment at the treasury of the United States; and the same shall be paid as presented, whereupon said comptroller may, in his discretion, cancel an equal amount of the bonds pledged by such association, equal at current market rates, not exceeding par, to the notes paid; and it shall be lawful for the Secretary of the Treasury, from time to time, to make such regulations respecting the disposition to be made of such circulating notes after presentation thereof for payment as aforesaid, and re-
securing the perpetuation of the evidence of the payment thereof, as may seem to him proper; but all such notes, on being paid, shall be cancelled; and for any deficiency in the proceeds of the bonds pledged by such association, when disposed of as hereinafter specified, to reimburse to the United States the amount so expended in paying the circulating notes of such association, the United States shall have a first and paramount lien upon all the assets of such association, and such deficiency shall be made good out of such assets in preference to any and all other claims whatsoever, except the necessary costs and expenses of administering the same.

Sec. 27. And be it further enacted, That whenever the comptroller shall become satisfied, as in the last preceding section specified, that any such association has refused to pay its circulating notes as therein mentioned, he may, instead of cancelling the United States bonds pledged by such association, as provided in the next preceding section, cause so much of them as may be necessary to redeem the outstanding circulating notes of such association to be sold at public auction in the city of New York, after giving thirty days' notice of such sale to such association.

Sec. 28. And be it further enacted, That the comptroller of the currency may, if he shall be of opinion that the interests of the United States will be best promoted thereby, sell at private sale any of the stock so transferred to him by such association, and receive therefor either money or the circulating notes of such failing association: Provided, That no such bonds shall be sold by private sale for less than the par, nor less than the market value thereof at the time of sale. And provided further, That no sales of any such stock, either public or private, shall be complete until the transfer thereof shall have been made with the formalities prescribed in this act.

Sec. 29. And be it further enacted, That on becoming satisfied, as specified in this act, that any such association has refused to pay its circulating notes as therein mentioned, and is in default, the comptroller of the currency may forthwith appoint a receiver, and require of him such bond and security as he shall deem proper, who, under the direction of the comptroller, shall take possession of the books, records, and assets of every description of such association, collect all debts, dues, and claims belonging to such association, and, upon the order of a court of record of competent jurisdiction, may sell or compound all bad or doubtful debts, and, on a like order, sell all the real and personal property of such association, on such terms as the court shall direct; and such receiver shall pay over all moneys so made to the treasurer of the United States, and also make report to the comptroller of the currency of all his acts and proceedings. The comptroller shall thereupon cause notice to be given, by advertisement in such newspapers as he may direct, for three consecutive months, calling on all persons who may have claims against such association to present the same, and to make legal proof thereof; and from time to time the comptroller, after full provision shall have been first made for refunding to the United States any such deficiency in redeeming the notes of such association as is mentioned in this act, shall make a ratable dividend of the moneys so paid over to him by such receiver on all such claims as may have been so proved or adjudicated in a court of competent jurisdiction, and from time to time, as the proceeds of the assets of such association shall be paid over to him, he shall make further dividends, as aforesaid, on all claims previously proved or adjudicated; and the remainder of such proceeds, if any, shall be paid over to the shareholders of such association, or their legal representatives, in proportion to the stock by them respectively held: Provided, however, That if any such association, against which proceedings have been so instituted on account of any alleged refusal to redeem its circulating notes as aforesaid, shall deny having failed to do so, such association may at any time within ten days after tried.

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such association shall have been notified of the appointment of an agent, as provided in this act, apply to the nearest circuit, or district, or territo-rial court of the United States, to enjoin further proceeding in the premises; and such court, after citing the comptroller of the currency to show cause why further proceedings should not be enjoined, and after the decision of the court or finding of a jury that such association has not refused to redeem its circulating notes, when legally presented, in the law-ful money of the United States, shall make an order enjoining the comp-troller, and any receiver acting under his direction, from all further pro-ceedings on account of such alleged refusal.

SEC. 30. And be it further enacted, That the bonds transferred to the treasurer of the United States, as hereinbefore provided, by any bank-ing association for the security of its circulating notes, shall be held exclu-sively for that purpose, until such notes be redeemed, except as provided in this act; but the comptroller of the currency may give to any such banking association powers of attorney to receive and appropri-ate to its own use the interest on the bonds which shall have been so transferred to the treasurer by it; but such powers shall become inopera-tive whenever such banking association shall fail to redeem its circulating notes as aforesaid; and said comptroller may direct the return of any of said bonds to the banking association which transferred the same, upon the surrender to him and the cancellation of a proportionate amount of such circulating notes: Provided, That ninety per centum of the current market value of the remaining bonds which shall have been transferred by the banking association offering to surrender such circulating notes shall be equal to the amount of all the circulating notes retained by such banking association: And provided, further, That there shall have been no failure by such association to redeem its circulating notes, and that there shall have been no other violation by such association of any of the provisions of this act for the security of the creditors of such association; nor shall the treasurer be required to surrender such bonds in fractional sums of less than one thousand dollars; and if, at any time after said bonds shall be deposited with the treasurer of the United States, as aforesaid, the market or cash value shall be reduced, the comptroller of the currency is hereby authorized to demand and receive the amount of such depreciation in other United States bonds at cash value, or in money, from the association receiving said bills, to be deposited with the treas-urer of the United States, as long as such depreciation continues.

SEC. 31. And be it further enacted, That whenever the price of any of the bonds pledged as aforesaid for the redemption of the circulating notes of any such banking association shall be, at the stock exchange in the city of New York, for four consecutive weeks, at a rate less than that at which they shall have been estimated when so pledged, and such de-preciation shall not have been made good by a deposit of other bonds or money, it shall be the duty of the comptroller of the currency to notify the treasurer of the United States of such fact, and the payment of inter-est upon such depreciated bonds shall be suspended, and such interest shall be retained by said treasurer until the same, when added to the current market value of the bonds so pledged, to be ascertained as before provided, shall be equal to the amount for which such bonds were pledged: Provided, That it shall be the duty of the comptroller of the currency, at the expiration of every period of three months, to cause the whole of the sums so retained, and then remaining in the treasury of the United States, to be invested in United States bonds, in the name of the comp-troller of the currency, in trust for the respective associations by which the bonds on which such interest shall have accrued shall have been pledged; and whenever the price of such depreciated bonds at the stock exchange in New York shall rise to the price at which they were pledged, and so remain for four consecutive weeks, such investment shall be as-
signed to such association, and all accruing interest on such pledged bonds shall thereafter be paid to such association on demand thereof.

SEC. 32. And be it further enacted, That it shall be the duty of the comptroller of the currency to receive worn-out or mutilated circulating notes issued by any such banking association, and to deliver in place thereof to such association other blank circulating notes to an equal amount; and such worn-out or mutilated notes, after a memorandum shall have been entered in the proper books, in accordance with such regulations as may be established by the comptroller, as well as all circulating notes which shall have been paid or surrendered to be cancelled, shall be burned to ashes in presence of three persons, one to be appointed by the Secretary of the Treasury, one by the comptroller of the currency, and one by the treasurer of the United States, under such regulations as the Secretary of the Treasury may prescribe; and in case such notes shall have been delivered to the comptroller by an officer or agent of such association, then in the presence, also, of such officer or agent; and a certificate of such burning, signed by the parties so appointed, shall be made in the books of the comptroller, and a duplicate thereof given to such officer or agent.

SEC. 33. And be it further enacted, That it shall be unlawful for any officer acting under the provisions of this act to countersign or deliver to any such association, or to any other company or person, any circulating notes contemplated by this act, except as hereinbefore provided, and in accordance with the true intent and meaning of this act; and any officer who shall violate the provisions of this section shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be punished by fine not exceeding double the amount so countersigned and delivered, and imprisonment not exceeding fifteen years, at the discretion of the court in which he shall be tried.

SEC. 34. And be it further enacted, That all fees for protesting the notes issued by any such banking association shall be paid by the person procuring the protest to be made, and such banking association shall be liable therefor; but no part of the stock pledged by such banking association, as aforesaid, shall be applied to the payment of such fees; and all expenses of any preliminary or other examinations into the condition of any association shall be paid by such association; and all expenses of any receivership shall be paid out of the assets of such association before distribution of the proceeds thereof.

SEC. 35. And be it further enacted, That the stockholders, collectively, of any such association shall at no time be liable to such association, either as principal debtors or sureties, or both, to an amount greater than three fifths of the capital stock actually paid in and remaining undiminished by losses or otherwise; nor shall the directors be so liable, except to such amount and in such manner as shall be prescribed by the by-laws of such association, adopted by its stockholders to regulate such liabilities.

SEC. 36. And be it further enacted, That the capital stock of any association formed under this act shall be divided into shares of one hundred dollars each, and shall be assignable on the books of the association in such manner as its by-laws shall prescribe; but no shareholder in any association under this act shall have power to sell or transfer any share held in his own right so long as he shall be liable, either as principal, debtor, surety, or otherwise, to the association for any debt which shall have become due and remain unpaid, nor in any case shall such shareholder be entitled to receive any dividend, interest, or profit on such shares so long as such liabilities shall continue, but all such dividends, interests, and profits shall be retained by the association, and applied to the discharge of such liabilities; and no stock shall be transferred without the consent of a majority of the directors while the holder thereof is thus indebted to the association.
SEC. 37. And be it further enacted, That no banking association shall take, as security for any loan or discount, a lien upon any part of its capital stock; but the same security, both in kind and amount, shall be required of shareholders as of other persons; and no such banking association shall be the purchaser or holder of any portion of its capital stock, or of the capital stock of any other incorporated company, unless such purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, on security which, at the time, was deemed adequate to insure the payment of such debt, independent of any lien upon such stock; or in case of forfeiture of stock for the non-payment of installments due thereon, and stock so purchased or acquired, shall in no case be held by such association so purchasing for a longer period of time than six months, if the same can, within that time, be sold for what the stock cost.

SEC. 38. And be it further enacted, That in all elections of directors, and in deciding all questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or book-keeper of such association shall act as proxy; and no stockholder whose liability is past due and unpaid shall be allowed to vote.

SEC. 39. And be it further enacted, That the affairs of every such association shall be managed by not less than five nor more than nine directors, one of whom shall be president of the association; every director shall, during his whole term of service, be a citizen of the United States and a resident of the state in which such association is located. At least three thirds of the directors shall have resided in the state in which such association is located one year next preceding their election as directors; and each director shall own in his own right, at least one per centum of the capital stock of such association not exceeding two hundred thousand dollars, and the half of one per centum of its capital if over two hundred thousand dollars. Each director shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such association, and will not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the bona fide owner, in his own right, of the shares of stock standing in his name on the books of the association, and that the same is not hypothecated, or in any way pledged, as security for any loan obtained or debt owing to the association of which he is a director, which oath, subscribed by himself, and certified by the officer before whom it is taken, shall be immediately transmitted to the comptroller of the currency, and by him filed and preserved in his office.

SEC. 40. And be it further enacted, That the directors of any such association first elected shall hold their places until their successors shall be elected and qualified. All subsequent elections shall be held annually, on such day in the month of January as the stockholders of said association may prescribe; and the directors so elected shall hold their places for one year, and until their successors are elected and qualified. But any director removing from the state, or ceasing to be the owner of the requisite amount of stock, shall thereby vacate his place. Any vacancy in the board shall be filled by appointment by the remaining directors. The director so appointed shall hold his place until the next annual election; and if, from any cause, an election of directors shall not be made at the time appointed, the association shall not for that cause be dissolved, but an election may be held on any subsequent day, thirty days' notice thereof having been given in a newspaper printed, or of general circulation, in the city, town, or county in which the association is located, and if no newspaper is published in such city, town, or county, such notice shall be published in a newspaper in the county adjoining.
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 58. 1863.

SEC. 41. And be it further enacted, That every such association shall at all times have on hand, in lawful money of the United States, an amount equal to at least twenty-five per centum of the aggregate amount of its outstanding notes of circulation and its deposits; and whenever the amount of its outstanding notes of circulation and its deposits shall exceed the above-named proportion for the space of twelve days, or whenever such lawful money of the United States shall at any time fall below the amount of twenty-five per centum of its circulation and deposits, such association shall not increase its liabilities by making any new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividend of its profits, until the required proportion between the aggregate amount of its outstanding notes of circulation and its deposits and lawful money of the United States shall be restored: Provided, however, That clearing-house certificates, representing specie or lawful money specially deposited for the purpose of any clearing-house association, shall be deemed to be lawful money in the possession of any association belonging to such clearing-house holding and owning such certificates, and considered to be a part of the lawful money which such association is required to have, under the foregoing provisions of this section: Provided, further, That any balance due to any association organized under this act in other places from any association in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, or New Orleans, in good credit, subject to be drawn for at sight, and available to redeem their circulating notes and deposits, may be deemed to be a part of the lawful money which such association in other places than the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, are required to have by the foregoing provisions of this section, to the extent of three fifths of the said amount of twenty-five per centum required. And it shall be competent for the comptroller of the currency to notify any such association whose lawful money reserve, as aforesaid, shall fall below said proportion of twenty-five per centum, to make good such reserve; and if such association shall fail for thirty days thereafter so to make good its reserve of lawful money of the United States, the comptroller may, with the concurrence of the Secretary of the Treasury, appoint a receiver to wind up the business of such association, as provided in this act.

SEC. 42. And be it further enacted, That no association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in, and remaining undiminished by losses or otherwise, except on the following accounts, that is to say:

First. On account of its notes of circulation.
Second. On account of moneys deposited with, or collected by, such association.
Third. On account of bills of exchange or drafts drawn against money actually on deposit to the credit of such association, or due thereto.
Fourth. On account of liabilities to its stockholders, for money paid in on capital stock, and dividends thereon, and reserved profits.

SEC. 43. And be it further enacted, That no association shall, either directly or indirectly, pledge or hypothecate any of its notes of circulation, for the purpose of procuring money to be paid in on its capital stock, or to be used in its banking operations, or otherwise.

SEC. 44. And be it further enacted, That no association, or any member thereof, shall, during the time it shall continue its banking operations, withdraw, or permit to be withdrawn, either in form of dividends, loans to stockholders for a longer time than six months or in any other manner, any portion of its capital; and if losses shall at any time have been sustained by any such association equal to or exceeding its undivided profits then on hand, no dividend shall be made; and no dividend shall ever be

Associations to have what amount of money on hand.
When not to make new loans, &c.

What may be deemed lawful money.

Indebtedness of associations limited, except, &c.

Associations not to pledge their circulation.

Capital not to be diminished by dividends, &c.
made by any association, while it shall continue its banking operations, to
an amount greater than its nett profits then on hand, deducting therefrom
its losses and bad debts; and all debts due to any association, on which
interest is past due and unpaid for a period of six months, unless the same
shall be well secured, and shall be in process of collection, shall be con-
sidered bad debts within the meaning of this act.

SEC. 45. And be it further enacted, That the directors of every asso-
ciation shall semi-annually in the months of May and November, declare
a dividend of so much of the profits of such association as they shall
judge expedient; and on each dividend day, the cashier shall make, and
verify by his oath, a full, clear, and accurate statement of the condition
of the association, as it shall be on that day after declaring the divi-
dend; which statement shall contain —

First. The amount of the capital stock actually paid in and then re-
main ing, as the capital stock of such association.

Secondly. The amount of the circulating notes of such association then
in circulation.

Thirdly. The greatest amount in circulation at any time since the
making of the last previous statement, as shall have been exhibited by
the weekly statements of the cashier, specifying the times when the same
occurred.

Fourthly. The amount of balances and debts of every kind due to
other banks and banking associations.

Fifthly. The amount due to depositors.

Sixthly. The total amount of debts and liabilities of every description,
and the greatest amount since the making of the last previous statement,
specifying the time when the same accrued.

Seventhly. The total amount of dividend declared on the day of mak-
ing the statement.

Eighthly. The amount of lawful money of the United States belonging
to the association, and in its possession at the time of making the statement.

Ninethly. The amount subject to be drawn at sight, in lawful money
of the United States, then remaining on deposit with any associations,
banks or bankers; specifying the amounts so on deposit in the cities of
Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati,
Chicago, St. Louis, and New Orleans.

Tenthly. The amount then on hand of bills or notes, issued by other
banks and banking associations.

Eleventhly. The amount of balances due from other banks, bankers,
and banking associations, excluding deposits subject to be drawn at sight
as aforesaid.

Twelfthly. The amount on hand of bills, bonds, stocks, notes, and other
evidences of debts, discounted or purchased by the association, specifying
particularly the amount of suspended debt, the amount considered bad,
the amount considered doubtful, and the amount in suit or judgment.

Thirteenthly. The value of the real and personal property held for
the convenience of the association, specifying the amount of each.

Fourteenthly. The amount of real estate taken in payment of debts
due to the association.

Fifteenthly. The amount of the undivided profits of the association.

Sixteenthly. The total amount of the liability to the association by the
directors thereof collectively, specifying the gross amount of such liabil-
ties as principal debtors, and the gross amount of indorsers or sureties.

The statement thus made shall forthwith be transmitted to the com-
troller of the currency.

SEC. 46. And be it further enacted, That every association may take,
reserve, receive, and charge on any loan, or discount made, or upon any
note, bill of exchange, or other evidence of debt, such rate of interest or
discount as is for the time the established rate of interest for delay in the
payment of money; in the absence of contract between the parties, by the laws of the several States in which the associations are respectively located, and no more: Provided, however, That interest may be reserved or taken, in advance, at the time of making the loan or discount, according to the usual rules of banking; and the knowingly taking, reserving, or charging of a rate of interest greater than that allowed by this section shall be held and adjudged a forfeiture of the debt or demand on which the same is taken, reserved, or charged; but the purchase, discount, or sale of a bill of exchange, drawn on actually existing values, and payable at another place than the place of such purchase, discount, or sale, at the current discount or premium, shall not be considered as taking, reserving, or charging interest.

SEC. 47. And be it further enacted, That the total liabilities of any person, or of any company or firm, (including in the liabilities of a company or firm the liabilities of the several members thereof,) to any association, including liabilities as acceptor of bona fide bills of exchange, payable out of the state where the association is located, shall at no time exceed one third; exclusive of liabilities as acceptor, one fifth; and exclusive of liabilities on such bills of exchange, one tenth part of the amount of the capital stock of such association actually paid in.

SEC. 48. And be it further enacted, That no association shall, at any time, pay out on loans or discounts, or in purchasing drafts or bills of exchange, or in payment of deposits, nor shall it in any other mode put in circulation the notes of any bank or banking association, which notes shall not, at any such time, be receivable, at par, on deposit, and in payment of debts by the association so paying out or circulating such notes; nor shall it knowingly pay out or put in circulation any notes issued by any bank or banking association which at the time of such paying out or putting in circulation is not redeeming its circulating notes in lawful money of the United States.

SEC. 49. And be it further enacted, That all transfer of the notes, bonds, bills of exchange, and other evidences of debt owing to any association, or of deposits to its credit; all assignments of mortgages, securities on real estate, or of judgments or decrees in its favor; all deposits of money, bullion, or other valuable thing for its use, or for the use of any of its shareholders or creditors; and all payments of money to either, made after the commission of an act of insolvency, or in contemplation thereof, with a view to prevent the application of its assets in the manner prescribed by this act, or with a view to the preference of one creditor to another, except in payment of its circulating notes, shall be utterly null and void.

SEC. 50. And be it further enacted, That if the directors of any association shall knowingly violate, or knowingly permit any of the officers, agents, or servants of the association to violate any of the provisions of this act, all the rights, privileges, and franchises of the association derived from this act shall be thereby forfeited; such violation shall, however, be determined and adjudged by a proper circuit, district, or territorial court of the United States, before the association shall be declared dissolved; and in cases of such violation, every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the association, its shareholders, or any other person, shall have sustained in consequence of such violation.

SEC. 51. And be it further enacted, That the comptroller of the currency, with the approbation of the Secretary of the Treasury, as often as shall be deemed necessary or proper, shall appoint a suitable person or persons to make an examination of the affairs of every banking association, which person shall not be a director or other officer in any association whose affairs he shall be appointed to examine, and who shall have power to make a thorough examination into all the affairs of the association, and, in doing so, to examine any of the officers and agents thereof.
on oath, and shall make a full and detailed report of the condition of the association to the comptroller; and the association shall not be subject to any other visitorial powers than such as are authorized by this act, except such as are vested in the several courts of law and chancery. And every person appointed to make such examination shall receive for his services at the rate of five dollars for each day by him employed in such examination, and two dollars for every twenty-five miles he shall necessarily travel in the performance of his duty, which shall be paid by the association by him examined.

Sec. 52. And be it further enacted, That every president, director, cashier, teller, clerk, or agent of any association, who shall embezze, abstract, or wilfully misapply any of the moneys, funds, or credits of the association, or shall, without authority from the directors, issue or put in circulation any of the notes of the association, or shall, without such authority, issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or decree, or shall make any false entry in any book, report, or statement of the association, with intent, in either case, to injure or defraud any other company, body politic, or corporate, or any individual person, or to deceive any officer or agent appointed to examine the affairs of any such association, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not less than five nor more than ten years.

Sec. 53. And be it further enacted, That the president and cashier of every such association shall cause to be kept at all times a full and correct list of the names and residences of all the shareholders in the association in the office where its business is transacted; and such list shall be subject to the inspection of all the shareholders and creditors of the association during business hours of each day in which business may be legally transacted; and a copy of such list, verified by the oath of such president or cashier, shall, at the beginning of every year, be transmitted to the comptroller of the currency, commencing on the first day of the first quarter after the organization of the association.

Sec. 54. And be it further enacted, That the Secretary of the Treasury is hereby authorized, whenever, in his judgment, the public interests will be promoted thereby, to employ any of such associations doing business under this act as depositaries of the public moneys, except receipts from customs.

Sec. 55. And be it further enacted, That all suits and proceedings arising out of the provisions of this act, in which the United States or its officers or agents shall be parties, shall be conducted by the district attorneys of the several districts, under the direction and supervision of the solicitor of the treasury.

Sec. 56. And be it further enacted, That every person who shall mutilate, cut, deface, disfigure, or perforate with holes, or shall unite or cement together, or do any other thing to any bank bill, draft, note, or other evidence of debt issued by any such association, or shall cause or procure the same to be done, with intent to render such bank bill, draft, note, or other evidence of debt, unfit to be reissued by said association, shall upon conviction forfeit fifty dollars to the association who shall be injured thereby, to be recovered by action in any court having jurisdiction.

Sec. 57. And be it further enacted, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note in imitation of, or purporting to be in imitation of, the circulating notes issued under the provisions of this act, or shall pass, utter, or publish, or attempt to pass, utter, or publish any false, forged, or counterfeited note, purporting to be issued by any association doing a banking business under the provisions of this act, knowing the same to be
falsely made, forged, or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any such circulating notes, issued as aforesaid, or shall pass, utter or publish, or attempt to pass, utter or publish as true, any falsely altered or spurious circulating note, issued or purporting to have been issued as aforesaid, knowing the same to be falsely altered or spurious, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than five years nor more than fifteen years, and to be fined in a sum not exceeding one thousand dollars.

Sec. 58. And be it further enacted, That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody or possession any engraved plate or block after the similitude of any plate from which any circulating notes issued as aforesaid shall have been printed, with intent to use such plate or block, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than five nor more than fifteen years, and fined in a sum not exceeding one thousand dollars.

Sec. 59. And be it further enacted, That suits, actions, and proceedings by and against any association under this act may be had in any circuit, district, or territorial court of the United States held within the district in which such association may be established.

Sec. 60. And be it further enacted, That it shall be the duty of the comptroller of the currency to report annually to Congress, at the commencement of its session —

First. A summary of the state and condition of every association from whom reports have been received the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of banking capital returned by them, of the whole amount of their debts and liabilities, the amount of circulating notes outstanding, and the total amount of means and resources, specifying the amount of specie held by them at the times of their several returns, and such other information in relation to said associations as, in his judgment, may be useful.

Second. A statement of the associations whose business has been closed during the year, with the amount of their circulation redeemed, and the amount outstanding.

Third. To suggest any amendment to the laws relative to banking by which the system may be improved, and the security of the bill-holders and depositors may be increased.

Fourth. To report the names and compensation of the clerks employed by him, and the whole amount of the expenses of the banking department during the year; and such report shall be made by or before the first day of December in each year, and the usual number of copies for the use of the Senate and House, and one thousand copies for the use of the Department, shall be printed by the public printer and in readiness for distribution on the first meeting of congress.

Sec. 61. And be it further enacted, That any banking association or corporation lawfully in existence as a bank of circulation on the first day of January, Anno Domini eighteen hundred and sixty-three, organized...
Proceedings in such case.

Certain existing banks owning bonds may transfer them and receive circulating notes.

Provisions in case such bank fails to redeem such circulation.

Bonds forfeited may be cancelled or sold.

This act may at any time be repealed, &c.

In any state, either under a special act of incorporation or a general banking law, may, at any time within — years after the passage of this act become an association under the provisions of this act; that in such case the certificate of association provided for by this act shall be signed by the directors of such banking association or corporation, and in addition to the specifications required by this act, shall specify that such directors are authorized by the owners of two thirds of the capital stock of such banking association or corporation, to make such certificate of association, and such certificate of association shall thereafter have the same effect, and the same proceedings shall be had thereon, as is provided for as to other associations organized under this act. And such association or corporation thereafter shall have the same powers and privileges, and shall be subject to the same duties, responsibilities, and rules, in all respects, as is [are] prescribed in this act for other associations organized under it, and shall be held and regarded as an association under this act.

Sec. 62. And be it further enacted, That any bank or banking association, authorized by any State law to engage in the business of banking, and duly organized under such State law at the time of the passage of this act, and which shall be the holder and owner of United States bonds to the amount of fifty per centum of its capital stock, may transfer and deliver to the treasurer of the United States such bonds, or any part thereof, in the manner provided by this act; and upon making such transfer and delivery, such bank or banking association shall be entitled to receive from the comptroller of the currency, circulating notes, as herein provided, equal in amount to eighty per centum of the amount of the bonds so transferred and delivered.

Sec. 63. And be it further enacted, That upon the failure of any such State bank or banking association, to redeem any of its circulating notes issued under the provisions of the preceding section, the comptroller of the currency shall, when satisfied that such default has been made, and within thirty days after notice of such default, proceed to declare the bonds transferred and delivered to the treasurer, forfeited to the United States, and the same shall thereupon be forfeited accordingly. And thereupon the circulating notes which have been issued by such bank or banking association shall be redeemed and paid at the treasury of the United States, in the same manner as other circulating notes issued under the provisions of this act are redeemed and paid.

Sec. 64. And be it further enacted, That the bonds forfeited, as provided in the last preceding section, may be cancelled to an amount equal to the circulating notes redeemed and paid, or such bonds may be sold, under the direction of the Secretary of the Treasury, and after retaining out of the proceeds a sum sufficient to pay the whole amount of circulating notes, for the redemption of which such bonds are held, the surplus, if any remains, shall be paid to the bank, or banking association from which such bonds were received.

Sec. 65. And be it further enacted, That Congress reserves the right, at any time, to amend, alter, or repeal this act.

Approved, February 25, 1863.

Chap. LIX. — An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-four, and for the Year eighteen hundred and sixty-three, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-four, namely:
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 59. 1863. 683

Legislative. — For compensation and mileage of Senators, two hundred and forty thousand four hundred and thirty dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; seventeen messengers, at one thousand two hundred dollars each; superintendent in charge of Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee of Claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; chaplain to the Senate, seven hundred and fifty dollars; making seventy-nine thousand and fourteen dollars.

For contingent expenses of the Senate, viz:

For stationery, fifteen thousand dollars.

For newspapers, three thousand dollars.

For Congressional Globe, twenty thousand dollars.

For reporting proceedings in the Daily Globe for the first session of the Thirty-eighth Congress, ten thousand dollars.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the first regular session of the Thirty-eighth Congress, eight hundred dollars each, four thousand dollars.

For clerks to committees, pages, horses, and carryalls, thirty-nine thousand dollars.

For Capitol police, ten thousand two hundred and twenty-four dollars.

For expenses of heating and ventilating apparatus, fourteen thousand dollars.

For miscellaneous items, twenty thousand dollars.

For compensation and mileage of members of the House of Representatives and delegates, from Territories, nine hundred and thirty-four thousand dollars.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, at four dollars and eighty cents per day, one thousand seven hundred and fifty-six dollars and eighty cents; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, at four dollars and eighty cents per day, one thousand six hundred and fifty-
six dollars and eighty cents; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee of Claims, one thousand eight hundred dollars; clerk to the Committee on Public Lands, one thousand eight hundred dollars; sergeant-at-arms, two thousand one hundred and sixty dollars; clerk to the sergeant-at-arms, one thousand eight hundred dollars; messenger to the sergeant-at-arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; Capitol police, eleven thousand one hundred and seventy dollars; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-six dollars and eighty cents each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; twelve messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; chaplain to the House of Representatives, seven hundred and fifty dollars; making one hundred and three thousand four hundred and eighty-seven dollars and twenty cents.

For contingent expenses of the House of Representatives, viz:

For cartage, two thousand dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the first regular session of the thirty-eighth Congress, and one hundred copies of the same for the House Library, thirty-nine thousand nine hundred and seventy-six dollars.

For the compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, eighteen thousand eight hundred and sixty-four dollars.

For folding documents, including materials, thirty thousand dollars.

For fuel and lights, including pay of engineers, firemen, and laborers, repairs, and materials, twelve thousand dollars.

For furniture, repairs, and packing boxes for members, ten thousand dollars.

For horses, carriages, and saddle horses, seven thousand five hundred dollars.

For laborers, seven thousand dollars.

For miscellaneous items, forty thousand dollars.

For newspapers, twelve thousand five hundred dollars.

For pages and temporary mail boys, ten thousand two hundred and six dollars.

For reporting and publishing proceedings in the Daily Globe, at seven dollars and fifty cents per column, fifteen thousand dollars.

For stationery, twelve thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the first regular session of the Thirty-eighth Congress, eight hundred dollars each, four thousand dollars.

For compensation of librarian, three assistant librarians, messenger, and laborers, ten thousand dollars.

For contingent expenses of said library, one thousand dollars.

For purchase of books for said library, five thousand dollars.

For purchase of law books for said library, two thousand dollars.

For stone flooring for library of Congress, four thousand dollars.

For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and seventeen dollars and sixty cents.

For contingent expenses of his office, viz: For blank books, stationery,
postage, advertising for proposals for paper, furniture, travelling expenses, horses and wagons, servant, and miscellaneous items, two thousand four hundred and twenty dollars.

For the public printing, one hundred and twenty-four thousand five hundred and thirty-nine dollars and seventy cents: Provided, That all lithographing and engraving, where the probable cost exceeds two hundred and fifty dollars, shall be awarded to the lowest and best bidder for the interest of the Government, after due advertisement by the Superintendent of Public Printing.

For paper for the public printing, including the Post-office blanks, one hundred and eighty-three thousand five hundred and twelve dollars.

For the public binding, two hundred and twenty thousand three hundred and seventy-eight dollars and eight cents.

Court of Claims.— For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk, and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars.

For stationery, books, fuel, lights, laborers' hire, and other contingent and miscellaneous expenses, three thousand dollars.

For compensation of attorneys to attend to taking testimony, and witnesses and commissioners, one thousand dollars.

Executive.— For compensation of the President of the United States, twenty-five thousand dollars.

For compensation of the Vice-President of the United States, eight thousand dollars.

For compensation of secretary to sign patents for lands, one thousand five hundred dollars.

For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.

For contingent expenses of the Executive office, including stationery thereof, one thousand dollars.

Department of State.— For compensation of the Secretary of State and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars.

For the Incidental and Contingent Expenses of said Department.— For publishing the laws in pamphlet form, and in newspapers of the States and Territories, and in the city of Washington, seventeen thousand one hundred and twenty-five dollars.

For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, three thousand dollars.

For stationery, blank-books, binding, furniture, fixtures, and repairs, twelve thousand dollars.

For miscellaneous items, two thousand five hundred dollars.

For copper-plate printing, books, and maps, five thousand dollars.

For extra clerk hire and copying, ten thousand dollars.

Northeast Executive Building.— For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.

For contingent expenses of said building, viz: for fuel, light, repairs, and miscellaneous expenses, five thousand five hundred dollars.

Treasury Department.— For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, fifty-four thousand eight hundred dollars.

For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars.

For compensation of the Second Comptroller, and the clerks, messen-

Certain engraving, &c., to be awarded to lowest bidder.

Paper for public printing.

Court of Claims.

Executive.

State Department.

Contingencies.

Laws.

Northeast Executive Building.

1st Comptroller's office.

2d Comptroller's office.
For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, twenty-eight thousand two hundred and forty dollars.

For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-eight thousand one hundred and forty dollars.

For compensation of the Third Auditor, and the clerks, messenger, assistant messenger, and laborers in his office, ninety-three thousand four hundred and forty dollars.

For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, thirty-one thousand nine hundred and forty dollars.

For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand eight hundred and forty dollars.

For compensation of the Register of the Treasury for the Post-Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and eighty-two thousand seven hundred and forty dollars.

For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-nine thousand seven hundred and forty dollars.

For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand three hundred and forty dollars.

For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, eighteen thousand five hundred and forty dollars.

For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty-four thousand four hundred and forty dollars.

For compensation of the clerks, messenger, and laborer of the Light-house Board, nine thousand two hundred and forty dollars.

For compensation of the Commissioner of Internal Revenue, and clerks, procuring dies, stamps, adhesive stamps, paper, printing forms and regulations, advertising, and any other expenses of carrying into effect the act of July first, eighteen hundred and sixty-two, five hundred thousand dollars.

Contingent Expenses of the Treasury Department.

In the office of the Secretary of the Treasury:

For copying, labor, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerks hired for preparing and collecting information to be laid before Congress, and for miscellaneous items, twenty thousand dollars.

For compensation of temporary clerks in the Treasury Department: Provided, That the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to classify the clerks authorized according to the character of their services, or assign to such of them as he shall see fit any compensation not exceeding that of clerks of the first class, two hundred thousand dollars.

In the office of the First Comptroller:

For furniture, blank books, binding, stationery, public documents, State and Territorial statutes and miscellaneous items, one thousand eight hundred dollars.

In the office of the Second Comptroller:

For blank books, binding, stationery, and miscellaneous items, including subscription to one city newspaper, to be bound and preserved for the use of the office, one thousand two hundred dollars.
In the office of the First Auditor:
For blank books, binding, stationery, and miscellaneous items, and subscription to one city newspaper, one thousand five hundred dollars.

In the office of the Second Auditor:
For stationery, office furniture, and miscellaneous items, including two thousand two hundred dollars.

In the office of the Third Auditor:
For blank books, binding, stationery, office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items, two thousand two hundred dollars.

In the office of the Fourth Auditor:
For contingent expenses of the office, one thousand five hundred dollars.

In the office of the Fifth Auditor:
For blank books, stationery, postage, and miscellaneous expenses, in which are included two daily newspapers, one thousand dollars.

In the office of the Treasurer:
For contingent expenses of the office, one thousand five hundred dollars.

In the office of the Register:
For stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, five thousand dollars.

Office of the Solicitor of the Treasury:
For stationery, labor, and miscellaneous items, and for statutes and reports, two thousand two hundred dollars.

Office of the Commissioner of Customs
For stationery, miscellaneous items, and office furniture, one thousand five hundred dollars.

Light-house Board:
For stationery, miscellaneous expenses, and postage, six hundred dollars.

For the General Purposes of the Southeast Executive Building, including the Extension.—For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, fuel, light, labor, and miscellaneous items, twenty thousand dollars.

Department of the Interior.—For compensation of the Secretary of the Interior, Assistant Secretary, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-four thousand seven hundred dollars.

Contingent Expenses—Department of the Interior.
Office of the Secretary of the Interior:
For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, seven thousand dollars.
For casual repairs of the Patent-Office building, fifteen hundred dollars.
For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolutions of Congress, approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars.

Office of Indian Affairs:
For blank books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.
For compensation of the commissioner of the General Land Office, Commissioner General Land Office.
chief clerk, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

For additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars: Provided, That the Secretary of the Interior, at his discretion, shall be, and he is hereby authorized, to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keeper, four thousand dollars.

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

For compensation of the Commissioner of Pensions, and the clerks, messenger, assistant messengers, watchman, and laborers in his office, one hundred and thirty-five thousand five hundred and forty dollars.

For travelling expenses for a special agent, two thousand five hundred dollars.

Pension-Office:

For stationery, binding books, furniture, and repairing the same; miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office; and for engraving and retouching plates for bounty land warrants, printing and binding the same, fifteen thousand dollars.

For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

For stationery, blank books, plans, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, five hundred dollars.

Surveyors-General and their Clerks.—For compensation of the surveyor-general of Wisconsin and Iowa, and the clerks in his office, five thousand seven hundred dollars.

For compensation of the surveyor-general of Oregon, and the clerks in his office, five thousand five hundred dollars.

For compensation of the surveyor-general of California, and the clerks in his office, twelve thousand five hundred dollars.

For compensation of the surveyor-general of Washington Territory, and the clerks in his office, six thousand dollars.

For compensation of the surveyor-general of New Mexico, and the clerks in his office, three thousand dollars.

For compensation of translator in the office of the surveyor-general of New Mexico, two thousand dollars.

For compensation of the surveyor-general of Kansas and Nebraska, and the clerks in his office, six thousand one hundred dollars.

For compensation of the surveyor-general of Minnesota, and the clerks in his office, five thousand seven hundred dollars.

For compensation of the surveyor-general of the Territory of Colorado, and the clerks in his office, four thousand dollars.

For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, two thousand dollars.

For rent of surveyor-general's office in California, fuel, books, sta-
tionery, and other incidental expenses, including pay of messenger, four thousand dollars.

For office rent for the surveyor-general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of the surveyor-general’s office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For office rent of the surveyor-general of Kansas and Nebraska, fuel, and incidental expenses, one thousand five hundred dollars.

For rent of the surveyor-general’s office in the Territory of Colorado, fuel, books, stationery, and other incidental expenses, one thousand dollars.

For rent of the surveyor-general’s office in the Territory of Dakota, fuel, books, stationery, and other incidental expenses, one thousand five hundred dollars.

For salary of the recorder of land titles in Missouri, five hundred dollars.

For the pay of the wages of one clerk in the consolidated land-office at Des Moines, Iowa, one thousand dollars.

_War Department._—For compensation of the Secretary of War, Assistant Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, forty thousand four hundred and eighty dollars.

For compensation of the clerks and messenger in the office of the Adjutant-General, fifty-six thousand nine hundred and twenty dollars.

For compensation of the clerks and messenger in the office of the Quartermaster-General, forty-four thousand seven hundred and sixty dollars.

For compensation of the clerks and messengers in the office of the Paymaster-General, eighty-three thousand eight hundred and eighty dollars.

For compensation of the clerks, messenger, and laborer in the office of the Commissary-General, twenty thousand six hundred and forty dollars.

For compensation of the clerks, messenger, and laborer in the office of the Surgeon-General, twelve thousand four hundred and forty dollars.

For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, thirteen thousand eight hundred and forty dollars.

For compensation of the clerks and messenger in the office of the Chief Engineer, nine thousand four hundred and forty dollars.

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, eighteen thousand two hundred and forty dollars.

_Contingent Expenses of the War Department._

Office of the Secretary of War:

For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, twelve thousand dollars.

Office of the Adjutant-General:

For blank books, binding, stationery, and miscellaneous items, four thousand dollars.

Office of the Quartermaster-General:

For blank books, binding, stationery, and miscellaneous items, ten thousand dollars.

Office of the Paymaster-General:

For blank books, binding, stationery, and miscellaneous items, three thousand dollars.

Office of the Commissary-General:

For blank books, stationery, and binding, including rent of office, and hire of watchmen, seven thousand five hundred and sixty dollars.

Office of the Chief Engineer:

For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.

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Office of the Surgeon-General:
For blank books, binding, stationery, and miscellaneous items, five thousand dollars.

Office of the Colonel of Ordnance:
For blank books, binding, stationery, and miscellaneous items, three thousand five hundred dollars.

Office of the Colonel of Topographical Engineers:
For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

For the General Purposes of the Northwest Executive Building. — For compensation of superintendence, four watchmen, and two laborers of the Northwest Executive Building, three thousand eight hundred and fifty dollars.

For labor, fuel, light, and miscellaneous items, eight thousand dollars.

For the General Purposes of the Building Corner of F and Seventeenth Streets. — For compensation of superintendence, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of firemen, and miscellaneous items, five thousand five hundred dollars.

For the General Purposes of the Building Corner of F and Fifteenth Streets. — For superintendence, watchman, fuel, lights, and miscellaneous items, ten thousand dollars.

Navy Department. — For compensation of the Secretary of the Navy, Assistant Secretary of the Navy, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-six thousand two hundred dollars.

For compensation of the Chief of the Bureau of Navy Yards and Docks, and the civil engineer, clerks, messenger, and laborers in his office, eighteen thousand two hundred and forty dollars.

For compensation of the Chief of the Bureau of Equipment and Recruiting, and the clerks and messenger in his office, ten thousand six hundred and forty dollars.

For compensation of the Chief of the Bureau of Navigation, and the clerks and messenger in his office, eight thousand seven hundred and forty dollars.

For compensation of the Chief of the Bureau of Ordnance, and the assistant, clerk, draughtsman, messenger, and laborers in his office, eleven thousand two hundred and twenty dollars.

For compensation of the Chief of the Bureau of Construction, Equipment, and Repairs, and the clerks, draughtsman, messenger, and laborer in his office, sixteen thousand three hundred and forty dollars.

For compensation of the Chief of the Bureau of Steam Engineering, and the clerks, draughtsmen, messenger, and laborer in his office, ten thousand seven hundred and forty dollars.

For compensation of the Chief of the Bureau of Provisions and Clothing, and the clerks, messenger, and laborer, thirteen thousand five hundred and forty dollars.

For compensation of the Chief of the Bureau of Medicine and Surgery, assistant, and the clerks, messenger, and laborer in his office, ten thousand five hundred and forty dollars.

Contingent Expenses of the Navy Department. —
Office Secretary of the Navy:
For blank books, binding, stationery, labor, newspapers, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars.

Bureau of Yards and Docks:
For stationery, books, plans, drawings, and miscellaneous items, eight hundred dollars.
Bureau of Equipment and Recruiting:
For stationery, books, furniture, and miscellaneous items, one thousand six hundred dollars.

Bureau of Navigation:
For stationery, blank books, and miscellaneous items, six hundred dollars.

Bureau of Ordnance:
For blank books, stationery, and miscellaneous items, one thousand dollars.

Bureau of Construction, Equipment, and Repairs:
For blank books, binding, stationery, and miscellaneous items, eight hundred dollars.

Bureau of Steam Engineering:
For blank books, binding, stationery, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing:
For blank books, stationery, and miscellaneous items, one thousand dollars.

Bureau of Medicine and Surgery:
For books, stationery, and miscellaneous items, four hundred and fifty dollars.

For the General Purposes of the Southwest Executive Building. — For compensation of three watchmen and two laborers of the Southwest Executive Building, two thousand seven hundred and sixty dollars.

For contingent expenses of said building, viz:
For labor, fuel, lights, and miscellaneous items, five thousand dollars.

Post-Office Department. — For compensation of the Postmaster-General, three Assistant Postmasters-General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and fifty-eight thousand two hundred and twenty dollars.

For compensation of twenty-five additional clerks, twenty thousand dollars.

Contingent Expenses of Post-Office Department. — For blank books, binding, and stationery, fuel for the General Post-Office building, including the Auditor's office, oil, gas, and candles, printing; repairs of the General Post-Office building, office furniture, glazing, painting, washing, and for keeping the fire-places and furnaces in order; for watchmen, engineer, (for steam-engine,) laborers, repairs of furniture, and for miscellaneous items, thirty-five thousand dollars.

Department of Agriculture. — For the salary of the Commissioner of Agriculture, three thousand dollars.

For the salary of the chief clerk in the Department of Agriculture, two thousand dollars.

For the collection and compiling of agricultural statistics; for promoting agricultural and rural economy; and the procurement, propagation, and distribution of cuttings and seeds of new and useful varieties; and for the introduction and protection of insectivorous birds; and for the purpose of establishing a laboratory, with the necessary apparatus for practical and scientific experiments in agricultural chemistry; and for paying the clerks and employees and contingent expenses necessary in said department, ninety thousand dollars; and three thousand dollars of which appropriation shall be for encouraging the culture of cotton and tobacco.

For investigations to test the practicability of cultivating and preparing flax and hemp, as a substitute for cotton, twenty thousand dollars.

Mint of the United States at Philadelphia. — For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-six thousand four hundred dollars.

Contingencies of Navy Department.

Southwest Executive Building.

Post-Office Department.

Department of Agriculture.

Commissioner. Chief Clerk.

Statistics, &c.

Substitutes for cotton.

Mint at Philadelphia.
Mint at Philadelphia.

For wages of workmen and adjusters, one hundred and eleven thousand eight hundred dollars.

For incidental and contingent expenses, including repairs and wastage, forty thousand dollars.

For specimens of ores and coins to be preserved in the cabinet at the mint, three hundred dollars.

For transportation of bullion from New York assay-office to the United States mint for coinage, ten thousand dollars.

Branch Mint at San Francisco, California.—For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and five thousand dollars.

For incidental and contingent expenses, including repairs and wastage, forty-five thousand dollars.

Assay-Office, New York.—For salaries of superintendent, treasurer, assayer and melter and refiner, assistant assayer, officers, and clerks, twenty-two thousand five hundred dollars.

For wages of workmen, forty thousand dollars.

Governments in the Territories:

New Mexico.

Territory of New Mexico.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, eighteen thousand dollars.

For salary of clerk at the United States depository, at Santa Fe, New Mexico, per annum, eighteen hundred dollars; watchman, per annum, six hundred dollars; porter, per annum, four hundred dollars.

Utah.

Territory of Utah.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, six thousand dollars.

Washington.

Territory of Washington.—For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.

Nebraska.

Territory of Nebraska.—For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, four thousand dollars.

Colorado.

Territory of Colorado.—For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.
Territory of Nevada. — For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Dakota. — For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars; Provided, That the sum of three thousand two hundred and forty-one dollars and thirty-three and one third cents direct tax laid upon the Territory of Dakota be paid and satisfied by deducting said amount from the appropriation for legislative expenses of said Territory of Dakota for the year ending the thirtieth of June, eighteen hundred and sixty-four.

Judiciary. — For salaries of the chief justice of the Supreme Court, and eight associate justices, thirty thousand dollars.

For salaries of the district judges, thirty thousand dollars.

For salary of the circuit judge of California, six thousand dollars.

For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.

Office of the Attorney-General. — For salaries of the Attorney-General, Assistant Attorney-General, and the clerks and messenger in his office, twenty thousand three hundred dollars.

Contingent expenses of the office of the Attorney-General, namely:

For fuel, labor, furniture, stationery, and miscellaneous items, three thousand dollars.

For purchase of law and necessary books for the office of the Attorney-General, two hundred and fifty dollars.

For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars.

For special and other extraordinary expenses of California land-claims, ten thousand dollars.

For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.

Expenses of Courts of the United States. — For defraying the expenses of the Supreme, Circuit, and District Courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the fiscal year ending June thirtieth, eighteen hundred and sixty-four, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million dollars.

Independent Treasury. — For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and St. Louis, sixteen thousand five hundred dollars.

For additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.

For salaries of the clerk and messenger in office of assistant treasurer at Boston, four thousand nine hundred dollars.

For salaries of clerks, messengers, watchmen, and porter in office of assistant treasurer at New York, forty-seven thousand seven hundred dollars.
Steamboat inspectors.
1862, ch. 106.
Vol. x. p. 61.
1846, ch. 90.
Vol. ix. p. 60.
Proviso.

Tax commissioners in insurrectionary districts.

Public buildings and grounds.

Draw-keepers at bridges.

Metropolitan police.

Po t, pp. 751, 762.

Additional clerks authorized.

THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 59. 1863.

For salaries of clerks in the office of the assistant treasurer at St. Louis, three thousand dollars.

For salaries of nine supervising and fifty local inspectors, appointed under act thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred by them, twenty-five thousand dollars.

For contingent expenses, under the act of sixth August, eighteen hundred and forty-six, for the safe-keeping, collection, transfer, and disbursement of the public revenue, in addition to premium which has been or may be received on transfer draft: Provided, That no part of said sum shall be expended for clerical services, twenty thousand dollars.

 Commissioners of Direct Taxes in Insurrectionary Districts. — For compensation of thirty-three commissioners, at three thousand dollars each, and eleven clerks at twelve hundred dollars each, one hundred and twelve thousand two hundred dollars.

For contingent expenses, six thousand dollars.

 Public Buildings and Grounds. — For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.

For compensation of the keeper of the western gate, Capitol square, eight hundred and seventy-six dollars.

For compensation of two day-watchmen employed in the Capitol square, one thousand two hundred dollars.

For compensation of two night-watchmen employed at the President's House, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's House, six hundred dollars.

For compensation of the assistant doorkeeper at the President's House, six hundred dollars.

For compensation of one night-watchman employed for the better protection of the buildings lying south of the Capitol, and used as public stables and carpenters' shops, six hundred dollars.

For compensation of watchman employed on reservation number two, six hundred dollars.

For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, six thousand five hundred and thirty-two dollars.

For compensation of two draw-keepers at the two bridges across the Eastern Branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For furnace-keeper at the President's House, six hundred dollars.

To enable the Commissioner of Public Buildings to employ a keeper of three furnaces under the old hall of the of the House of Representatives, six hundred dollars.

 Metropolitan Police. — For salaries and other necessary expenses of the metropolitan police for the District of Columbia, including the same annual compensation (two hundred and fifty dollars) to each of the two ex-officio members of the Board of Police from the organization thereof, August nineteen eighteen hundred and sixty-one, as is allowed by law to the Commissioners of Police.

 Sec. 2. And be it further enacted, That, in addition to the clerical force now authorized by law, the following clerks and employees are hereby authorized in the several departments and offices hereinafter specified, to be employed and continue only during the rebellion, and for one year after its close, viz:

1. Additional clerks authorized.
2. Metropolitan Police.
4. Tax commissioners in insurrectionary districts.
5. Public buildings and grounds.
7. Metropolitan police.
8. Additional clerks authorized.
In the office of the Secretary of the Treasury, five clerks of class four:
In the office of the Second Auditor of the Treasury, three clerks of class four, eight of class three, twelve of class two, one assistant messenger at a salary of seven hundred dollars, and one laborer at a salary of six hundred dollars per annum.
In the office of the Third Auditor of the Treasury, six clerks of class four, seven of class three, nine of class two, and eighteen of class one, and ten clerks as copyists at a rate not exceeding fifty dollars per month.
In the office of the Fifth Auditor of the Treasury, one clerk of class four, two of class three, four of class two, thirteen of class one, and six copying clerks, at an annual salary of six hundred dollars each.
In the office of the assistant treasurer at Boston, one clerk at a salary of twelve hundred dollars per annum.
In the office of the assistant treasurer at New York, clerks, messengers, keeper, and laborers, whose salaries in the aggregate shall not exceed eight thousand seven hundred dollars.
In the office of the treasurer of the mint as depository, in lieu of the clerks heretofore authorized, clerks and messenger, whose salaries in the aggregate shall not exceed five thousand five hundred dollars.
In the office of the assistant treasurer at Saint Louis, messenger, watchman, and laborer, whose salaries in the aggregate shall not exceed two thousand dollars.
In the office of the Secretary of the Navy, three clerks of the first class and three of the second class.
In the Ordnance Bureau of the Navy, one chief clerk and three clerks of the second class.
In the Bureau of Provisions and Clothing, two clerks of the first class and two of the second class.
In each of the Bureaus of Medicine and Surgery, Equipment and Recruiting, and Navigation, one laborer at an annual salary of six hundred dollars.
In the Navy Department, two additional night watchmen, each at an annual salary of six hundred dollars.
In the Pension-Office, three clerks of class four, four of class three, four of class two, nine of class one, one additional assistant messenger at a salary of seven hundred dollars, and one additional laborer at a salary of six hundred dollars per annum, for the current year; five additional clerks of class four, six of class three, eight of class two, and sixteen of class one, one additional assistant messenger at a salary of seven hundred dollars, and one additional laborer at a salary of six hundred dollars per annum, for the fiscal year ending June thirty, eighteen hundred and sixty-four.
In the office of the Secretary of War, six clerks of class four, and eight of class one.
In the office of the Chief of Ordnance of the War Department, three clerks of class four, and twenty of class one.
In the office of the Adjutant-General, eight clerks of class two, and twenty of class one.
In the office of the Commissary-General, twelve clerks of class one, and one laborer at a salary of six hundred dollars per annum.
In the office of the Surgeon-General, one clerk of class four, one of class three, two of class two, and twenty-one of class one.
In the office of the Paymaster-General, four clerks of class three, and sixteen of class one; and in the office of the Chief of Engineers, two clerks of class one.

And the several clerks and other employees authorized by this section shall be appointed by the heads of the several departments to which they are severally attached, and the amount necessary to pay their salaries, from the time of their appointment, for the fiscal year ending June thirty,
Construction of
1862, ch. 182, § 3.

Ante, p. 582.

SEC. 3. And be it further enacted, That nothing contained in the third
section of an act entitled “An act making supplemental appropriations
for the year ending June thirty, eighteen hundred and sixty-three, and
for the year ending June thirty, eighteen hundred and sixty-two, and
for other purposes,” approved July sixteen, eighteen hundred and sixty-two,
shall be construed to increase the salaries of the Superintendent of the
Census or the Assistant Postmasters-General.

APPROVED, February 25, 1863.

Chap. LX. — An Act to prevent Correspondence with Rebels.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That if any person, being a
resident of the United States, or being a citizen thereof, and residing in
any foreign country, shall, without the permission or authority of the
Government of the United States, and with the intent to defeat the measures
of the said Government, or to weaken in any way their efficacy,
hold or commence, directly or indirectly, any correspondence or inter-
course, written or verbal, with the present pretended rebel Government,
or with any officer or agent thereof, or with any other individual acting or
sympathizing therewith; or if any such person above mentioned, not
duly authorized, shall counsel or assist in any such correspondence or inter-
course, with intent as aforesaid, he shall be deemed guilty of a high
misdemeanor, and, on conviction before any court of the United States
having jurisdiction thereof, shall be punished by a fine not exceeding ten
thousand dollars, and by imprisonment not less than six months nor
exceeding five years.

SEC. 2. And be it further enacted, That where the offence is committed
in any foreign country, the district court of the United States for the
district where the offender shall be first arrested shall have jurisdiction
thereof.

APPROVED, February 25, 1863.

Chap. LXI. — An Act to amend an Act entitled “An Act to prevent Members of
Congress and Officers of the Government of the United States from taking Considerations for
procuring Contracts, Office, or Place from the United States, and for other Purposes.”

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the provisions of said act
shall be so construed as to embrace any agent of the Government of the
United States.

APPROVED, February 25, 1863.

Chap. LXVII. — An Act to prevent and punish Frauds upon the Government of the
United States.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That any person in the land or
naval forces of the United States, or in the militia in actual service of the
United States, in time of war, who shall make or cause to be made, or
present or cause to be presented for payment or approval to or by any
person or officer in the civil or military service of the United States, any
claim upon or against the Government of the United States, or any de-
partment or officer thereof; knowing such claim to be false, fictitious, or
fraudulent; any person in such forces or service who shall, for the pur-
purpose of obtaining, or aiding in obtaining, the approval or payment of such
claim, make, use, or cause to be made or used, any false bill, receipt,

Persons in mil-
itary or naval
service making
or presenting fic-
titious claim,
ex., against the
government, how
punished.
vouch, entry, roll, account, claim, statement, certificate, affidavit, or deposition, knowing the same to contain any false or fraudulent statement or entry; any person in said forces or service who shall make or procure to be made, or knowingly advise the making of any false oath to any fact, statement, or certificate, voucher or entry, for the purpose of obtaining, or of aiding to obtain, any approval or payment of any claim against the United States or any department or officer thereof; any person in said forces or service who, for the purpose of obtaining or enabling any other person to obtain from the Government of the United States, or any department or officer thereof, any payment or allowance, or the approval or signature of any person in the military, naval, or civil service of the United States, of or to any false, fraudulent, or fictitious claim, shall forge or counterfeit, or cause or procure to be forged or counterfeited, any signature upon any bill, receipt, voucher, account, claim, roll, statement, affidavit, or deposition; and any person in said forces or service who shall utter or use the same as true or genuine, knowing the same to have been forged or counterfeited; any person in said forces or service who shall enter into any agreement, combination, or conspiracy to cheat or defraud the Government of the United States, or any department or officer thereof, by obtaining, or aiding and assisting to obtain, the payment or allowance of any false or fraudulent claim; any person in said forces or service who shall steal, embezzle, or knowingly and willfully misappropriate or apply to his own use or benefit, or who shall wrongfully and knowingly sell, convey, or dispose of any ordnance, arms, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or to be used for the military or naval service of the United States; any contractor, agent, paymaster, quarter-master, or other person whatsoever in said forces or service having charge, possession, custody, or control of any money or other public property, used or to be used in the military or naval service of the United States, who shall, with intent to defraud the United States, or wilfully to conceal such money or other property, deliver or cause to be delivered to any other person having authority to receive the same any amount of such money or other public property less than that for which he shall receive a certificate or receipt; any person in said forces or service who is or shall be authorized to make or deliver any certificate, voucher, or receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other public property so used or to be used, who shall make or deliver the same to any person without having full knowledge of the truth of the facts stated therein, and with intent to cheat, defraud, or injure the United States; any person in said forces or service who shall knowingly purchase or receive, in pledge for any obligation or indebtedness, from any soldier, officer, or other person called into or employed in said forces or service, any arms, equipments, ammunition, clothes, or military stores, or other public property, such soldier, officer, or other person not having the lawful right to pledge or sell the same, shall be deemed guilty of a criminal offence, and shall be subject to the rules and regulations made for the government of the military and naval forces of the United States, and of the militia when called into and employed in the actual service of the United States in time of war, and to the provisions of this act. And every person so offending may be arrested and held for trial by a court-martial, and if found guilty shall be punished by fine and imprisonment, or such other punishment as the court-martial may adjudge, save the punishment of death.

Sec. 2. And be it further enacted, That any person hereafter to be called into or employed in such forces or service, who shall commit any violation of this act shall afterwards receive his discharge, or be dismissed from the service, shall, notwithstanding such discharge or dismissal, continue to be liable to be arrested and held for

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THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 67. 1862.

Persons not in
the service com-
mitting such
frauds, how pun-
ished.

Forfeiture and
damages.

District courts,
&c., to have juris-
diction.

Who may insti-
tute, &c., suit.

District attor-
nies to make dil-
gent inquiry for
violations of this
act.

Arrests; bail.

Prosecutor to
receive half for-
feiture.

Costs.

Proviso.

Suit to be com-
enced within six
years.

Certain persons
interested, not to
act as agents of
the government.

trial and sentence by a court-martial, in the same manner and to the
same extent as if he had not received such discharge or been dismissed.

Sec. 3. And be it further enacted, That any person not in the military
or naval forces of the United States, nor in the militia called into or
actually employed in the service of the United States, who shall do or
commit any of the acts prohibited by any of the foregoing provisions of
this act, he shall forfeit and pay to the United States the sum of two
thousand dollars, and, in addition, double the amount of damages which
the United States may have sustained by reason of the doing or commit-
ting such act, together with the costs of suit; and such forfeiture and
damages shall be sued for in the same suit, and every such person shall
in addition thereto, on conviction in any court of competent jurisdiction,
be punished by imprisonment not less than one, nor more than five years,
or by fine of not less than one thousand dollars, and not more than five
thousand dollars.

Sec. 4. And be it further enacted, That the several district courts of
the United States, the circuit court of the District of Columbia, or any
court therein to be established having general jurisdiction in civil cases,
the several district courts of the Territories of the United States within
whose jurisdictional limits the person doing or committing such act shall
be found, shall, wheresoever such act may have been done or committed,
have full power and jurisdiction to hear, try, and determine such suit.
Such suit may be brought and carried on by any person, as well for him-
self as for the United States; the same shall be at the sole cost and
charge of such person, and shall be in the name of the United States,
but shall not be withdrawn or discontinued without the consent, in writ-
ing, of the judge of the court and the district attorney, first filed in the
case, setting forth their reasons for such consent.

Sec. 5. And be it further enacted, That it shall be the duty of the
several district attorneys of the United States for the respective districts,
for the District of Columbia, and for the several Territories, to be dil-
gent in inquiring into any violation of the provisions of this act by per-
sons liable to such suit, and found within their respective districts or ter-
ritories, and to cause him or her to be proceeded against in due form of
law for the recovery of such forfeiture and damages. And such person
may be arrested and held to bail in such sum as the district judge may
order, not exceeding the said sum of two thousand dollars, and twice the
amount of the damages sworn to in the affidavit of the person bringing
the suit.

Sec. 6. And be it further enacted, That the person bringing said suit
and prosecuting it to final judgment shall be entitled to receive one half
the amount of such forfeiture, as well as one half the amount of the dam-
ages he shall recover and collect; and the other half thereof shall belong
to and be paid over to the United States; and such person shall be en-
titled to receive to his own use all costs the court may award against
the defendant, to be allowed and taxed according to any provision of law or
rule of court in force, or that shall be in force in suits between private
parties in said court: Provided, That such person shall be liable for all
costs incurred by himself in the case, and shall have no claim therefor on
the United States.

Sec. 7. And be it further enacted, That every such suit shall be com-
menced within six years from the doing or committing the act, and not
afterwards.

Sec. 8. And be it further enacted, That no officer or agent of any
banking or other commercial corporation, and no member of any mercan-
tile or trading firm, or person directly or indirectly interested in the pecu-
niary profits or contracts of such corporation or firm, shall be employed
or shall act as an officer or agent of the United States for the transaction
of business with such corporation or firm; and every such such officer
agent, or member, or person, so interested, who shall so act, shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars nor less than five hundred dollars, and by imprisonment for a term not exceeding two years.

Sec. 9. And be it further enacted, That all acts and parts of acts inconsistent with or repugnant to any of the provisions of this act are hereby repealed, saving, however, and excepting any and all suits or prosecutions now commenced pending, and all rights of suit or prosecution under any prior act of Congress, on account of the doing or committing of any act hereby prohibited; and all rights and claims which the United States, or any person or persons, now have, growing out of such prior act; all which pending suits and prosecutions shall proceed and be determined, and all which rights and claims shall remain and be as valid and effectual as if this present act had not been passed; nor shall this act be so construed as in any way to impair or affect the obligation, duty, or liability of any person who now is or shall hereafter become the surety of any person contracting with the United States, or any officer or agent thereof; but every such surety shall be liable and answerable for the default of his principal in the same manner as if this act had not been passed, save to the extent to which his principal has performed the contract, or, if damages have been so recovered, to the extent of one half of the damages so recovered and paid; which last amount may be shown in reduction of damages in any suit brought against the principal and surety, or principals and sureties, on their contract.

Approved, March 2, 1863.

Chap. LXVIII. — An Act to authorize an Increase in the Number of Major-Generals and Brigadier Generals for Forces in the Service of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the four major-generals and nine brigadier-generals for the regular army, and the forty major-generals and two hundred brigadier-generals for the volunteer service, authorized by the existing laws, there may be appointed thirty major-generals and seventy-five brigadier-generals for forces in the service of the United States other than the regular army: Provided, That the officers to be appointed under this act shall be selected from those who have been conspicuous for gallant or meritorious conduct in the line of duty.

Approved, March 2, 1863.

Chap. LXIX. — An Act to fix the Terms of the Circuit and District Courts in the Districts of Wisconsin and Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times heretofore fixed by law, the Circuit Court of the United States for the district of Wisconsin (after the January term, eighteen hundred and sixty-three) shall be held as follows: At Milwaukee on the third Monday in April and first Monday in July, and at Madison on the second Monday in November, and all writs, suits, pleas, recognizances, indictments, or other proceedings, civil or criminal, issued, commenced, or pending in said court, shall be returnable to, be entered, and have day in court, and be heard and tried according to the provisions of this act.

Sec. 2. And be it further enacted, That, instead of the times heretofore provided by law, the terms of the circuit and district courts for the district of Iowa, to be held at Des Moines, shall be held on the second Tuesday of May and third Tuesday in October in each year, and the fall term
March 2, 1863.  
1801, ch. 59.  
Ante, p. 172.  
Colorado Territory.  
Governor.  

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the act to which this act is an amendment be altered so as to read as follows: The executive power and authority in and over said Territory of Colorado shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian Affairs; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

Veto power.  

SEC. 2. And be it further enacted, That every bill which shall have passed the legislative assembly shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

Judicial power.  

SEC. 3. And be it further enacted, That section nine of the act to which this act is amendatory be altered so as to read as follows: Section 9. And be it further enacted, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and of justices of the peace, shall be as limited by law: Provided, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or when the debt or sum claimed shall exceed three hundred dollars; and the said probate court shall not have jurisdiction of any matter in controversy when the debt or sum claimed shall exceed the sum of two thousand dollars; and said supreme and district court shall have authority for redress of all wrongs committed against the constitution and laws of the United
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 70, 71. 1863.

States; and the said supreme, district, and probate court, respectively, shall possess chancery as well as common-law jurisdiction and authority for the redress of all wrongs committed against the laws of said Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals shall be allowed from the final decisions of said district and probate courts to the supreme court, under such regulations as shall be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said supreme court shall be allowed and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, when the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of said supreme and district courts shall have and exercise the same jurisdiction in all cases arising under the constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory received for similar services.

SEC. 4. And be it further enacted, That the provisions of sections one and two of this act shall be applicable to the Territory of Dakota, and shall have like effect as in the Territory of Colorado.

APPROVED, March 2, 1863.

CHAP. LXXI. — An Act to amend the Laws relating to the Post-Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General shall have power to appoint and commission all postmasters whose salary or compensation for the preceding fiscal year shall at the time of such appointment have been ascertained to be less than one thousand dollars per year; and in all other cases the President shall appoint. The person appointed postmaster shall reside within the delivery of the office to which he shall be appointed.

SEC. 2. And be it further enacted, That the Postmaster-General, all postmasters, and special agents, and all persons employed in the General Post-Office, or in the care, custody, or conveyance of the mail, hereafter appointed or employed, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emoluments therefor, in addition to the oath of office prescribed by the act of July two, eighteen hundred and sixty-two, respectively take and subscribe the following oath or affirmation before some magistrate, and cause a certificate thereof to be filed in the General Post-Office: "I, A. B., do swear (or affirm, as the case may be) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-

Probate courts, Chancery powers.

Clerks.

Writs of error, &c.

Trial by jury.

Clerks.

Appeals, &c., to supreme court of the United States.

Habeas corpus.

Precedence of trials.

Fees of clerks.

Part of act applicable to Dakota.

1861, ch. 86.

Ante, p. 239.

March 3, 1863

Postmasters. Appointment.

Residence.

All persons employed in post-office to take oath of office.

1862, ch. 198.


Form of oath.
Persons not taking oath liable to penalties, etc.

Postage to be paid before delivery.
Box-rent to be prepaid.

Postmasters to keep record of sums, &c., sold, moneys received, &c.

Records to be delivered to successor.

Compensation for extra labor.

Postmasters to make returns quarterly of emoluments, &c.

Not to retain more than salary.

Sworn statement, form of.

Perjury.

Dead letters.

Office and post-roads within the United States; and that I will honestly and truly account for and pay over any moneys belonging to the said United States which may come into my possession or control; so help me God."
Every person who shall be in any manner employed in the care, custody, conveyance or management of the mail, shall be subject to all pains, penalties, and forfeitures for violating the injunctions or neglecting the duties required of him by the laws relating to the establishment of the post-office and post-roads, whether such persons shall have taken the oath or affirmation above prescribed or not.

Sec. 3. And be it further enacted, That no mail matter shall be delivered by the postmaster until the postage due thereon shall have been paid; and no box at any post-office shall be assigned to the use of any person until the rent therefor has been paid for at least one quarter, for which the postmaster shall give a receipt, and keep a record thereof in his office, which record shall be delivered to his successor.

Sec. 4. And be it further enacted, That every postmaster shall keep a record in his office of all postage stamps and envelopes, and of all postal books, blanks, or property received from his predecessor in office, or from the Post-Office Department, or from any of its agents, and also of all payments in money for postages, and all payments for box-rents, and of all other receipts on account of any part of the postal service, and of any other transactions which shall be required by the Postmaster-General, and these records shall be preserved and delivered over to his successor in office, and shall be at all times subject to examination of any special agent of the department.

Sec. 5. And be it further enacted, That whenever, by reason of the presence of a military or naval force near any post-office, unusual business accrues thereat, the Postmaster-General is hereby required to make a special order allowing proportionately reasonable compensation to the postmaster, and for clerical service, during the period of such extraordinary business.

Sec. 6. And be it further enacted, That it shall be the duty of postmasters to render a quarter-yearly account to the Postmaster-General, under oath, in such form as the latter shall prescribe, of all emoluments or sums by them respectively received for boxes or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place whatever; and of all emoluments, receipts, and profits that have come to their hands by reason of keeping branch post-offices; and no postmaster shall hereafter, under any pretense whatever, have or receive or retain for himself, in the aggregate, more than the amount of his salary. And the Postmaster-General is further authorized to require, by a form to be prepared by him, a sworn statement to accompany or following the quarterly account of any or all postmasters, to the effect that such postmaster has in such account truly stated the entire amount of postages, box-rents, and all other charges and emoluments collected or received by him at his office during such quarter; and that he has not knowingly delivered, or permitted to be delivered, to any person any mail matter on which the postage had not been paid at the time of delivery; and that such quarterly account exhibits truly and faithfully the entire receipts of his office which have been collected thereat, and the entire sum which could have been due diligence collected thereat, as he verily believes; and that the credits he claims are just and true, as he verily believes; and any false swearing therein shall render him liable to the pains and penalties of perjury.

Sec. 7. And be it further enacted, That the Postmaster-General is hereby authorized to regulate the periods during which undelivered letters shall remain in any post-office, and the times such letters shall be returned to the dead-letter office, and to make regulations for their return to the writers from the dead-letter office, when he is satisfied they cannot be
delivered to the parties addressed. He is authorized also to order the publication of the list of non-delivered letters at any post-office, in his discretion, by writing, posted in a public place or places, or in any daily or weekly newspaper regularly published within the post-office delivery having the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in any daily newspaper of an adjoining delivery having the largest circulation within the delivery of the post-office publishing [the] list; but in no case shall compensation for such publication be allowed at a rate exceeding one cent for each letter so advertised; and no such publication shall be required except where the Postmaster-General shall decide that the public interest requires it: Provided, That letters addressed to parties foreign born may be published in a journal of the language most used by the parties addressed, if such be published in the same, or an adjoining delivery.

Sec. 8. And be it further enacted, That dead letters containing valuable enclosures shall be registered in the department; and when it appears that they can neither be delivered to their address, nor to the writers, the contents thereof, so far as available, shall be included with the receipts of the Post-Office Department, and the amount thereof shall be shown in the annual report, and shall be subject to reclamation by either the party addressed, or by the sender, for four years from registry thereof, careful account being kept of the same. All other letters deemed of value or of importance to the party addressed, or to the writer, and which it appears cannot be returned to either destination, shall be disposed of as the Postmaster-General shall direct.

Sec. 9. And be it further enacted, That the Postmaster-General may provide by regulation for the disposition, for the benefit of the Department, of printed matter which remains in any post-office, or in the Department, not called for by the party addressed; but the postmaster shall notify the publisher of any newspaper or periodical of the fact when any subscriber shall refuse to take the same from the office, or shall neglect to call for the same for the period of one month, which notice may be sent free under regulation to be provided by the Postmaster-General.

Sec. 10. And be it further enacted, That the action of the Post-Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations.

Sec. 11. And be it further enacted, That letter-carriers shall be employed at such post-offices as the Postmaster-General shall direct for the delivery of letters in the places respectively where such post-offices are established; and for their services they shall severally receive a salary, to be prescribed by the Postmaster-General, not exceeding eight hundred dollars per year: Provided, That, on satisfactory evidence of their diligence, fidelity, and experience as carriers, the Postmaster-General may increase their respective salaries from time to time to any sum not exceeding one thousand dollars, at offices where the income from postages on the local letters shall yield a sum more than sufficient to pay all expenses of the carrier system at such offices; each of the said carriers shall give bond, with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all letters, packets, and moneys received by him.

Sec. 12. And be it further enacted, That whenever the Postmaster-General shall have perfected the carrier system in any postal district so as, in his judgment, to justify him therein, he is authorized to make delivery, within any prescribed postal district, of mail matter by letter-carriers, as frequently as the public convenience in such district shall require, and shall make all proper regulations for that purpose.

Sec. 13. And be it further enacted, That the Postmaster-General is authorized, when, in his judgment, the public interest or convenience may
Receiving-boxes, &c., may be established.
Salary, &c., of branch officer.
Sale of stamps.

Expenses of letter-carriers, &c., to be kept distinct.

How to be paid.

Publishers of newspapers, &c., may contract for stamps by postal-carriers.

Delivery of packets, &c.

Prepayment.

Packages by mail not to weigh over four pounds, except, &c.

Mail-matter to be prepaid by stamps.

Domestic letters.

Transient printed matter.
Seeds, pamphlets, books, &c.

Other things.

Certain matter to be prepaid quarterly.

Daily, &c., publications.

Division of mail-matter.

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require it, to establish one or more branch post-offices, and also pillar boxes, or other receiving-boxes, for the safe deposit of matter for the mails and for delivery: and in case of such establishment of a branch office, the person in charge thereof shall be appointed, and his salary fixed, as in the case of a letter-carrier, and the like bond required: Provided, That the post officer in charge of the branch office may also be a depositary for the sale of stamps, to be delivered to him for that purpose by the postmaster of that postal district in sums not at any time to exceed one half of the penalty of his bond.

SEC. 14. And be it further enacted, That all expenses for the letter-carriers, branch offices, and receiving boxes, or incident thereto, shall be entered and reported in a separate account from the ordinary postal expenses of such post-office, and shall be shown in comparison with the proceeds of the postages on local mail matter at each office, in order that the Postmaster-General may be guided in the expenditures for that branch of the postal service by the income derived therefrom; and all such expenses shall be paid out of the income of the post-office at the district in which they are incurred.

SEC. 15. And be it further enacted, That the postmaster of any office where letter-carriers are employed may contract with the publishers of any newspapers or periodicals, and with the publishers of any circulars, for the delivery by postal-carriers, within his postal district, of any such publications not coming through the mails, at rates and upon terms to be agreed upon, such arrangement and terms being equally open to all like publishers; but such contract shall have no force or effect until approved by the Postmaster-General. The Postmaster-General may also provide by regulation for the delivery by such carriers of small packets other than letters or papers, and not exceeding the maximum weight of mailable packages; but such packages must be prepaid by postage stamps at the rate of two cents for each four ounces or fraction thereof.

SEC. 16. And be it further enacted, That no postmaster shall receive to be conveyed by the mail any packet or package which shall weigh more than four pounds, except books published or circulated by order of Congress.

SEC. 17. And be it further enacted, That upon the following mailable matter the postage must be prepaid at the time of mailing, by stamps, unless otherwise expressly provided in this act:

First. Upon all domestic letters, whether passing through the mails, or collected, or delivered by postal agents or carriers.

Second. On all transient printed matter.
Third. On all seeds, cuttings, bulbs, roots, and scions; all pamphlets, books, book manuscripts, and proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples, and sample cards, phonographic paper, letter envelopes, postal envelopes, paper, and photographic representations of different types.

Fourth. Upon all other things in the mail not otherwise herein provided for.

SEC. 18. And be it further enacted, That upon the following mailable matter the postage shall be paid before delivery for not less than one quarter nor more than one year; and such payment for a term may be made either at the mailing office or at the office of delivery. If the term commences at any other time than at the beginning of a quarter, such payment must be made to cover such fractional quarter, and also for the next following quarter; otherwise the postage shall be collected thereon as on transient matter. Upon regular weekly, tri-weekly, semi-weekly, and daily publications, and all other regular publications, issued from a known office of publication at stated periods and sent to regular subscribers.

SEC. 19. And be it further enacted, That mailable matter shall be di-
vided into three classes, namely: first, letters; second, regular printed matter; third, miscellaneous matter.

SEC. 20. And be it further enacted, That the first class embraces all correspondence, wholly or partly in writing, except that mentioned in the third class. The second class embraces all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign. The third class embraces all other matter which is or may hereafter be by law declared mailable; embracing all pamphlets, occasional publications, books, book manuscripts, and proof sheets, whether corrected or not, maps, prints, engravings, blanks, flexible patterns, samples and sample cards, phonographic paper, letter envelopes, postal envelopes, or wrappers, cards, paper, plain or ornamental, photographic representations of different types, seeds, cuttings, bulbs, roots, and scions.

SEC. 21. And be it further enacted, That the maximum standard weight for the single rate of letter postage is one half ounce avoirdupois.

SEC. 22. And be it further enacted, That the rate of postage on all domestic letters transmitted in the mails of the United States, and not exceeding one half ounce in weight, shall be uniform at three cents; and for each half ounce, or fraction thereof of additional weight, there shall be charged an additional rate of three cents, to be in all cases prepaid by postage stamps plainly affixed to such letter.

SEC. 23. And be it further enacted, That the rate of postage on all letters not transmitted through the mails of the United States, but delivered through the post-office or its carriers, commonly described as local or drop letters, and not exceeding one half ounce in weight, shall be uniform at two cents, and an additional rate for each half ounce or fraction thereof of additional weight, to be in all cases prepaid by postage stamps affixed to the envelope of such letter, but no extra postage or carrier's fee shall hereafter be charged or collected upon letters delivered by carriers, nor upon letters collected by them for mailing or for delivery.

SEC. 24. And be it further enacted, That the domestic letter rate of postage is established for all mailable matter which is wholly or partly in writing, or is so marked as to convey any other or further intelligence or information than is conveyed by the original print in case of printed matter, or which is sent in violation of law or regulations of the department touching the enclosure of matter which may be sent at less than letter rates, and for all matter introduced into the mails for which no different rate is provided by law: Provided, That book manuscripts and corrected proofs passing between authors and publishers may pass at the rate of printed matter: And provided further, That publishers of newspapers and periodicals may print or write upon their publications sent to regular subscribers the address of subscribers and the date when the subscription expires, and may enclose therewith receipts for payment and bills for subscription thereto.

SEC. 25. And be it further enacted, That on all matter not enumerated as mailable matter, and to which no specific rates of postage are assigned, and which shall nevertheless be mailed, the rate, if the same shall be forwarded, is established at the rate of letter postage.

SEC. 26. And be it further enacted, That if any matter on which by law the postage is required to be prepaid at the mailing office shall reach its destination without such prepayment, double the prepaid rates shall be charged and collected on delivery.

SEC. 27. And be it further enacted, That the Postmaster-General is authorized to provide by uniform regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to destination; and all other letters which from accident or neglect appear to have been deposited for mailing without prepayment of postage, where, in the latter class, the writer is not known, or cannot be promptly advised of his default; but in all cases of letters not prepaid,
Letters, when may be returned to writers.

Postage on dead letters.

Forwarding of letters.

Ship, &c., letters.

Registration of valuable letters.

Fees.

Department not made liable.

Maximum of single rate of printed matter.

Postage on transient matter.

To be prepaid by stamps.

except certified soldiers and naval letters, the same shall be charged with double rates of postage, to be collected on delivery.

Sec. 28. And be it further enacted, That when any writer of a letter on which the postage is prepaid shall indorse in writing or in print upon the outside thereof his name and address, with a request that the same be returned to him if not called for or delivered within any number of days, (not to exceed thirty days,) any such letter shall not be advertised nor treated as a dead letter at the office addressed, but shall be returned as requested, charged with the proper postage at the prepaid rate, to be collected on the return delivery; and if not then delivered, shall be treated as a dead letter.

Sec. 29. And be it further enacted, That the postage on returned dead letters, not registered as valuable, shall be three cents for the single rate; on returned dead letters, registered as valuable, double rates shall be charged.

Sec. 30. And be it further enacted, That all letters directed to any person not found at the office addressed may be forwarded to any other office where he may be found, with additional charge of postage therefor.

Sec. 31. And be it further enacted, That the Postmaster-General shall have authority to pay, or cause to bepaid, a sum not exceeding two cents each for all letters conveyed in any vessel or steamboat, not employed in carrying the mail, from one port or place to any other port or place in the United States, or from any foreign port to any port within the United States, subject to such regulations as the Postmaster-General may prescribe, but all such letters shall be deposited in the post-office at the port of arrival, for mailing or delivery; and if for delivery within the United States shall be rated with double rates of postage, which shall cover the fee paid to the vessel; no fees shall be allowed for letters collected by a carrier on a mail route.

Sec. 32. And be it further enacted, That, for the greater security of valuable letters posted for transmission in the mails of the United States, the Postmaster-General is authorized to establish a uniform plan for the registration of such letters on application of parties posting the same, and to require the payment of the postage, as well as a registration fee not exceeding twenty cents, on every such letter or packet, to be accounted for by postmasters receiving the same in such manner as the Postmaster-General shall direct: Provided, however, That such registration shall not be compulsory, and it shall not render the Post-Office Department or its revenue liable for the loss of such letters or packets, or the contents thereof; and provision shall be made by regulation for a return receipt to the writer, showing to whom and when such registered letter was delivered, which receipt shall be received in the courts as primâ facie evidence of such delivery.

Sec. 33. And be it further enacted, That the maximum standard weight for the single rate of postage on matter classified as printed matter, and also on that classified as miscellaneous matter, is four ounces avoirdupois, subject to the exception in the next following section provided.

Sec. 34. And be it further enacted, That the rate of postage on transient mailable matter of the third class, and also on all miscellaneous mailable matter of the third class, (except circulars and books,) shall be two cents for each four ounces or fraction thereof contained in any one package to one address; and such postage shall in all cases be fully prepaid by stamps, plainly affixed to the wrapper thereof. Double these rates shall be charged for books. Unsealed circulars not exceeding three in number shall pass at the single rate of two cents, and in that proportion for a greater number, adding one rate for three circulars, or less number thereof, directed to one address. No extra postage shall be charged for a card printed or impressed upon an envelope or wrapper. These rates must in all cases be prepaid by stamps.
SEC. 35. And be it further enacted, That the rate of postage upon mailable matter of the second class, issued once a week or more frequently from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each quarter of the year shall be: for publications issued once a week, five cents; issued twice a week, ten cents; issued three times a week, fifteen cents; issued six times a week, thirty cents; issued seven times a week, thirty-five cents; and in that proportion, adding one rate for each issue more frequent than once a week. For weight exceeding four ounces, and not exceeding eight ounces, an additional rate shall be charged; and on the same scale, an additional rate for each additional weight of four ounces or fraction thereof; and such postage must be prepaid for a term not less than one quarter nor more than one year, at either the office of mailing or of delivery, at the option of the subscriber, of which payments a record shall be made and preserved in the post-office where paid; and no such publication shall be delivered from the office until such payment is made; but the publishers of weekly newspapers may send to each actual subscriber within the county where their papers are printed and published one copy thereof free of postage.

SEC. 36. And be it further enacted, That the rate of postage upon mailable matter of the second class, issued less frequently than once a week, from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers, magazines, and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each such paper or periodical shall be one cent, and an additional rate of one cent for each additional weight of four ounces or fraction thereof: Provided, That the Postmaster-General may provide by regulation for the transportation of small newspapers in packages at the same rate by the standard weight of the package when sent to one address; and the rates herein provided must be prepaid at either the office of mailing or of delivery, at the option of the subscriber, for a term not less than one quarter nor more than one year, except that news-dealers may pay the postage upon their packages as received at the same rates pro rata as yearly or semi-annual subscribers who pay postage quarterly in advance.

SEC. 37. And be it further enacted, That publishers may enclose in their publications sent to regular subscribers the bills for subscription thereto without any additional charge for postage, and may write or print upon their publications, or upon the wrappers thereof, the name and address of the subscribers thereto, and the date when the subscription will expire; but any other enclosure or addition in writing or in print shall subject the same to letter postage, which shall be collected before delivery thereof.

SEC. 38. And be it further enacted, That the Postmaster-General may from time to time provide by order the rates and terms upon which route agents may receive and deliver at the mail car or steamer packages of newspapers and periodicals delivered to them for that purpose by the publishers, or any news-agent in charge thereof, and not received from, nor designed for delivery at any post-office.

SEC. 39. And be it further enacted, That the Postmaster-General has authority to prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter postage nor lawfully franked, so that the same may be conveniently examined by postmasters; and if not so wrapped and secured, the same shall be subject to letter postage. He may also provide by regulation for ascertaining by furnished lists, by affidavit or otherwise, whether publishers send or have sent their
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Postmasters may remove wrappers, &c.

Publishers may be required to make affidavit, &c.

Penalty for sending to others than subscribers, &c.

One half to informer.

Franking privilege.

Envelopes, how marked.

Penalty for false marking.

Limit in weight. Except, &c.

publications unpaid through the mails to other than their regular subscribers.

SEC. 40. And be it further enacted, That postmasters, at the office of delivery, are authorized, and it shall be their duty, to remove the wrappers and envelopes from printed and other matter not charged with letter postage, nor lawfully franked, for the purpose of ascertaining whether there is upon, or connected with, any such printed matter or in such package any matter or thing which would authorize or require the charge of a higher rate of postage thereon.

SEC. 41. And be it further enacted, That the Postmaster-General may require an affidavit in form, to be prescribed by general regulation, to be taken by any publisher, or any clerk, agent, or servant of such publisher of any paper or periodical, which, by the terms of this act, may be sent to regular subscribers without prepayment of postage at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employé, within his knowledge, has sent, or caused or permitted to be sent, through the mails, without prepayment by postage stamps, any copies of such paper or periodical, (naming it,) except the same were sent to bona fide and regular subscribers thereto. And if it be ascertained that such papers or periodicals have been thus unlawfully sent, with the knowledge or consent of such proprietors, or of the agent or clerk in charge of that business, or if such affidavit, when required by the Postmaster-General, or by a special agent of the Post-Office Department, shall be refused, the person guilty of such offence, or refusing such oath, shall be liable to a fine of fifty dollars in each case, to be recovered by suit before any court of competent jurisdiction, one half of which when recovered shall be paid to the informer.

SEC. 42. And be it further enacted, That authority to frank mail matter is conferred upon and limited to the following persons. First. The President of the United States, by himself or his private secretary. Second. The Vice-President of the United States. Third. The chiefs of the several executive departments. Fourth. Such principal officers, being heads of bureaus or chief clerks, of each executive department, to be used only for official communications, as the Postmaster-General shall by regulation prescribe. Fifth. Senators and representatives in the Congress of the United States, including delegates from territories, the secretary of the senate and clerk of the House of Representatives; to cover correspondence to and from them, and all printed matter issued by authority of Congress, and all speeches, proceedings, and debates in Congress, and all printed matter sent to them; their franking privilege to commence with the term for which they are elected and to expire on the first Monday of December following such term of office. Sixth. All official communications addressed to either of the executive departments of Government by an officer responsible to that department: Provided, That in all such cases the envelope shall be marked "official," with the signature thereto of the officer writing the communication. Seventh. Postmasters have also the franking privilege for their official communications to other postmasters: Provided, That in all such cases the envelope shall be marked 'official' with the signature of the writer thereto, and for any and every such endorsement of 'official' falsly made the person making the same shall forfeit and pay three hundred dollars. Eighth. Petitions to either branch of Congress shall pass free in the mails. Ninth. All communications addressed to any of the franking officers above described, and not excepted in the foregoing clauses, must be prepaid by postage stamps. The franking privilege hereinbefore granted shall be limited to packages weighing not exceeding four ounces, except petitions to Congress and congressional or executive documents, and such publications or books as have or may be published, procured, or purchased by order of either House of Congress, or a joint resolution of the two Houses, which
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 71, 72, 73. 1863. 709

shall be considered as public documents, and entitled to be franked as such; and except also seeds, cuttings, roots, and scions, the weight of the packages of which may be fixed by regulation of the Postmaster-General.

SEC. 43. And be it further enacted, That all publishers of periodicals, magazines, and newspapers which shall not exceed sixteen ounces in weight shall be allowed to interchange their publications reciprocally free of postage: Provided, That such interchange shall be confined to a single copy of each publication.

SEC. 44. And be it further enacted, That this act shall be in force and take effect from and after the thirtieth day of June, eighteen hundred and sixty-three.

SEC. 45. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, March 3, 1863.

CHAP. LXXII. — An Act to disapprove of the twenty-sixth Section of the Act of the Legislative Assembly of the Territory of Nevada, and for other Purposes.

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-six of an act of the Legislative Assembly of the Territory of Nevada entitled "An act to provide for the formation of corporations for certain purposes," approved December twenty, eighteen hundred and sixty-two, said section being as follows: "Section 26. All corporations heretofore formed under the provisions of acts of incorporation in other States or Territories, and holding or owning property within this Territory of such character as specified in section first of this act, and managed by a board or boards of trustees or directors, and having their principal place of business outside the limits of this Territory, are hereby required to remove their places of business, principal offices, books, and papers, heretofore kept, or necessary for the transaction of such business, to some point to be designated by said corporation, within the limits of this Territory, within six months after the passage of this act, or otherwise such corporation or corporations shall be disregarded in law as a corporation, and the corporators or stockholders thereof be treated as tenants in common, or joint owners of such property so owned or held within this Territory. Any corporation, by filing and recording its certificate of incorporation, or a certified copy thereof, with the secretary of the Territory, and with the clerk of the county in which such corporation may locate as the principal place of business, and fully complying with all the provisions of this act, shall be deemed sufficient to entitle such corporation to all the rights and privileges under the provisions of this act," be and the same is hereby disapproved, and the same is hereby annulled and made void.

SEC. 2. And be it further enacted, That all incorporated companies, duly organized within any state or territory of the United States, may sue and be sued, plead and be implored, in the several courts of the Territory of Nevada, anything in the laws of said Territory to the contrary notwithstanding.

APPROVED, March 3, 1863.

CHAP. LXXIII. — An Act to provide Ways and Means for the Support of the Government.

March 3, 1863.

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 to borrow, from time to time, on the credit of the United States, a sum not exceeding three hundred millions of dollars for the current fiscal year, and six hundred millions for the
Bonds.

Denominations.

Interest on, rate of, and payable in coin.

Bonds may be disposed of.

To be exempt from taxation.

Amount outstanding not to exceed $800,000,000.

Secretary may issue $400,000,000 in treasury notes.

When payable, and rate of interest.

Interest payable in lawful money.

Denominations, and how disposed of.

How a legal tender, &c.

For what exchangeable.

Other notes may be issued for those exchanged.

$150,000,000 of notes may be issued for exchanges.

When issued and applied, how replaced.

The Secretary, if necessary to pay the army, &c., may issue $150,000,000 in notes without interest.

next fiscal year, and to issue therefor coupon or registered bonds, payable at the pleasure of the Government after such periods as may be fixed by the Secretary, not less than ten nor more than forty years from date, in coin, and of such denominations not less than fifty dollars as he may deem expedient, bearing interest at a rate not exceeding six per centum per annum, payable on bonds not exceeding one hundred dollars, annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: Provided, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

SEC. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, authorized to issue, on the credit of the United States, four hundred millions of dollars in treasury notes, payable at the pleasure of the United States, or at such time or times not exceeding three years from date as may be found most beneficial to the public interests, and bearing interest at a rate not exceeding six per centum per annum, payable at periods expressed on the face of said treasury notes; and the interest on the said treasury notes and on certificates of indebtedness and deposit hereafter issued, shall be paid in lawful money. The treasury notes thus issued shall be of such denomination as the Secretary may direct, not less than ten dollars, and may be disposed of on the best terms that can be obtained, or may be paid to any creditor of the United States willing to receive the same at par. And said treasury notes may be made a legal tender to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depositary designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

SEC. 3. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, authorized, if required by the exigencies of the public service, for the payment of the army and navy, and other creditors of the government, to issue on the credit of the United States the sum of one hundred and fifty millions of dollars of United States notes, including the amount of such notes heretofore authorized by the joint resolution approved January seventeen, eighteen hundred and sixty-
three, in such form as he may deem expedient, not bearing interest, payable to bearer, and of such denominations, not less than one dollar, as he may prescribe, which notes so issued shall be lawful money and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt; and any of the said notes, when returned to the treasury, may be reissued from time to time as the exigencies of the public service may require. And in lieu of any of said notes, or any other United States notes, returned to the treasury, and cancelled or destroyed, there may be issued equal amounts of United States notes, such as are authorized by this act. And so much of the act to authorize the issue of United States notes, and for other purposes, approved February twenty-five, eighteen hundred and sixty-two, and of the act to authorize an additional issue of United States notes, and for other purposes, approved July eleven, eighteen hundred and sixty-three, as restrict the negotiation of bonds to market value, is hereby repealed. And the holders of United States notes, issued under and by virtue of said acts, shall present the same for the purpose of exchanging the same for bonds, as therein provided, on or before the first day of July, eighteen hundred and sixty-three, and thereafter the right so to exchange the same shall cease and determine.

SEC. 4. And be it further enacted, That in lieu of postage and revenue stamps for fractional currency, and of fractional notes, commonly called postage currency, issued or to be issued, the Secretary of the Treasury may issue fractional notes of like amounts in such form as he may deem expedient, and may provide for the engraving, preparation, and issue thereof in the treasury department building. And all such notes issued shall be exchangeable by the assistant-treasurers and designated depositaries for United States notes, in sums not less than three dollars, and shall be receivable for postage and revenue stamps, and also in payment of any dues to the United States less than five dollars, except duties on imports, and shall be redeemed on presentation at the treasury of the United States in such sums and under such regulations as the Secretary of the Treasury shall prescribe: Provided, That the whole amount of fractional currency issued, including postage and revenue stamps issued as currency, shall not exceed fifty millions of dollars.

SEC. 5. And be it further enacted, That the Secretary of the Treasury is hereby authorized to receive deposits of gold coin and bullion with the treasurer or any assistant-treasurer of the United States, in sums not less than twenty dollars, and to issue certificates therefor, in denominations of not less than twenty dollars each, corresponding with the denominations of the United States notes. The coin and bullion deposited for or representing the certificates of deposit shall be retained in the treasury for the payment of the same on demand. And certificates representing coin in the treasury may be issued in payment of interest on the public debt, which certificates, together with those issued for coin and bullion deposited, shall not at any time exceed twenty per centum beyond the amount of coin and bullion in the treasury; and the certificates for coin or bullion in the treasury shall be received at par in payment for duties on imports.

SEC. 6. And be it further enacted, That the coupon or registered bonds, treasury notes, and United States notes authorized by this act shall be in such form as the Secretary of the Treasury may direct, and shall have printed upon them such statements, showing the amount of accrued or accruing interest, the character of the notes, and the penalties or punishment for altering or counterfeiting them, as the Secretary of the Treasury may prescribe, and shall bear the written or engraved signatures of the treasurer of the United States and the register of the treasury, and also, as evidence of lawful issue, the imprint of a copy of the seal of the Treasury Department, which imprint shall be made, under the direc-
tion of the Secretary, after the said notes or bonds shall be received from the engravers and before they are issued, or the said notes and bonds shall be signed by the treasurer of the United States, or for the treasurer by such persons as may be specially appointed by the Secretary of the Treasury for that purpose, and shall be countersigned by the register of the treasury, or for the register by such persons as the Secretary of the Treasury may specially appoint for that purpose. And all the provisions of the act entitled "An act to authorize the issue of treasury notes," approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as they can be applied to this act, and not inconsistent therewith, are hereby revived and reenacted.

Sec. 7. And be it further enacted, That all banks, associations, corporations, or individuals, issuing notes or bills for circulation as currency, shall be subject to and pay a duty of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of circulation of notes or bills as currency issued beyond the amount hereinafter named, that is to say: banks, associations, corporations, or individuals, having a capital of not over one hundred thousand dollars, ninety per centum thereof; over one hundred thousand and not over two hundred thousand dollars, eighty per centum thereof; over two hundred thousand and not over three hundred thousand dollars, seventy per centum thereof; over three hundred thousand and not over five hundred thousand dollars, sixty per centum thereof; over five hundred thousand and not over one million of dollars, fifty per centum thereof; over one million and not over one million and a half of dollars, forty per centum thereof; over one million and a half, and not over two millions of dollars, thirty per centum thereof; over two millions of dollars, twenty-five per centum thereof. In the case of banks with branches, the duty herein provided for shall be imposed upon the circulation of the notes or bills of such branches severally, and not upon the aggregate circulation of all; and the amount of capital of each branch shall be considered to be the amount allotted to or used by such branch; and all such banks, associations, corporations, and individuals shall also be subject to and pay a duty of one half of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of notes or bills not otherwise herein taxed and outstanding as currency during the six months next preceding the return hereinafter provided for; and the rates of tax or duty imposed on the circulation of associations which may be organized under the act "to provide a national currency, secured by a pledge of United States stocks, and to provide for the circulation and redemption thereof," approved February twenty-fifth, eighteen hundred and sixty-three, shall be the same as that hereby imposed on the circulation and deposits of all banks, associations, corporations, or individuals, but shall be assessed and collected as required by said act; all banks, associations, or corporations, and individuals issuing or reissuing notes or bills for circulation as currency after April first, eighteen hundred and sixty-three, in sums representing any fractional part of a dollar, shall be subject to and pay a duty of five per centum each half year thereafter upon the amount of such fractional notes or bills so issued. And all banks, associations, corporations, and individuals receiving deposits of money subject to payment on check or draft, except savings institutions, shall be subject to a duty of one eighth of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of such deposits beyond the average amount of their circulating notes or bills lawfully issued and outstanding as currency. And a list or return shall be made and rendered within thirty days after the first day of October, eighteen hundred and sixty-three, and each six months thereafter, to the commissioner of internal revenue, which shall contain a true and faithful account of the amount of duties accrued, or
which should accrue, on the full amount of the fractional note circulation and on the average amount of all other circulation and of all such deposits, for the six months next preceding. And there shall be annexed to every such list or return a declaration, under oath or affirmation, to be made in form and manner as shall be prescribed by the commissioner of internal revenue, of the president, or some other proper officer of said bank, association, corporation, or individual, respectively, that the same contains a true and faithful account of the duties which have accrued, or which should accrue, and not accounted for; and for any default in the delivery of such list or return, with such declaration annexed, the bank, association, corporation, or individual making such default, shall forfeit, as a penalty, the sum of five hundred dollars. And such bank, association, corporation, or individual shall, upon rendering the list or return as aforesaid, pay to the commissioner of internal revenue the amount of the duties due on such list or return, and in default thereof shall forfeit, as a penalty, the sum of five hundred dollars; and in case of neglect or refusal to make such list or return as aforesaid, or to pay the duties as aforesaid, for the space of thirty days after the time when said list should have been made or rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions prescribed in an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," approved July one, eighteen hundred and sixty-two.

SEC. 8. And be it further enacted, That, in order to prevent and punish counterfeiting and fraudulent alterations of the bonds, notes, and fractional currency authorized to be issued by this act, all the provisions of the sixth and seventh sections of the act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-fifth, eighteen hundred and sixty-two, shall, so far as applicable, apply to the bonds, notes, and fractional currency hereby authorized to be issued, in like manner as if the said sixth and seventh sections were hereby adopted as additional sections of this act. And the provisions and penalties of said sixth and seventh sections shall extend and apply to all persons who shall imitate, counterfeit, make, or sell any paper such as that used, or provided to be used, for the fractional notes prepared, or to be prepared, in the treasury department building, and to all officials of the treasury department engaged in engraving and preparing the bonds, notes, and fractional currency hereby authorized to be issued, and to all official and unofficial persons in any manner employed under the provisions of this act. And the sum of six hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry this act into effect.

APPROVED, March 8, 1863.
Assistants may do duty of assessors.

Section 19.  
\textit{Ante}, p. 439.

Deputies may do duties of collectors.

Notice to delinquent tax-payers how sent, to state what.

Demand for certain taxes.

Copy of distraint, where to be left.

Proviso.

Section 28.  
Imprisonment added to fine.

\textit{Ante}, p. 444.

Section 43.  
Penalty for fraudulent use of marked cases, &c.

\textit{Ante}, p. 447.

Section 44.  
\textit{Ante}, p. 448.

Section 55.  
\textit{Ante}, p. 452.

Section 64.  
License of attorneys,  
\textit{Ante}, pp. 457, 459.

of apothecaries,  
\textit{Ante}, p. 458.

of manufacturers.

Additions to section 64.  
\textit{Ante}, p. 459.

Licenses of architects and civil engineers.

The section nineteen be so amended that the deputy collector, as well as the collector, may perform all the duties required of the said collector in the said section; and any notice required by said section to persons who neglect to pay their taxes may be sent by mail or left at the dwellings or usual places of business of such persons, if any they have, written or printed, and said notice shall state the amount of duty or tax for which such persons are liable, including the ten per centum additional, as provided for in said section, demanding payment of the same; and with respect to all such duties or taxes as are not included in the annual lists as provided for in said section, and all taxes and duties the collection of which is not otherwise provided for in said act, it shall be the duty of each collector in person or by deputy to demand payment therefore, in the manner provided, within ten days from and after the expiration of the time within which such duty or tax should have been paid; and any copy of distraint shall be left at the dwelling or usual place of business of the owner or possessor of the property distrained: \textit{Provided}, That such special demand shall not be necessary in respect to taxes assessed by section seventy-seven of said act.

That section twenty-eight be, and hereby is, amended, by striking out the words “forfeit and pay the sum of five hundred dollars,” and inserting in lieu thereof “upon conviction thereof by a court of competent jurisdiction, forfeit and pay the sum of five hundred dollars, or be imprisoned for a term not exceeding two years, at the discretion of the court.”

That section forty-three be amended by striking out the following words: “and any person who shall use any cask or package so marked, for the purpose of selling spirits of a quality different from that so inspected, shall be subject to a like penalty for each cask or package so used,” and inserting in lieu thereof “and any person who shall fraudulently use any cask or package so marked for the purpose of selling any other spirits than that so inspected, or for selling spirits of a quality or quantity different from that so inspected, shall be subject to a like penalty, as provided for each cask or package so used.”

That section forty-four be, and hereby is, amended, by striking out the words “to be contiguous to such distillery.”

That section fifty-five be, and hereby is, amended by inserting after the words “shall not be paid at the time of rendering the account of the same, as herein required,” the words “or at the time when they shall have become payable.”

That section sixty-four be, and hereby is, so amended, “That no license shall be required of an attorney having taken out a license as such in consequence of being employed to purchase, rent, or sell real estate, or to collect rent thereon for others in the ordinary course of business;” in paragraph number sixteen by inserting after the word “taverns,” the words, “or eating-houses;” by adding to paragraph number twenty-eight the following words: “Nor shall apothecaries who have taken out a license as such be required to take out a license as retail dealers in liquors in consequence of selling alcohol;” and in paragraph number twenty-nine by inserting after the word “merchandise,” “or who shall manufacture by hand or machinery, for any other person, or persons, goods, wares, or merchandise.”

That section sixty-four be, and hereby is, further amended by adding, at the end thereof, the following paragraphs:

“Thirty-four. Architects and civil engineers shall pay ten dollars for each license. Every person whose business it is to plan, design, or superintend the construction of buildings, or ships, or of roads, or bridges, or canals, or railroads, shall be regarded as an architect and civil engineer.
under this act: Provided, That this shall not include a practical carpenter
who labors on a building.

"Thirty-five. Builders and contractors shall pay twenty-five dollars for
each license. Every person whose business it is to construct buildings, or
ships, or bridges, or canals, or railroads by contract, shall be regarded as
a builder and contractor under this act: Provided, That no license shall
be required from any person whose building contracts do not exceed two
thousand five hundred dollars in any one year.

"Thirty-six. Stallions and jacks, owners of, shall pay ten dollars for
each license. Every person who keeps a male horse or a jackass for the
use of mares, requiring or receiving pay therefor, shall be required to take
out a license under this act, which shall contain a brief description of the
animal, its age, and place or places where used or to be used: Provided,
That all accounts, notes, or demands, for the use of any such horse or
jack without a license, as aforesaid shall be invalid, and of no force in any
court of law or equity.

"Thirty-seven. Lottery-ticket dealers shall pay one thousand dollars
for each license. Every person, association, firm, or corporation who
shall make, sell, or offer to sell lottery tickets or fractional parts thereof,
or any token, certificate, or device representing or intended to represent
a lottery ticket or any fractional part thereof, or any policy of numbers in
any lottery, or shall manage any lottery or prepare schemes of lotteries,
or superintend the drawing of any lottery, shall be deemed a lottery-ticket
dealer under this act.

"Thirty-eight. Insurance agents shall pay ten dollars for each license.
Any person who shall act as agent of any fire, marine, life, mutual, or
other insurance company, or companies, shall be regarded as an insurance
agent under this act: Provided, That no license shall be required of any
insurance agent or broker whose receipts, as such agent, are less than the
sum of six hundred dollars in any one year.

"Thirty-nine. Butchers shall pay ten dollars for each license. Every
person whose business it is to sell butchers' meat at retail shall be regarded
as a butcher under this act: Provided, That no butcher having taken out
a license, and paid ten dollars therefor, shall be required to take out a
license as retail dealer on account of selling other articles at the same
store, stall, or premises: Provided, further, That butchers who retail
butchers' meat exclusively from a cart or wagon, by themselves or agents,
shall be required to pay five dollars only for each license, any existing law
to the contrary notwithstanding, and having taken out a license therefor
shall not be required to take out a license as a pedlar for retailing butchers'
meat, as aforesaid: And provided further, That no license shall be re-
quired of a butcher whose annual sales do not exceed one thousand dollars.

"Forty. Retail dealers shall pay ten dollars for each license. Every
person whose business or occupation it is to sell or offer for sale any
goods, wares, or merchandise of foreign or domestic production, not in-
cluding wines, spirituous or malt liquors, but not excluding drugs, medi-
cines, cigars, snuff, or tobacco, and whose annual sales exceed one thou-
sand, and do not exceed twenty-five thousand dollars, shall be regarded
as a retail dealer under this act.

"Forty-one. Wholesale dealers, whose annual sales do not exceed fifty
thousand dollars, shall pay twenty-five dollars for each license; if exceed-
fifty thousand, and not exceeding one hundred thousand dollars, shall pay
fifty dollars for each license; exceeding one hundred thousand and not
exceeding two hundred and fifty thousand dollars, shall pay one hundred
dollars for each license; exceeding two hundred and fifty thousand and
not exceeding five hundred thousand dollars, shall pay two hundred dol-
ars for each license; exceeding five hundred thousand and not exceeding
one million dollars, shall pay three hundred dollars for each license; ex-
ceeding one million and not exceeding two million dollars, shall pay five
hundred dollars for each license: exceeding two millions of dollars, shall pay two hundred and fifty dollars for every million of dollars in excess of two millions of dollars, in addition to the five hundred dollars. Every person shall be regarded as a wholesale dealer under this act whose business or occupation it is to sell or offer to sell any goods, wares, or merchandise of foreign or domestic production, not including distilled spirits, fermented liquors or wines, but not excluding drugs, medicines, cigars, snuff, or tobacco, whose annual sales exceed twenty-five thousand dollars; and the license required by any wholesale dealer shall not be for a less amount than his sales for the previous year, unless he has made or proposes to make some change in his business that will obviously reduce the amount of his annual sales; nor shall any license as wholesale dealer allow any such person to act as a commercial broker: Provided, That any license under stated may be again assessed.

"Forty-two. Wholesale dealers in liquors shall pay for each license the amount required in this act for license to wholesale dealers. Every person other than a distiller or brewer, who shall sell or offer for sale any distilled spirits, fermented liquors, and wines of all kinds, in quantities of more than three gallons at one time, or whose annual sales shall exceed twenty-five thousand dollars, shall take out a license as a wholesale dealer in liquors.

"Forty-three. Retail dealers in liquors shall pay twenty dollars for each license. Every person other than a distiller or brewer, who shall sell or offer for sale any distilled spirits, fermented liquors, or wine of any description, in quantities of three gallons or less, and whose annual sales do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer in liquors under this law; but nothing herein contained shall authorize the sale of any spirits, liquors, wines or malt liquors to be drank on the premises: Provided, That no person licensed to keep a hotel, inn, or tavern, shall be allowed to sell any liquors to be taken off the premises, and no person licensed to keep an eating-house shall be allowed to sell spirituous or vinous liquors. And no person who has taken out a license to keep a hotel, inn, tavern, or eating-house shall be required to take out a license as a tobacconist because of any tobacco or cigars furnished in the usual course of business as a keeper of a hotel, inn, tavern, or eating-house."

That section seventy-five be, and hereby is, amended, by inserting after the words "Provided, That white lead, oxide of zinc, and sulphate of barytes," the words "and paints and painters' colors;" by inserting before the words "on laid oil," and attached to the next preceding sentence, as follows: "and all duties or taxes on coal mined and delivered by coal operators at the mines on contracts made prior to July first, eighteen hundred and sixty-two, shall be paid by the purchasers thereof;" by striking out the following words: "on sugar, refined, whether loaf, lump, granulated, or pulverized, two mills per pound; on sugar, refined, or made from molasses, sirup of molasses, melado, or concentrated melado, two mills per pound," and inserting in lieu thereof as follows: "sugar refiners shall pay one and one half of one per cent. on the gross amount of the sales of all the products of their manufactories: Provided, That every person shall be regarded as a sugar refiner under this act whose business it is to advance the quality and value of sugar by melting and re-crystallization, or by liquoring, claying, or other washing process, or by any other chemical or mechanical means; or who shall advance the quality or value of molasses and concentrated molasses, melado or concentrated melado, by boiling or other process;" and by inserting therein, in lieu of any other duties, or rates of duty, on the articles hereinafter enumerated in this section, or provisions existing in relation there to, the following:

"On marine engines, three per centum ad valorem;"
"On rivets, exceeding one fourth of one inch in diameter, nuts, wrought railroad chairs, bolts, and horse-shoes, two dollars per ton: Provided, That where a duty upon the iron from which said articles shall have been made has been actually paid, an additional duty only shall be paid of fifty cents per ton;

"On rolled brass, copper, and yellow sheathing metal, in rods or sheets, one per centum ad valorem;

"On sails, tents, shades, awnings, and bags, made of cotton, flax, or hemp, or part of either, or other materials, three per centum ad valorem: Provided. That the sewing of sacs, [sails,] tents, shades, awnings, carpets and bags, the materials whereof belonged to the employer, shall be exempt from duty where the cloth or material from which they are made was imported, or has been subject to and paid a duty;

"On tobacco, cavendish, plug, twist, fine-cut, and manufactured of all descriptions, (not including snuff, cigars, and smoking tobacco, prepared with all the stems in or made exclusively of stems,) fifteen cents per pound;

"On smoking tobacco prepared with all the stems in, and on smoking tobacco made exclusively of stems, five cents per pound;

"On snuff manufactured of tobacco, on [or] stems, or of any substitute for tobacco, ground, dry, or damp, of all descriptions, twenty cents per pound;

"On mineral or medicinal waters, or waters from springs impregnated with minerals, one cent for each bottle containing not more than one quart; when containing more than one quart, two cents for each bottle;

"Tailors, boot and shoemakers, milliners and dressmakers, making clothing or articles of dress for men's, women's, or children's wear, to order as custom-work, and not for sale generally, shall, to the amount of one thousand dollars, be exempt from duty, and for any excess beyond the amount of one thousand dollars shall pay a duty of one per centum ad valorem;

"On umbrellas and parasols, made of cotton, silk, or other material, three per centum ad valorem;

"On all ships, barques, brigs, schooners, sloops, sail-boats, steam-boats, (not including the engine), canal-boats, and all other vessels or water-craft hereafter built, made, or constructed, two per cent;

"On sugar-candy and all confectionary made wholly or in part of sugar, valued at fourteen cents per pound or less, two cents per pound; when valued at exceeding fourteen cents and not exceeding forty cents per pound, three cents per pound; when valued at exceeding forty cents per pound, or when sold otherwise than by the pound, five per centum ad valorem;

"On all gold leaf fifteen cents per pack, containing not more than twenty books of twenty-five leaves each;

"On castings of iron exceeding ten pounds in weight for each casting, not otherwise provided for in this act, or in the act to which this act is an amendment, one dollar and fifty cents per ton: Provided, That there shall be deducted from duties assessed upon railroad cars any duties which may have been assessed and paid upon car-wheels under the provisions of this act;

"On clocks and time-pieces, and on clock movements when sold without being cased, three per centum ad valorem."

That section seventy-seven be, and hereby is, amended, by requiring the taxes provided for in that section to be levied, collected, and paid annually, by any person or persons owning, possessing, or keeping any carriage, yacht, plate, or billiard-table; by inserting in the first paragraph of Schedule A, after the words "kept for use," the words "for hire or for passengers;" and by exempting from duty plate belonging to religious societies.
THIRTY-SEVENTH CONGRESS. Sess. III. Ct. 74. 1863.

Amendment of section 78.
Slaughtered animals.

That section seventy-eight be, and hereby is, amended, by reducing the duty so that on horned cattle, slaughtered, the duty shall be twenty cents per head, on sheep and lambs, slaughtered, the duty shall be three cents per head, and on hogs, slaughtered, exceeding one hundred pounds in weight, without regard to age, six cents each, and no duty shall be charged on hogs slaughtered of less weight; and the cattle, hogs, and sheep slaughtered by any person for his or her own consumption, not exceeding six of each, shall be exempt from duty.

That section ninety-one be amended by striking out the word "gas" wherever it occurs, and by striking out the words "or on any articles manufactured" after the word "advertisements."

That section ninety-three be amended so that in case of neglect or refusal to make the returns referred to in said section the proceedings thereafter for the assessment and collection of the duty shall be in the same manner as provided for in other cases of neglect.

That section ninety-nine be amended by striking out the words "ninety-three" preceding the words "of this act," and inserting "ninety-eight."

That section one hundred and two be, and hereby is, amended, by striking out the words "thereupon allow and deduct from," and inserting in lieu thereof the words "allow upon;" by striking out the words "added to the amount, after deducting the allowance of per centum, as aforesaid," and inserting in lieu thereof the words, "paid by the purchaser of such stamped paper, vellum, or parchment;" and by striking out the word "discount" and inserting in lieu thereof the word "commission."

That section one hundred and twelve be, and hereby is amended, by inserting, after the word "district" where it first occurs, as follows: "of which the deceased person was a resident;" and by inserting after the word "district," where it next occurs, as follows: "of which the deceased person was a resident."

Sec. 2. And be it further enacted, That on and after the first day of May, eighteen hundred and sixty-three, no person or persons, association, firm, or corporation, shall make, sell, or offer for sale, or dispose of any lottery ticket, or fractional part thereof, or any policy of numbers in any lottery, or any token, certificate, or device representing or intended to represent the holder, or any other person or person[s], as entitled or to be entitled, in any lottery, lottery scheme or game of hazard or chance to be drawn, to any prize or share or part of a prize, or any sum or part or share of any sum of money, or other article of value, or any fractional part thereof, without affixing thereto an adhesive stamp or stamps denoting the duty imposed by this act, and in default thereof shall incur a penalty of fifty dollars for each and every such offence; and no prize or part of a prize drawn to or by any ticket, or fractional part thereof, token, certificate, or device as aforesaid, and no sum of money or thing of value made payable or deliverable upon any stake or investment or risk in, or upon any policy of numbers, shall be demanded or recovered by any legal proceedings or otherwise without the ticket or fractional part thereof, or policy of numbers, token, certificate, or device, shall have been duly stamped at the time of the making sale or delivery or disposal thereof: Provided, That, in addition to all other penalties and forfeitures now imposed by law for the evasion of stamp duties, any person who shall purchase, obtain, or receive any lottery ticket, or fractional part thereof, or any token, certificate, or device representing or intended to represent a lottery ticket, or fractional part thereof, or any policy or numbers, without first having thereon the stamp imposed by this act, may recover from the person of whom the same was purchased, obtained, or received, at any time within three years thereafter, before any court of competent jurisdiction, a sum equal to twice the amount paid for such ticket or fractional part thereof, token, certificate, or device, or staked or invested in or upon any policy of numbers as aforesaid, with just and
legal costs: Provided, further, That the stamp duty herein provided for
shall be classed in the act to which this act is an amendment under Schedule B, as follows, to wit:

"Lottery tickets, fractional parts of lottery tickets, policies of numbers
in lotteries, tokens, certificates, or devices in any form, representing the
holder, or any person or persons, as entitled, or to be entitled, in any lot-
tery, scheme, or game of hazard or chance, hereafter to be drawn, to any
prize or portion of a prize or sum of money, or share thereof, or other
article of value, or any portion or share thereof, when such ticket, frac-
tional part of a ticket, policy of numbers, token, certificate, or device,
shall not exceed one dollar in the amount risked, or in the retail price
thereof, fifty cents, (50;) when such ticket, fractional part of a ticket,
policy, token, certificate, or device, shall exceed one dollar in the amount
risked, or in the retail price thereof, then for each and every dollar, or
fractional part thereof, over and above one dollar, as before mentioned,
an additional fifty cents, (50;) Provided, however, That no stamp duty
herein provided for shall be construed to authorize any lottery, or the
sale of any lottery tickets, tokens, or certificates, representing shares or
fractional parts of shares therein, within any state or territory of the
United States in which lotteries or the sale of lottery tickets is or shall
be specially prohibited by the laws thereof, or in violation of the laws
of any state or territory; and nothing in this act shall be held or construed
so as to prevent the several states, within the limits thereof, from placing
a duty, tax, or license, for state purposes, on any sale of lottery tickets
on which a duty is required to be paid by this act."

Sect. 3. And be it further enacted, That any person or persons, firm,
company, or corporation, who shall issue tickets or contracts of insurance
against fatal or non-fatal injury to persons while travelling by land or
water, shall pay a duty of one per centum on the gross amount of all the
receipts for such insurance, and shall be subject to all the provisions and
regulations of existing law applicable thereto, in relation to insurance
companies: Provided, That no stamp duty shall be required upon tickets
or contracts of insurance as aforesaid, when limited to fatal or non-fatal
injury to persons while travelling.

Sect. 4. And be it further enacted, That all contracts for the purchase
or sale of gold or silver coin, or bullion, and all contracts for the loan of
money or currency secured by pledge or deposit, or other disposition
of gold or silver coin of the United States, if to be performed after a
period exceeding three days, shall be in writing or printed, and signed
by the parties or their agents or attorneys, and shall have one or more
adhesive stamps, as provided in the act to which this is an amendment,
equal in amount to one half of one per centum and interest at the rate
of six per centum per annum on the amount so loaned, pledged, or de-
posited. And if any such loan, pledge, or deposit, made for a period not
exceeding three days, shall be renewed or in any way extended for any
time whatever, said loan, pledge, or deposit, shall be subject to the duty
imposed on loans exceeding three days. And no loan of currency or
money on the security of gold or silver coin of the United States, as aforesaid,
or of any certificate or other evidence of deposit payable in gold or
silver coin, shall be made exceeding in amount the par value of the coin
pledged or deposited as security; and any such loan so made, or at-
ttempted to be made, shall be utterly void: Provided, That if gold or
silver coin be loaned at its par value it shall be subject only to the duty
imposed on other loans: Provided, however, That nothing herein con-
tained shall apply to any transaction by or with the government of the
United States.

Sect. 5. And be it further enacted, That all contracts, loans, or sales of
gold and silver coin and bullion, not made in accordance with this act,
shall be wholly and absolutely void; and in addition to the penalties pro-

Lottery-tickets.
Stamp duty.
Insurance against injury by travelling.

Contracts for purchase of coin or bullion.

Stamp duty.

Loans on pledge of coin not to exceed par value of coin.

Certain con-
tacts, loans, and sales of coin and bullion void.
vized in the act to which this is an amendment, any party to said contract may, at any time within one year from the date of the contract, bring suit before any court of competent jurisdiction to recover back, for his own use and benefit, the money paid on any contract not made in accordance with this act.

Sec. 6. And be it further enacted, That section one hundred and ten be, and hereby is, amended as follows: "Any memorandum, check, receipt, or other written or printed evidence of an amount of money to be paid on demand, or at a time designated, shall be considered as a promissory note within the meaning of that section, and shall be stamped accordingly; and that Schedule B, following said section be, and is hereby amended, so that any inland bill of exchange, draft, or order for the payment of any sum of money exceeding twenty dollars, otherwise than at sight or on demand, and any promissory note shall (in lieu of the duties prescribed in Schedule B) have a stamp or stamps affixed thereon denoting a duty, upon every sum of two hundred dollars or any fractional part thereof, if payable on demand or at any time not exceeding thirty-three days including the grace from the date or sight, of one cent, (01.)

If payable at any time not less than thirty-three days as aforesaid, and not exceeding sixty-three days, including the grace, from date or sight, of two cents, (02.)

If payable at any time not less than sixty-three days, as aforesaid, and not exceeding ninety-three days, including the grace, from date or sight, of three cents, (03.)

If payable at any time not less than ninety-three days, as aforesaid, and not exceeding four months from date or sight and grace, of four cents, (04.)

If payable at any time not less than four months, as aforesaid, and not exceeding six months from date or sight, or grace, of six cents, (06.)

If payable at any time exceeding six months from date or sight and grace, of ten cents, (10.)

And that Schedule B, following section one hundred and ten be, and is hereby further amended, so that the stamp duty on certificates of any other description than those specified in said schedule, in lieu of ten cents as therein prescribed, shall be five cents, (05.)

On passage tickets by any vessel from a port of the United States to a foreign port, costing thirty dollars or less, fifty cents, (50.)

On any power of attorney for the sale or transfer of any scrip or certificate of profits or memorandum, showing an interest in the profits or accumulations of any corporation or association, if for a sum not exceeding fifty dollars, ten cents, (10.)

On any policy of insurance or other instrument, by whatever name the same shall be called, by which insurance shall be made or renewed upon property of any description whether against perils by sea, or by fire, or other peril of any kind, made by any insurance company or its agents, or by any other company or person in which the premium or assessment shall not exceed ten dollars, ten cents, (10.)

On any bill of sale by which any ship or vessel or any part thereof shall be conveyed to or vested in any other person or persons when the consideration shall not exceed five hundred dollars, there shall be affixed a stamp or stamps denoting a duty of twenty-five cents, (25.)

If the consideration exceeds five hundred and does not exceed one thousand dollars, the duty shall be fifty cents, (50.)

If the consideration exceeds one thousand dollars, for each and every additional amount of one thousand dollars, or any fractional part thereof, in excess of one thousand dollars, the duty in addition, shall be fifty cents, (50.)

On each and every assignment or transfer of a mortgage, lease, or policy
of insurance, a stamp duty shall be paid equal to that imposed on the
original instrument.

Any power of attorney, conveyance, or document of any kind made, or
purporting to be made, in any foreign country to be used in the United
States shall pay the same duty as is required by law on similar instru-
ments or documents when made or issued in the United States; and the
party to whom the same is issued or by whom it is to be used, shall, be-
fore using the same, affix thereon the stamp or stamps indicating the duty
required.

Any mortgage or personal bond for the payment of money, or as secur-
ity for the payment of any definite or certain sum of money, in lieu of
the duties imposed as prescribed in Schedule B following the one hundred
and tenth section, shall have a stamp or stamps affixed thereon denoting
a duty upon every sum of two hundred dollars, or any fractional part
thereof, of ten cents, (10.)

No conveyance, deed, mortgage, or writing, whereby any lands, ten-
ements, realty, or other property shall be sold, granted, assigned or other-
wise conveyed, or shall be made as security for the payment of any sum of
money, shall be required to pay a stamp duty of more than the sum of
one thousand dollars, anything to the contrary notwithstanding.

No stamp duty shall be required on powers of attorney or any other
paper relating to applications for bounties, arrearages of pay, or pensions,
or to the receipt thereof from time to time; or indemnity awarded for
depredations and injuries by certain bands of Sioux Indians; nor on any
warrant of attorney accompanying a bond or note, when such bond or note
shall have affixed thereto the stamp or stamps denoting the duty required;
and whenever any bond or note shall be secured by a mortgage but one
stamp duty shall be required to be placed on such papers: Provided, That
the stamp duty placed thereon is the highest rate required for said instru-
ments, or either of them; nor on certificates of the measurement or weight
of animals, wood, coal, or other articles; nor on deposit notes to mutual
insurance companies for insurance upon which policies subject to stamp
duties have been, or are to be, issued; nor on any certificate of the record
of a deed or other instrument in writing, or of the acknowledgment or
proof thereof by attesting witnesses.

The duty or stamp required for transportation by express companies
and others is hereby repealed, and such transportation shall be exempt
from stamp duty.

That the stamp duty on a contract or agreement for the charter of any
ship, or vessel, or steamer, as now provided for in Schedule B, or any
letter, memorandum, or other writing between the captain, master, or
owner, or person acting as agent of any ship, or vessel, or steamer, and
any other person or persons for or relating to the charter of such ship,
or vessel, or steamer, if the registered tonnage of such ship, or vessel,
or steamer, does not exceed one hundred and fifty tons, shall be one
dollar, ($1.)

Exceeding one hundred and fifty tons and not exceeding three hundred
tons, three dollars, ($3.)

Exceeding three hundred tons and not exceeding six hundred tons, five
dollars, ($5.)

Exceeding six hundred tons, ten dollars, ($10).

Sec. 7. And be it further enacted, That the commissioner of internal
revenue be, and he is hereby, authorized to prescribe such method for
the cancellation of stamps as a substitute for or in addition to the method
now prescribed by law, as he may deem expedient and effectual. And
he is further authorized in his discretion to make the application of such
method imperative upon the manufacturers of proprietary articles, and
upon stamps of a nominal value exceeding twenty-five cents each.

Sec. 8. And be it further enacted, That, on and after the passage of

Duty on interest on bonds of

THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 74. 1862. 721
canal, &c., companies, and upon their dividends.

this act, any person or persons owning or possessing, or having the care or management of any canal company or canal navigation or slack-water corporation, or turnpike companies, being indebted for any sum or sums of money for which bonds or other evidences of indebtedness have been issued, payable in one or more years after date, upon which interest is, or shall be, stipulated to be paid, or coupons representing the interest, shall be or shall have been issued to be paid; and all dividends in scrip or money, or sums of money thereafter declared due or payable to stockholders of any canal navigation, or slack-water or turnpike company, as part of the earnings, profits, or gains, of said companies, shall be subject to and pay a duty of three per centum on the amount of all such interest, or coupons, or dividends, whenever the same shall be paid; and said canal companies or canal navigation, or slack-water corporations, or turnpike companies, or any person or persons owning, possessing, or having the care or management of any canal company, or canal navigation or slack-water corporation, or turnpike company, are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, after the first day of July, as aforesaid, on account of any interest, or coupons, or dividends due and payable, as aforesaid, the said duty or sum of three per centum; and the duties deducted, as aforesaid, and certified by the president or other proper officer of said company or corporation, shall be a receipt and discharge, according to the amount thereof, of said canal companies or canal navigation, or slack-water corporations, or turnpike companies, and the owners, possessors, and agents thereof, on dividends and on bonds or other evidences of their indebtedness upon which interest or coupons are payable, holden by any person or party whatsoever, and a list or return shall be made and rendered within thirty days after the time fixed when said interest or coupons or dividends become due or payable, and as often as every six months, to the commissioner of internal revenue, which shall contain a true and faithful account of the duties received and chargeable, as aforesaid, during the time when such duties have accrued or should accrue, and remaining unaccounted for; and there shall be annexed to every such list or return a declaration, under oath or affirmation, in manner and form as may be prescribed by the commissioner of internal revenue, of the president, treasurer, or some proper officer of said canal company or canal or navigation and slack-water corporation or turnpike companies, that the same contains a true and faithful account of the duties so withheld and received during the time when such duties have accrued or should accrue, and not accounted for; and for any default in the making or rendering of such list or return, with the declaration annexed, as aforesaid, the person or persons owning, possessing, or having the care or management of such canal company or canal, navigation or slack-water corporation or turnpike companies, making such default, shall forfeit, as a penalty, the sum of five hundred dollars; and in case of any default in making or rendering said list, or of any default in the payment of the duty, or any part thereof, accruing or which should accrue, the assessment and collection shall be made according to the general provisions of the act to which this act is an amendment.

Sec. 9. And be it further enacted, That any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any ferry-boat, or vessel used as a ferry-boat, propelled by steam or horse power, in lieu of the duties now imposed by law, shall be subject to pay a duty of one and one half of one per centum upon the gross receipts of such ferry-boat; and the return and payment thereof shall be made in the manner prescribed in the act to which this act is an amendment.

Sec. 10. And be it further enacted, That on and after the first day of April, eighteen hundred and sixty-three, any person or persons, firms,
companies, or corporations carrying on or doing an express business shall,
in lieu of the tax and stamp duties imposed by existing laws, be subject
to and pay a duty of two per centum on the gross amount of all the re-
ceipts of such express business, and shall be subject to the same provisions,
rules, and penalties as are prescribed in section eighty of the act to which
this is an amendment, for the persons, firms, companies, or corporations
owning or possessing or having the management of railroads, steamboats,
and ferry-boats; and all acts or part[s] of acts inconsistent herewith are
hereby repealed.

SEC. 11. And be it further enacted, That in estimating the annual
gains, profit, or income, of any person, under the act to which this act is
an amendment, the amount actually paid by such person for the rent of
the dwelling-house or estate on which he resides shall be first deducted
from the gains, profit, or income of such person.

SEC. 12. And be it further enacted, That no duty shall be required to
be assessed or collected on beer, lager beer, ale, or porter, brewed or
manufactured, or on coal illuminating oil, refined, produced by the distilla-
tion of coal, asphaltum, shale, peat, petroleum, or rock oil, distilled
spirits, cotton or woolen fabrics, when brewed, manufactured, or distilled
prior to the first day of September, eighteen hundred and sixty-two,
whether the same was removed for consumption or sale, or not, when the
owner, agent, or superintendent of the brewery or premises in which such
articles as aforesaid were made, manufactured, produced, or distilled, shall
furnish to the assessor of the district, without costs or expense to the
United States, satisfactory proof that such beer, lager beer, ale, or porter,
or such coal illuminating oil, refined, produced by the distillation of coal,
asphaltum, shale, peat, petroleum, or rock oil, distilled spirits, cotton or
woollen fabrics, was actually brewed, manufactured, produced, or distilled
prior to the first day of September, eighteen hundred and sixty-two, as
aforesaid: Provided, That, in addition to the fractional parts of a barrel
allowed in section fifty of the act to which this act is an amendment, frac-
tional parts of a barrel may be thirds and sixths when the quantity therein
contained is not greater than such fractional part represents: Provided,
further, That from and after the passage of this act, and until the first
day of April, eighteen hundred and sixty-four, there shall be paid on all
beer, lager beer, ale, porter, and other similar fermented liquors, by what-
ever name such liquors may be called, a duty only of sixty cents for each
and every barrel containing not more than thirty-one gallons, and at a
like rate for any other quantity or for fractional parts of a barrel: And
provided, further, That the commissioner of internal revenue is author-
ized to make rules providing for deductions on account of leakage, from
the quantity of spirituous liquors subject to taxation, under the act to
which this act is an amendment, not exceeding five per centum of the
amount removed for sale; and said deductions shall be so adjusted in the
different parts of the United States as to be proportioned, as nearly as
practicable, to the distances over which the manufacturer usually trans-
ports said liquors for the wholesale thereof; and the owner of the afores-
said liquors shall be charged with and pay the expense of ascertaining the
leakage.

SEC. 13. And be it further enacted, That any brewer of ale, beer,
lager beer, porter, or other malt liquors, shall be required to render ac-
counts and make returns on the first day of each and every month, and
so often; and no brewer of ale, beer, lager beer, porter, or other malt
liquors, shall hereafter be required to keep a record or an account, or to
report or return the quantities of grain or other vegetable productions, or
other substances put into the mash-tub by him or his agent or superin-
tendent for the purpose of producing malt liquors, any law to the contrary
notwithstanding.

SEC. 14. And be it further enacted, That every incorporated bank, or

Express companies.

Income.

Rent of house to be deducted.

No duty on

beer, &c., coal

oil, &c., manufac-
tured prior to

Sept. 1, 1802,
on proof, &c.

Ante, p. 450.

Fractional parts

of a barrel.

Duty on beer,

ale, &c., until

April 1, 1864.

Deductions for

leakage.

Brewers to

make returns.


Banks not mak-
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 74. 1863.

other bank legally authorized to issue notes as circulation, which shall neglect or omit to make dividends or additions to its surplus or contingent funds as often as once in six months, shall, in lieu thereof, make returns, under oath, to the commissioner of internal revenue, on the first days of January and July in each year, or within thirty days thereafter, of the amount of profits which have accrued or been earned and received by said bank during the six months next preceding said first days of January and July; and, at the time of making such returns, shall pay to the commissioner of internal revenue a duty of three per cent. on such profits, and shall be subject to the provisions of the eighty-second section of the act to which this is an addition: Provided, That the return for the first of January, eighteen hundred and sixty-three, shall be made within thirty days after the passage of this act.

SEC. 15. And be it further enacted, That the several assessors shall, on the first Monday of May next, and on the first Monday of May in each succeeding year, direct and cause the several assistant assessors to proceed through every part of their respective districts, and inquire after and concerning all persons being within the assessment districts where they respectively reside, and liable to license duty under the provisions of this act, or of the act to which this is in addition, and assess such persons as in said acts is required. And all licenses so assessed shall continue in force until the first day of May next succeeding. And all licenses granted after the first day of May in any year shall expire on the first day of May following, and shall be issued upon the payment of a ratable proportion of the whole amount of duty imposed for such license; and each license so granted shall be dated on the first day of the month in which it is issued: Provided, That any person, firm, or corporation that on the first day of May next shall hold an unexpired license, shall be assessed a ratable proportion for the time between the expiration of the license and the first day of May, eighteen hundred and sixty-four.

SEC. 16. And be it further enacted, That in any collection district where, in the judgment of the commissioner of internal revenue, the facilities for the procurement and distribution of stamped vellum, parchment or paper, and adhesive stamps are or shall be insufficient, the commissioner, as aforesaid, is authorized to furnish, supply, and deliver to the collector of any such district a suitable quantity or amount of stamped vellum, parchment, or paper, and adhesive stamps, without prepayment therefor, and shall allow the highest rate of commissions to the collector allowed by law to any other parties purchasing the same, and may, in advance, require of any such collector a bond, with sufficient sureties to an amount equal to the value of any stamped vellum, parchment or paper, and adhesive stamps which may be placed in his hands and remain unaccounted for, conditioned for the faithful return, whenever so required, of all quantities or amounts undisposed of, and for the payment, monthly, of all quantities or amounts, sold or not, remaining on hand. And it shall be the duty of such collector to supply his deputies with, or sell to other parties within his district who may make applications therefor, stamped vellum, parchment or paper, and adhesive stamps, upon the same terms allowed by law, or under the regulations of the commissioner of internal revenue, who is hereby authorized to make such other regulations, not inconsistent herewith, for the security of the United States and the better accommodation of the public in relation to the matters hereinbefore mentioned, as he may judge necessary and expedient: Provided, that no instrument, document, or paper made, signed, or issued prior to the first day of June, Anno Domini eighteen hundred and sixty-three, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon, shall, for that cause, be deemed invalid and of no effect: And provided, That no instrument, document, writing, or paper, required by law to be stamped, signed, or issued, without being duly stamped prior to
the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp, or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto or used thereon, and the initials of the persons using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as heretofore provided by law.

SEC. 17. And be it further enacted, That, in addition to the compensation now allowed to collectors for their services, and that of their deputies, there shall be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent and exclusively relating to official business; and in calculating the commission of collectors of internal revenue in districts whence distilled spirits are shipped to be sold in other districts in pursuance of the provisions of the act to which this act is an amendment, the amount of duties due on the quantity of spirits so shipped shall be added to the principal on which the commissions of such collectors are calculated, and a corresponding amount shall be deducted from the principal sum on which the commissions of the collectors in the districts to which such spirits are shipped are calculated: Provided, however, That the salary of no collector shall exceed ten thousand dollars, in the aggregate, or more than five thousand dollars exclusive of the expenses of administering the office.

SEC. 18. And be it further enacted, That it shall be the duty of the commissioner of internal revenue to pay over to the treasurer of the United States, monthly, or oftener, if required by the Secretary of the Treasury, all public moneys which may come into his hands or possession, for which the treasurer shall give proper receipts and keep a faithful account, and at the end of each month the commissioner, as aforesaid, shall render true and faithful accounts of all public moneys received or paid out, or paid to the treasurer of the United States, exhibiting proper vouchers therefor, and the same shall be received and examined by the fifth auditor of the treasury, who shall thereafter certify the balance, if any, and transmit the accounts, with the vouchers and certificate, to the first comptroller for his decision thereon; and the commissioner, as aforesaid, when such accounts are settled as herein provided for, shall transmit a copy thereof to the Secretary of the Treasury. He shall at all times submit to the Secretary of the Treasury and the comptroller, or either of them, the inspection of moneys in his hands, and shall, prior to the entering upon the duties of his office, execute a bond, with sufficient securities, to be approved by the Secretary of the Treasury, and by the first comptroller, in a sum of not less than one hundred thousand dollars, payable to the United States, conditioned that said commissioner shall faithfully perform the duties of his office according to law, and shall justly and faithfully account for and pay over to the United States, in obedience to law and in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession, and for the safe-keeping and faithful account of all stamps, adhesive stamps, or vellum, parchment or paper bearing a stamp denoting any duty thereon; which bond shall be filed in the office of the first comptroller of the treasury, and such commissioner shall, from time to time, renew, strengthen, and increase his official bond as the Secretary of the Treasury may direct.

SEC. 19. And be it further enacted, That the President shall appoint in the department of the treasury, by and with the advice and consent of the Senate, a competent person, who shall be called the deputy commissioner of internal revenue, with an annual salary of twenty-five hundred dollars, who shall be charged with such duties in the bureau of
Deputy commissioner.

Revenue agents, their number, duty, and salaries.

Cashier of internal duties.

Salary and duties.

Bond.

Assessors' salary.

Not to exceed $3000.

Office rent allowed.

Clerks and their pay.

Postage.

Stationery, &c.

Assistant assessors.

Additional compensation to those in California and Oregon.

internal revenue as may be prescribed by the Secretary of the Treasury; or as may be required by law, and who shall act as commissioner of internal revenue in the absence of that officer, and exercise the privilege of franking all letters and documents pertaining to the office of internal revenue.

Sec. 20. And be it further enacted, That the Secretary of the Treasury may appoint not exceeding three revenue agents whose duties shall be under the direction of the Secretary of the Treasury, to aid in the prevention, detection, and punishment of frauds upon the revenue, who shall be paid such compensation as the Secretary of the Treasury may deem just and reasonable, not exceeding two thousand dollars per annum. The above salaries to be paid in the same manner as are other expenses for collecting the revenue.

Sec. 21. And be it further enacted, That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a competent person, who shall be called the cashier of internal duties, with a salary of twenty-five hundred dollars, who shall have charge of the moneys received in the office of the commissioner of internal revenue, and shall perform such duties as may be assigned to his office by said commissioner, under the regulations of the Secretary of the Treasury, and before entering upon his duties as cashier he shall give a bond with sufficient sureties, to be approved by the Secretary of the Treasury and by the solicitor, that he will faithfully account for all the moneys, or other articles of value, belonging to the United States, which may come into his hands, and perform all the duties enjoined upon his office, according to law and regulations, as aforesaid; which bond shall be deposited with the first comptroller of the treasury.

Sec. 22. And be it further enacted, That in lieu of the pay allowed by law, the several assessors, from the date of their appointment, shall be allowed and paid a salary of fifteen hundred dollars per annum, payable quarterly, and in addition thereto, where the receipts of the collection district shall exceed the sum of two hundred thousand dollars, and shall not exceed the sum of four hundred thousand dollars annually, one half of one per centum upon the excess of receipts over two hundred thousand dollars; where the receipts of a collection district shall exceed four hundred thousand dollars, and shall not exceed eight hundred thousand, one fourth of one per centum upon the excess of receipts over four hundred thousand dollars; where the receipts shall exceed eight hundred thousand dollars, one tenth of one per centum upon such excess; but the salary of no assessor shall in any case exceed the sum of three thousand dollars. And the several assessors shall be allowed and paid the sums actually expended for office rent, not exceeding the rate of five hundred dollars per annum. The commissioner of internal revenue, under the direction of the Secretary of the Treasury, is authorized to allow such clerks as he may deem necessary for the proper transaction of business, and to fix their compensation. Such assessors shall also be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent, and exclusively relating to official business, and for stationery and blank books used in the execution of their duties; and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized. And assistant assessors shall, in addition to pay and charges allowed by law, also be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent, and exclusively relating to official business: Provided, That the Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in the States of California and Oregon, and the territories, as may appear to him to be just and equitable in consequence of the greater cost of living and travelling in those states and territories, and as may, in his judgment, be necessary to secure the
services of competent and efficient men: Provided, further, That the rates of compensation thus allowed shall not exceed the rates paid to similar officers in such states and territories, respectively.

Sec. 23. And be it further enacted, That assistant assessors shall make out their accounts for pay and charges allowed by law monthly, specifying each item and including the date of each day of service, and shall transmit the same to the assessor of the district, who shall thereupon examine the same, and, if it appear just and in accordance with law, he shall indorse his approval thereon, but otherwise shall return the same with objections. Any such account so approved may be presented by the assistant assessor to the collector of the district for payment, who shall thereupon pay the same, and, when receipted by the assistant assessor, be allowed therefor upon presentation to the commissioner of internal revenue. Where any account, so transmitted to the assessor, shall be objected to, in whole or in part, the assistant assessor may appeal to the commissioner of internal revenue, whose decision on the case shall be final; and should it appear, at any time, that any assessor has wilfully and corruptly approved any account, as aforesaid, allowing any assistant assessor a sum larger than was due according to law, it shall be the duty of the commissioner of internal revenue, upon proper proof thereof, to deduct the sum so allowed from any pay which may be due to such assessor; or the commissioner as aforesaid may direct a suit to be brought in any court of competent jurisdiction against the assessor or assistant assessor in default, for the recovery of the amount wilfully and corruptly allowed, as hereinbefore mentioned.

Sec. 24. And be it further enacted, That if any person or persons shall knowingly exercise or carry on any trade or business, for the exercising or carrying on of which trade or business a license is required, without taking out such license as is in that behalf required, he, she, or they shall, for every such offence, upon conviction thereof, in lieu of or in addition to other penalties now imposed by law, at the discretion of the court, be subject to imprisonment for a term not exceeding two years.

Sec. 25. And be it further enacted, That no auctioneer shall be authorized, by virtue of his license as such auctioneer, to sell any goods or other property in any other district than that in which the license shall have been granted, but lawyers, physicians, surgeons, or dentists, having taken out a license as such, shall not be required to take out any additional license in consequence of practising their profession within or beyond the limits of the district where licensed.

Sec. 26. And be it further enacted, That, upon the removal of any person or persons from the house or premises at which he, she, or they were authorized by license to exercise or carry on any trade or business mentioned in such license, and authorized by the act to which this act is an amendment, it shall and may be lawful for the person or persons authorized to grant licenses to authorize and empower, by indorsement on such license or otherwise, as the commissioner of internal revenue shall direct, the person or persons so removing, as aforesaid, to any other place, to carry on the trade or business specified in such license at the place to which such person or persons may have removed, for or during the residue of the term for which such license was originally granted, without taking out any fresh license or payment of any additional duty or any fee thereupon for the residue of such term, and until the expiration thereof: Provided, always, That a fresh entry of the premises at which such trade or business shall continue to be so exercised or carried on, as aforesaid, shall thereupon be made by and in the name or names of the person or persons to whom such authority, as aforesaid, shall be granted.

Sec. 27. And be it further enacted, That any person who shall offer for sale, after the thirtieth of September, eighteen hundred and sixty-three, any of the articles named in Schedule C. of the act to which this relates,
act is an amendment, whether the articles so offered are imported, or are of foreign or domestic manufacture, shall be deemed the manufacturer thereof, and subject to all the duties, liabilities, and penalties in said act imposed in regard to the sale of such articles without the use of the proper stamp or stamps, as in said act is required.

Sec. 28. And be it further enacted, That all medicines, preparations, compositions, perfumery, and cosmetics, intended for exportation, as provided for in section one hundred and nine of the act to which this act is an amendment, in order to be manufactured and sold or removed, without being charged with duty, and without having a stamp affixed thereto, may, under such rules and regulations as the Secretary of the Treasury may prescribe, be made and manufactured in warehouses known and designated in treasury regulations as bonded warehouses, class two: Provided, such manufacturer shall first give satisfactory bonds to the collector of internal revenue for the faithful observance of the rules and regulations herein provided for, in amount not less than half required by the regulations of the Secretary of the Treasury from persons allowed bonded warehouses, class two. Such goods, when manufactured in such warehouses, may be removed for exportation, under the direction of the revenue officer having charge thereof, without being charged with duty, and without having a stamp affixed thereto. Any manufacturer of the articles aforesaid, or of any of them, having such bonded warehouse as aforesaid, shall be at liberty, under such rules and regulations as the Secretary of the Treasury may prescribe, to convey therein any materials to be used in such manufacture which are allowed by the provisions of the said act to be exported free from tax or duty, as well as the necessary materials, implements, packages, vessels, brands, and labels for the preparation, putting up, and export of the said manufactured articles, and every article so used shall be exempt from stamp and excise duty. Articles and materials so to be used may be transferred from any bonded warehouse in which the same may be, under such regulations as the Secretary of the Treasury may prescribe, into any bonded warehouse, class two, in which such manufacture may be conducted, and may be used in such manufacture, and, when so used, shall be exempt from stamp and excise duty; and the receipt of the officer of the revenue in charge shall be received as a voucher for the manufacture of such articles. Any materials imported into the United States may, under such rules as the Secretary of the Treasury may prescribe, and under the direction of the proper officer of the customs, be removed in original packages from on ship-board, or from the bonded warehouses in which the same may be, into the bonded warehouse, class two, in which such manufacture may be carried on, for the purpose of being used in such manufacture, without payment of duties thereon, and may there be used in such manufacture. No article so removed, nor any article manufactured in said bonded warehouse, class two, shall be taken therefrom except for exportation, under the direction of the proper officer of the customs having charge thereof, whose certificate, describing the articles by their marks, or otherwise, the quantity, the date of importation, and name of vessel, with such additional particulars as may from time to time be required, shall be received by the collector of customs in cancellation of the bonds, or return of the amount of foreign import duties. All labor performed and services rendered under these regulations shall be under the supervision of an officer of the customs, and at the expense of the manufacturer.

Sec. 29. And be it further enacted, That spokes, hubs, felloes, grindstones, coke, silver bullion, rolled or prepared for platers' use exclusively; materials for the manufacture of hoop-skirts exclusively, and unfitted for other use, (such as steel wire, rolled, tempered, or covered, cut tapes, and small wares for joining hoops together;) spindles, and castings of all descriptions, where made exclusively for instruments, articles, or machin-
ery upon which duties are assessed and paid, shall be exempt from duty; and all goods, wares, and merchandise, and articles made or manufactured from materials which have been subject to and upon which internal duties have been actually paid, or materials imported upon which duties have been paid, or upon which no duties are imposed by law, where the increased value of such goods, wares, and merchandise, and articles so made and manufactured, shall not exceed the amount of five per centum ad valorem, shall be, and hereby are, exempt from duty.

Sec. 30. And be it further enacted, That on all cloths of silk, cotton, or other material, dyed, printed, bleached, manufactured, or prepared into other fabrics, which were removed from the place of manufacture prior to the first of September, eighteen hundred and sixty-two, or which have been or shall be imported, the duty or tax of three per centum shall be assessed only upon the increased value thereof: Provided, further, That whenever the duty has been assessed, or assessed and collected at the full value thereof upon cloths of silk, cotton, or other material manufactured and removed from the place of manufacture prior to the first of September, eighteen hundred and sixty-two, or which were imported prior to the passage of this act, and which have been dyed, printed, bleached, manufactured, or otherwise prepared into other fabrics, since the said first of September, eighteen hundred and sixty-two, the commissioner of internal revenue, subject to the regulation of the Secretary of the Treasury, shall be, and he hereby is, authorized and directed to remit, refund, and pay back such proportion of said duties as were assessed upon the value of such cloths before the same were so dyed, printed, bleached, manufactured, or otherwise prepared.

Sec. 31. And be it further enacted, That the commissioner of internal revenue, subject to the regulations of the Secretary of the Treasury, shall be, and hereby is, authorized to remit, refund, and pay back all duties erroneously or illegally assessed or collected, and all judgments or sums of money recovered in any court against any collector or deputy collector for any duties or licenses paid under protest.

Sec. 32. And be it further enacted, That manufacturers of lard oil, lubricating oil, and linseed oil shall be subject to the provisions of the act to which this is an amendment, relating to distillers of spirituous liquors, and designed for the purpose of ascertaining the quantity produced, so far as the same may, in the judgment of the commissioner of internal revenue, and under regulations to be prescribed by him, be deemed necessary.

Sec. 33. And be it further enacted, That the provisions of the act to which this act is an amendment, in relation to returns by manufacturers, and the payment and collection of duties upon manufactured articles, enumerated in section seventy-five of said act, shall be, and hereby are, made applicable to the producers of articles which are also mentioned in said section, and on which taxes are levied.

Sec. 34. And be it further enacted, That there shall be designated by the collector in every district where the same may be necessary one or more inspectors of manufactured tobacco, who shall take an oath faithfully to perform their duties in such form as the commissioner of internal revenue shall prescribe, and who shall be entitled to receive such fees as may be fixed and prescribed by said commissioner. And all manufactured tobacco shall, before the same is used or removed for consumption or sale, be inspected and weighed by an inspector, designated as aforesaid, who shall mark upon the box or other package containing such tobacco, in a manner to be prescribed by said commissioner, the quality and weight of the contents of such package, with the date of inspection, and the name of the inspector. The fees of such inspector shall in all cases be paid by the owner of the tobacco so inspected and weighed. The penalties for the fraudulent marking of any package of tobacco, and for
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 74. 1863.

or changing marks.

Tobacco may be removed for export.

Bond.

Proviso.

Drawback, evidence of exportation to entitle to benefit of.

Ante, p. 488.

Bureau of exports of New York to have charge.

Power of head of bureau and of the bureau.

Proviso.

Collectors, &c., in California, Oregon, and Nevada, how paid.

This act to take effect on its passage.

Saving of existing laws.

Drawback on cordials, &c.
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 74, 75. 1863.

which a duty shall have been paid, equal in amount to the duty paid on such spirits when exported, with such deduction as the Secretary of the Treasury may think reasonable, not exceeding five per centum of the amount of duty so paid; the amount to be ascertained in the manner and under the regulations prescribed in section one hundred and sixteen of the act to which this is additional, and the same to be subject to all the provisions of said section applicable thereto; Provided, That no such allowance shall be made unless the value of the spirits used in such manufacture shall exceed one half of the whole value of the article manufactured as aforesaid.

APPROVED, March 3, 1863.

CHAP. LXXV. — An Act for enrolling and calling out the national Forces, and for other Purposes.

Whereas there now exist in the United States an insurrection and rebellion against the authority thereof; and it is, under the Constitution of the United States, the duty of the government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquillity; and whereas, for these high purposes, a military force is indispensable, to raise and support which all persons ought willingly to contribute; and whereas no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government: Therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

SEC. 2. And be it further enacted, That the following persons be, and they are hereby, excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; also, First the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the government, and the governors of the several States. Second, the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support. Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or, if he be dead, the mother, may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother dependent upon his labor for support. Sixth, the father of motherless children under twelve years of age dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt. And no persons but such as are herein excepted shall be exempt: Provided, however, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

SEC. 3. And be it further enacted, That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classes: the first of which shall comprise all persons sub-

ante, p. 488.

Provido.
ject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty-five and under the age of forty-five; the second class shall comprise all other persons subject to do military duty, and they shall not, in any district, be called into the service of the United States until those of the first class shall have been called.

**SEC. 4. And be it further enacted**, That, for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each territory of the United States shall constitute one or more, as the President shall direct, and each congressional district of the respective states, as fixed by a law of the state next preceding the enrolment, shall constitute one: *Provided*, That in states which have not by their laws been divided into two or more congressional districts, the President of the United States shall divide the same into so many enrolment districts as he may deem fit and convenient.

**SEC. 5. And be it further enacted**, That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay, and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a provost-marshal-general, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

**SEC. 6. And be it further enacted**, That it shall be the duty of the provost-marshal-general, with the approval of the Secretary of War, to make rules and regulations for the government of his subordinates; to furnish them with the names and residences of all deserters from the army, or any of the land forces in the service of the United States, including the militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrolment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction; and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

**SEC. 7. And be it further enacted**, That it shall be the duty of the provost-marshal to arrest all deserters, whether regulars, volunteers, militia men, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the enemy, who shall without unreasonable delay be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the provost-marshal-general, and such as may be prescribed by law, concerning the enrolment and calling into service of the national forces.

**SEC. 8. And be it further enacted**, That in each of said districts there shall be a board of enrolment, to be composed of the provost-marshal, as president, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practising physician and surgeon.

**SEC. 9. And be it further enacted**, That it shall be the duty of the said board to divide the district into sub-districts of convenient size, if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each
sub-district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enrol all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the board of enrolment, to be consolidated into one list, a copy of which shall be transmitted to the provost-marshal-general on or before the first day of May succeeding the enrolment: Provided, nevertheless, That if from any cause the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

**SEC. 10. And be it further enacted,** That the enrolment of each class shall be made separately, and shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty-five years.

**SEC. 11. And be it further enacted,** That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrolment, to be called into the military service of the United States, and to continue in service during the present rebellion, not, however, exceeding the term of three years; and when called into service shall be placed on the same footing, in all respects, as volunteers for three years, or during the war, including advance pay and bounty as now provided by law.

**SEC. 12. And be it further enacted,** That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per cent. in addition, and shall make an exact and complete roll of the names of the persons so drawn, and of the order in which they were drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on; and the persons so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several states in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignment as to equalize the numbers among the districts of the several states, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

**SEC. 13. And be it further enacted,** That any person drafted and notified to appear as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft; or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procurement of such substitute; which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any state or territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice, as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the board of enrolment shall relieve him from the draft.

**SEC. 14. And be it further enacted,** That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the board, who shall truly report to the board the physical condition of each

*Enrolling officers.*

* Duties.

* Provise.*

* Each class to be enrolled separately.*

* Persons enrolled, subject to be called into military service.*

* President to assign number to be furnished by each district.*

* Draft to be made.*

* Roll.*

* Persons drawn, how notified.*

* Principle of assignment.*

* Number in several states to be equalized.*

* Those drafted may furnish substitutes,*

* or may pay not over $300.*

* Those drafted and notified, and not finding substitute, &c., to be deemed deserters.*

* Persons drafted to be inspected.*
Claims for exemption on account of disability.

Penalty on surgeon for neglect, &c., in inspection.

Those drafted and not wanted, to be discharged.

Travel.

Expenses, how paid.

Provost.

Those furnishing substitutes to be exempt.

Pay and allowances of substitute.

Bounty to volunteers, &c., now in service for reenlistment.

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one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the board, whose decision shall be final.

SEC. 15. And be it further enacted, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court-martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. And be it further enacted, That as soon as the required number of able-bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged; and all drafted persons reporting at the place of rendezvous shall be allowed travelling pay from their places of residence; and all persons discharged at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrolment and drafting, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulations as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost-marshal shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such such regulations as the President of the United States shall prescribe: Provided, The provost-marshal shall in no case receive commutation for transportation or for fuel and quarters, but only for forage, when not furnished by the government, together with actual expenses of postage, stationery, and clerk hire authorized by the provost-marshal-general.

SEC. 17. And be it further enacted, That any person enrolled and drafted according to the provisions of this act who shall furnish an acceptable substitute, shall thereupon receive from the board of enrolment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowances provided by law as if he had been originally drafted into the service of the United States.

SEC. 18. And be it further enacted, That such of the volunteers and militia now in the service of the United States as may reënlist to serve one year, unless sooner discharged, after the expiration of their present term of service, shall be entitled to a bounty of fifty dollars, one half of which to be paid upon such reënlistment, and the balance at the expiration of the term of reënlistment; and such as may reënlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlistment, shall receive, upon such reënlistment, twenty-five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty-second of July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property."

SEC. 19. And be it further enacted, That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one half the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: Provided, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made, the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. And be it further enacted, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be
appointed in such regiment beyond those necessary for the command of such reduced number.

SEC. 21. And be it further enacted, That so much of the fifth section of the act approved seventeenth July, eighteen hundred and sixty-two, entitled, "An act to amend an act calling forth the militia to execute the laws of the Union," and so forth, as requires the approval of the President to carry into execution the sentence of a court-martial, be, and the same is hereby, repealed, as far as relates to carrying into execution the sentence of any court-martial against any person convicted as a spy or deserter, or of mutiny or murder; and hereafter sentences in punishment of these offences may be carried into execution upon the approval of the commanding-general in the field.

SEC. 22. And be it further enacted, That courts-martial shall have power to sentence officers who shall absent themselves from their commands without leave, to be reduced to the ranks to serve three years or during the war.

SEC. 23. And be it further enacted, That the clothes, arms, military outfits, and accoutrements furnished by the United States to any soldier, shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a soldier, or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accoutrements, furnished as aforesaid, and which have been the subjects of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title, or interest therein; but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster, or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accoutrements, by any person not a soldier or officer of the United States, shall be prima facie evidence of such a sale, barter, exchange, pledge, loan, or gift, as aforesaid.

SEC. 24. And be it further enacted, That every person not subject to the rules and articles of war who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SEC. 25. And be it further enacted, That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or wilfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost-marshal, and shall be forthwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

SEC. 26. And be it further enacted, That, immediately after the passage of this act, the President shall issue his proclamation declaring that all soldiers now absent from their regiments without leave may return
within a time specified to such place or places as he may indicate in his proclamation, and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President shall, upon being arrested, be punished as the law provides.

Sec. 27. And be it further enacted, That depositions of witnesses residing beyond the limits of the state, territory, or district in which military courts shall be ordered to sit, may be taken in cases not capital by either party, and read in evidence; provided the same shall be taken upon reasonable notice to the opposite party, and duly authenticated.

Sec. 28. And be it further enacted, That the judge advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings and testimony taken before military courts instead of the judge advocate; and such reporter may take down such proceedings and testimony in the first instance in short-hand. The reporter shall be sworn or affirmed faithfully to perform his duty before entering upon it.

Sec. 29. And be it further enacted, That the court shall, for reasonable cause, grant a continuance to either party for such time and as often as shall appear to be just: Provided, That if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

Sec. 30. And be it further enacted, That in time of war, insurrection, or rebellion, murder, murder, assault and battery with an intent to kill, manslaughter, mayhem, wounding by shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with an intent to commit rape, and larceny, shall be punishable by the sentence of a general court-martial or military commission, when committed by persons who are in the military service of the United States, and subject to the articles of war; and the punishments for such offences shall never be less than those inflicted by the laws of the state, territory, or district in which they may have been committed.

Sec. 31. And be it further enacted, That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more; and any officer absent without leave shall, in addition to the penalties prescribed by law or a court-martial, forfeit all pay or allowances during such absence.

Sec. 32. And be it further enacted, That the commanders of regiments and of batteries in the field, are hereby authorized and empowered to grant furloughs for a period not exceeding thirty days at any one time to five per centum of the non-commissioned officers and privates, for good conduct in the line of duty, and subject to the approval of the commander of the forces of which such non-commissioned officers and privates form a part.

Sec. 33. And be it further enacted, That the President of the United States is hereby authorized and empowered, during the present rebellion, to call forth the national forces, by draft, in the manner provided for in this act.

Sec. 34. And be it further enacted, That all persons drafted under the provisions of this act shall be assigned by the President to military duty in such corps, regiments, or other branches of the service as the exigencies of the service may require.

Sec. 35. And be it further enacted, That hereafter details to special service shall only be made with the consent of the commanding officer of forces in the field; and enlisted men, now or hereafter detailed to special service, shall not receive any extra pay for such services beyond that allowed to other enlisted men.

Sec. 36. And be it further enacted, That general orders of the War
Department, numbered one hundred and fifty-four and one hundred and sixty-two, in reference to enlistments from the volunteers into the regular service, be, and the same are hereby, rescinded; and hereafter no such enlistments shall be allowed.

SEC. 37. And be it further enacted, That the grades created in the cavalry forces of the United States by section eleven of the act approved seventeenth July, eighteen hundred and sixty-two, and for which no rate of compensation has been provided, shall be paid as follows, viz.: Regimental commissary the same as regimental quartermaster; chief trumpeter the same as chief bugler; said[d']ler-sergeant the same as regimental commissary-sergeant; company commissary-sergeant the same as company quartermaster's-sergeant: Provided, That the grade of supernumerary second lieutenant, and two teamsters for each company, and one chief farrier and blacksmith for each regiment, as allowed by said section of that act, be, and they are hereby, abolished; and each cavalry company may have two trumpeters, to be paid as buglers; and each regiment shall have one veterinary surgeon, with the rank of a regimental sergeant-major, whose compensation shall be seventy-five dollars per month.

SEC. 38. And be it further enacted, That all persons who, in time of war or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial or military commission, and shall, upon conviction, suffer death.

Approved, March 3, 1863.

CHAP. LXXVI. — An Act to prevent and punish Frauds upon the Revenue, to provide for the more certain and speedy Collection of Claims in Favor of the United States, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of July, eighteen hundred and sixty-three, all invoices of goods, wares, and merchandise imported from any foreign country into the United States shall be made in triplicate, and signed by the person or persons owning the shipping said goods, wares, or merchandise, if the same have actually been purchased, or by the manufacturer or owner thereof; if the same have been procured otherwise than by purchase, or by the duly authorized agent of such purchaser, manufacturer, or owner; and said invoices shall, at or before the shipment thereof, be produced to the consul, vice-consul, or commercial agent of the United States nearest the place of shipment for the use of the United States, and shall have indorsed thereon, when so produced, a declaration signed by said purchaser, manufacturer, owner, or agent, setting forth that said invoice is in all respects true; that it contains (if the goods, wares, and merchandise mentioned therein are subject to ad valorem duty, and were obtained by purchase) a true and full statement of the time when and the place where the same were purchased, and the actual cost thereof, and of all charges thereon; and that no discounts, bounties, or drawbacks are contained in said invoice but such as have actually been allowed thereon; and when obtained in any other manner than by purchase, the actual market value thereof at the time and place when and where the same were procured or manufactured; and if subject to specific duty, the actual quantity thereof; and that no different invoice of the goods, wares, or merchandise, mentioned in the invoice so produced has been or will be furnished to any one. If said goods, wares, or merchandise have been actually purchased, said declaration shall also contain a statement that the currency in which said invoice is made out is the currency which was actually paid for said goods, wares, or merchandise by the purchaser. And the person so producing

Pay of grades in cavalry service.
1862, ch. 201, § 11. Article, p. 599.

Certain grades abolished, and certain established.

Spies, on conviction, to suffer death.

Invoices of imports of foreign goods, to be in triplicate after July 1, 1863. How signed.

To be produced to consul.

Declaration indorsed thereon.
Consul, &c., to make certificate on each, said invoice shall at the same time declare to said consul, vice-consul, or commercial agent the port in the United States at which it is intended to make entry of said goods, wares, or merchandise; whereupon the said consul, vice-consul, or commercial agent shall indorse upon each of said triplicates a certificate, under his hand and official seal, stating that said invoice has been produced to him, with the date of such production, and the name of the person by whom the same was produced, and the port in the United States at which it shall be the declared intention to make entry of the goods, wares, or merchandise therein mentioned. And thereupon the said consul, vice-consul, or commercial agent shall deliver to the person producing the same one of said triplicates, to be used in making entry of said goods, wares, or merchandise; shall file another in his office, to be there carefully preserved; and shall, as soon as practicable, transmit the remaining one to the collector of the port of the United States at which it shall be declared to be the intention to make entry of said goods, wares, or merchandise. And no goods, wares, or merchandise imported into the United States from any foreign place or country after the first day of July, eighteen hundred and sixty-three, shall be admitted to an entry unless the invoice presented shall in all respects conform to the requirements hereinbefore mentioned, and shall have thereon the certificate of the consul, vice-consul, or commercial agent hereinbefore specified, nor unless said invoice be verified at the time of making such entry by the oath or affirmation of the owner or consignee, or the authorized agent of the owner or consignee thereof, certifying that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made, nor, except as hereinafter provided, unless the triplicate transmitted by said consul, vice-consul, or commercial agent to the collector shall have been received by him. And if any such owner, consignee, or agent, of any goods, wares, or merchandise, shall knowingly make, or attempt to make, an entry thereof by means of any false invoice, or false certificate of a consul, vice-consul, or commercial agent, or of any invoice which shall not contain a true statement of all the particulars hereinbefore required, or by means of any other false or fraudulent document or paper, or of any other false or fraudulent practice or appliance whatsoever, said goods, wares, and merchandise, or their value, shall be forfeited and disposed of as other forfeitures for violation of the revenue laws: Provided, That where, from a change of the destination of any such goods, wares, or merchandise, after the production of the invoice thereof to the consul, vice-consul, or commercial agent, as hereinbefore provided, or from other cause, the triplicate transmitted to the collector of the port to which such goods, wares, or merchandise were originally destined, shall not have been received at the port where the same actually arrive, and where it is desired to make entry thereof, said goods, wares, and merchandise may be admitted to an entry on the execution by the owner, consignee, or agent of a bond, with sufficient security, in double the amount of duty apparently due, conditioned for the payment of the duty which shall be found to be actually due thereon. And it shall be the duty of the collector of the port where such entry shall be made immediately to notify the consul, vice-consul, or commercial agent, to whom such invoice shall have been produced, to transmit to such collector a certified copy thereof; and it shall be the duty of such consul, vice-consul, or commercial agent to transmit the same accordingly without delay; and said duty shall not be finally liquidated until such triplicate, or a certified copy thereof, shall have been received: Provided, That such liquidation shall not be delayed longer than eighteen months from the time of making such entry: And provided, further, That when, from accident or other cause, it shall be impracticable for the person desiring to make entry of any goods, wares, or merchandise, to produce, at the time of making such entry, any invoice
thereof, as hereinbefore required, it shall be lawful for the Secretary of the Treasury to authorize the entry of such goods, wares, or merchandise, upon such terms and in accordance with such general or special regulations as he may prescribe. And the Secretary of the Treasury is hereby invested with the like powers of remission in cases of forfeiture arising under this act, as in other cases of forfeiture under the revenue laws: And provided, further, That the provisions of this act shall not apply to countries where there is no consul, vice-consul, or commercial agent of the United States; nor shall anything herein contained be construed to require for goods imported under the reciprocity treaty with Great Britain, signed June fifth, eighteen hundred and fifty-four, any other consular certificate than is now required by law. And this act shall be construed only to modify and not repeal the act of March first, eighteen hundred and twenty-three, entitled "An act supplementary to and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed March second, one thousand seven hundred and ninety-nine, and for other purposes;" and the form of oaths therein set forth shall be modified accordingly: And provided, further, That the provisions of this act shall not apply to invoices of goods, wares, or merchandise imported into any port of the United States from any place beyond Cape Horn or the Cape of Good Hope until the first day of January, eighteen hundred and sixty-four.

Sec. 2. And be it further enacted, That the solicitor of the treasury, under direction of the Secretary of the Treasury, shall take cognizance of all frauds or attempted frauds upon the revenue, and shall exercise a general supervision over the measures for their prevention and detection, and for the prosecution of persons charged with the commission thereof; and it shall be the duty of the collectors of the several collection districts of the United States to report to him all seizures of goods, wares, or merchandise made by them, as soon as practicable after the same are made, with written statements of the facts upon which such seizures are based. And for the purpose of enabling the solicitor of the treasury to perform the duties hereby enjoined upon him, the Secretary of the Treasury is hereby authorized to employ not more than three clerks, in addition to those now assigned to the office of the solicitor by law, for such time and at such rates of compensation as he may deem for the public interest, and prescribe the compensation to be allowed to such clerks, not exceeding the amount now allowed to clerks of like class; said compensation shall be paid in the same manner as other expenses of collecting the revenue.

Sec. 3. And be it further enacted, That if any person shall, by the exhibition of any false sample, or by means of any false representation or device, or by collusion with any officer of the revenue, or otherwise, knowingly effect, or aid in effecting, an entry of any goods, wares, or merchandise at less than the true weight or measure thereof, or upon a false classification thereof as to quality or value, or by the payment of less than the amount of duty legally due thereon, such person shall, upon conviction thereof, be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, or both, at the discretion of the court.

Sec. 4. And be it further enacted, That if any officer of the revenue shall, by collusion with any importer or other person, or by means of any false weight or measure, or of any false classification as to quality or value of any goods, wares, or merchandise, or by any other means whatever, knowingly admit, or aid in admitting, to entry, any such goods, wares, or merchandise, upon the payment of less than the amount of duty legally due thereon, or shall knowingly accept, from any person engaged in the importation of goods, wares, or merchandise into the United States, or interested as principal, clerk, or agent in any such importation, or in the may authorize the entry upon terms.

Remission in cases of forfeiture.

This act not to apply to certain countries.

Vol. x. p. 1089

1823, ch. 21.


1799, ch. 22.

Vol. i. p. 627.

Solicitor of treasury to look after frauds, and attempted frauds, on the revenue.

Collectors to report seizures to solicitor.

Solicitor to have three additional clerks.

Their pay.

Penalty for making, &c., entry by false samples, or by collusion.

Penalty upon officers of the revenue for knowingly admitting to entry, by any means, goods, &c., for less than the legal duty
Penalty on revenue officer for accepting any fee or gratuity.

Collectors may release goods seized upon payment of their value, if it does not exceed $1000.

Offering present, &c., to any officer of the revenue, how punished.

In what cases district judge may authorize collector to search for and seize invoices, papers, &c.

Invoices, &c., seized may be retained.

Wilful concealment or destruction of invoices, &c., how punished.

Solicitor may rent unproductive lands, or sell them at public auction.

entry of any goods, wares, or merchandise, any fee, gratuity, or emolument whatsoever, such officer shall, on conviction thereof, be removed from office, and shall be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, at the discretion of the court.

SEC. 5. And be it further enacted, That the collectors of the several districts of the United States, in all cases of seizure of any goods, wares, or merchandise, for violation of the revenue laws, the appraised value of which, in the district wherein such seizure shall be made, shall not exceed one thousand dollars, be, and they are hereby, authorized, subject to the approval of the Secretary of the Treasury, to release such goods on payment of the appraised value thereof.

SEC. 6. And be it further enacted, That if any person who shall be engaged in the importation of goods, wares, or merchandise into the United States, or who shall be interested as principal, clerk, or agent, in the entry of any goods, wares, or merchandise, shall at any time make, or offer to make, to any officer of the revenue, any gratuity or present of any money or other thing of value, such person shall, on conviction thereof, be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, at the discretion of the court.

SEC. 7. And be it further enacted, That whenever it shall be made to appear, by affidavit, to the satisfaction of the district judge of any district within the United States, that any fraud on the revenue has been at any time actually committed, or attempted, by any person or persons interested or in any way engaged in the importation or entry of merchandise at any port within the United States, said judge shall forthwith issue his warrant, directed to the collector of the port at which the merchandise in respect to which said alleged frauds have been committed or attempted has been imported or entered, directing said officer, or his duly authorized agents or assistants, to enter any place or premises where any invoices, books, or papers relating to such merchandise or fraud are deposited, and to take and carry the same away to be inspected; and any invoices, books, or papers so received or taken shall be retained by the officer receiving the same, for the use of the United States, so long as the retention thereof may be necessary, subject to the control and direction of the Solicitor of the Treasury.

SEC. 8. And be it further enacted, That if any person shall wilfully conceal or destroy any invoice, book, or paper relating to any merchandise liable to duty which has been or shall hereafter be imported into the United States from any foreign port or country, after an inspection thereof shall have been demanded by the collector of any collection district within the United States, or shall at any time conceal or destroy any such invoice, book, or paper, for the purpose of suppressing any evidence of fraud therein contained, such person shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court.

SEC. 9. And be it further enacted, That, for the purpose of realizing as much as may properly be done from unproductive lands, and other property of the United States acquired under judicial proceedings or otherwise in the collection of debts, the solicitor of the treasury be, and he is hereby, authorized, with the approval of the Secretary of the Treasury, to rent, for a period not exceeding three years, or sell any such lands or other property at public sale, after advertising the time, place, and conditions of such sale, for three months preceding the same, in some newspaper published in the vicinity thereof, in such manner and upon such terms as may, in his judgment, be most advantageous to the public interests.

SEC. 10. And be it further enacted, That upon a report by a district
embraced provisions of March usual of number for the provisions proceedings a of attorney, or any special attorney or agent having charge of any claim in favor of the United States, showing in detail the condition of such claim, and the terms upon which the same may be compromised, and recommending that the same be compromised upon the terms so offered, and upon the recommendation of the solicitor of the treasury, the Secretary of the Treasury be, and he is hereby, authorized to compromise such claim accordingly.

Sec. 11. And be it further enacted, That there shall be taxed and paid to district attorneys two per centum upon all moneys collected or realized in any suit or proceeding arising under the revenue laws conducted by them in which the United States is a party. The act in relation to costs, approved February twenty-sixth, one thousand eight hundred and fifty-three, shall not apply to such allowances, and the same shall be in lieu of all costs and fees in such suit or proceedings.

Sec. 12. And be it further enacted, That in all suits or proceedings against collectors or other officers of the revenue for any act done by them, or for the recovery of any money exacted by or paid to such officer and by him paid into the treasury of the United States, in the performance of his official duty, in which any district or other attorney shall be directed to appear on behalf of such officer by the Secretary or Solicitor of the Treasury; or by any other proper officer of the government, such attorney shall be allowed such compensation for his services therein as shall be certified by the court in which such suit or proceedings shall be had, to be reasonable and proper, and approved by the Secretary of the Treasury; and where a recovery shall be had in any such suit or proceedings, and the court shall certify that there was probable cause for the act done by the collector or other officer, or that he acted under the directions of the Secretary of the Treasury or other proper officer of the government, no execution shall issue against such collector or other officer, but the amount so recovered shall, upon final judgment, be provided for and paid out of the proper appropriation from the treasury.

Sec. 13. And be it further enacted, That in all suits or proceedings against collectors, or other officers of the revenue, for any act done by them, or for the recovery of any money exacted by or paid to such officers, which shall have been paid into the treasury of the United States, it shall be the duty of the respective district attorneys within the district where such suit or proceedings shall be had, unless otherwise instructed by the Secretary of the Treasury, to appear on behalf of such officers. And it shall be the duty of the several district attorneys, on the first of October of each year, to make returns to the solicitor of the treasury of the number of proceedings and suits commenced, pending, and determined within his district during the fiscal year next preceding the date of such returns; which returns shall show the date when such proceedings or suits in each case commenced; and if for any reason the determination of such proceedings or suits shall have been delayed or continued beyond the usual or reasonable period, such reasons shall be set forth, together with a statement of the measures taken by the district attorneys to press such proceedings or suits to a close. And the returns hereby directed shall be embraced in a report by the solicitor to the Secretary of the Treasury, to be by him annually transmitted to Congress, with a statement of all moneys received by the solicitor, and by each district attorney under the provisions of this act.

Sec. 14. And be it further enacted, That the seventeenth section of the act entitled "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, and so much of the eighty-ninth section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine, and so much of the third section of the act entitled "An act in addition to the act for the punishment of certain crimes against the United States," approved March 4 District attorneys to have two per cent. upon collections under revenue laws, in full for costs and fees.


Fees of district attorneys defending suits against collectors, etc., for official acts.

When execution not to issue against collectors, etc.

Returns to show what, to be transmitted to Congress.

Repeal of certain limitations upon time of commencing certain suits.

THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 77. 1863.

1864, ch. 40, § 3.

March 3, 1863.

CHAPTER LXXXVII. 

An Act to modify existing Laws imposing Duties on Imports, and for 
other Purposes.

Be it enacted by the Senate and House of Representatives of the United 
States of America in Congress assembled, That all goods, wares, and 
merchandise now in public stores or bonded warehouses, on which duties 
are unpaid, having been in bond more than one year and less than three 
years, when the act entitled “An act increasing temporarily, the duties 
on imports, and for other purposes,” approved July fourteenth, eighteen 
hundred and sixty-two, went into effect, may be entered for consumption 
and the bonds cancelled, at any time before the first day of June next, on 
payment of duties at the rates prescribed by the act aforesaid, and all acts, 
and parts of acts, inconsistent with the provisions of this act are hereby 
repealed.

SEC. 2. And be it further enacted, That section fourteen of an act 
entitled “An act increasing temporarily the duties on imports, and for 
other purposes,” approved July fourteenth, eighteen hundred and sixty-
two, be, and the same hereby is, modified so as to allow cotton and raw 
silk as reeled from the cocoon, of the growth or produce of countries be-
yond the Cape of Good Hope, to be exempt from any additional duty 
when imported from places this side of the Cape of Good Hope, for two 
years from and after the passage of this act.

SEC. 3. And be it further enacted, That so much of an act entitled 
“An act to authorize protection to be given to citizens of the United 
States, who may discover deposits of guano,” approved August eighteen, 
eighteen hundred and fifty-six, as prohibits the export thereof, is hereby 
suspended in relation to all persons who have complied with the provi-
sions of section second of said act for two years from and after July four-
teenth, eighteen hundred and sixty-three.

SEC. 4. And be it further enacted, That the proviso in section fifteen 
of an act entitled “An act increasing temporarily the duties on imports, 
and for other purposes,” approved July fourteenth, eighteen hundred and 
sixty-two, shall be construed to include any ship, vessel, or steamer to or 
from any port or place south of Mexico down to and including Aspinwall 
and Panama.

SEC. 5. And be it further enacted, That in lieu of the duties now im-
posed by law there shall be levied and collected upon printing paper un-
sized, used for books and newspapers exclusively, twenty per centum 
ad valorem; upon seedlac and sticklac the same duties now imposed upon 
gun shellac; upon polishing powders, of all descriptions, Frankfort 
black, and Berlin, Chinese, Fig and wash blue, twenty-five per centum 
ad valorem.

SEC. 6. And be it further enacted, That from and after the passage of 
this act, the duty on petroleum and coal illuminating oil, crude and not 
refined, when imported from foreign countries in a crude state, shall be 
twenty per centum ad valorem, and no more.

SEC. 7. And be it further enacted, That from and after the passage of 
this act, there shall be allowed a drawback on foreign saltpetre, manufac-
tured into gunpowder in the United States and exported therefrom, equal 
in amount to the duty paid on the foreign saltpetre from which it shall be 
manufactured, to be ascertained under such regulations as shall be pre-
scribed by the Secretary of the Treasury, and no more: Provided, That
ten per centum on the amount of all drawbacks so allowed shall be re-
tained for the use of the United States by the collectors paying such
drawbacks respectively.

Approved, March 3, 1863.

CHAP. LXXVIII. — An Act to promote the Efficiency of the Corps of Engineers and of
the Ordnance Department, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the corps of topographical
engineers, as a distinct branch of the army, is hereby abolished, and from
and after the passage of this act, is merged into the corps of engineers,
which shall have the following organization, viz: one chief engineer, with
the rank, pay, and emoluments of a brigadier-general; four colonels; ten
lieutenant-colonels; twenty majors; thirty captains; thirty first lieutenants,
and ten second lieutenants.

Sec. 2. And be it further enacted, That the general officer provided by
the first section of this act shall be selected from the corps of engineers as
therein established; and that officers of all lower grades shall take rank
according to their respective dates of commission in the existing corps of
engineers or corps of topographical engineers.

Sec. 3. And be it further enacted, That no officer of the corps of engi-
neers below the rank of a field-officer shall, hereafter, be promoted to a
higher grade before having passed a satisfactory examination before a
board of three engineers senior to him in rank; and should the officer fail
at said examination, he shall be suspended from promotion from [for]
one year, when he shall be reexamined, and, upon a second failure, shall
be dropped by the President from the army.

Sec. 4. And be it further enacted, That there shall be added to the
ordnance department one lieutenant-colonel, two majors, eight captains,
eight first lieutenants; the additional officers herein authorized to be
appointed by promotion, so far as the present officers of the ordnance
corps will permit; and the residue to be appointed by transfers from other
regiments or corps of the army: Provided, That no officer of the ord-
nance department below the rank of a field-officer shall be promoted or
commissioned to a higher grade, nor shall any officer of the army be com-
misioned as an ordnance officer until he shall have passed a satisfactory
examination before a board of not less than three ordnance officers, senior
to him in rank; and should such officer fail on such examination he shall
be suspended from promotion or appointment for one year, when he may
be reexamined before a like board; and if, upon such second examination,
an ordnance officer fail, he shall be dismissed from the service, and if an
officer of the army he shall not be commissioned.

Sec. 5. And be it further enacted, That section two of the act approved
March three, eighteen hundred and forty-nine, entitled "An act to pro-
vide for the payment of horses and other property lost or destroyed in
the military service of the United States," shall be construed to include
the steamboats and other vessels, and "railroad engines and cars," in the
property to be allowed and paid for when destroyed or lost under the
circumstances provided for in said act.

Sec. 6. And be it further enacted, That all payments of advance bounty
made to enlisted men who have been discharged before serving out the
term required by law for its payment in full shall be allowed in the set-
tlement of the accounts of paymasters at the treasury; but hereafter, in
all such cases, the amount so advanced shall be charged against the en-
listed men, unless the discharge be upon surgeon’s certificate for wounds
received or sickness incurred since their last enlistment.

Sec. 7. And be it further enacted, That upon any requisition here-
after being made by the President of the United States for militia, any
persons drafted,
person who shall have volunteered or been drafted for the service of the United States for the term of nine months, or a shorter period, may enlist into a regiment from the same state to serve for the term of one year, and any person so enlisting shall be entitled to and receive a bounty of fifty dollars, to be paid in time and manner provided by the act of July twenty-second, eighteen hundred and sixty-one, for the payment of the bounty provided for by that act.

SEC. 8. And be it further enacted, That the officers of the medical department shall unite with the line officers of the army under such rules and regulations as shall be prescribed by the Secretary of War, in supervising the cooking within the same as an important sanitary measure, and that said medical department shall promulgate to its officers such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

SEC. 9. And be it further enacted, That cooks shall be detailed, in turn, from the privates of each company of troops in the service of the United States, at the rate of one cook for each company numbering less than thirty men, and two cooks for each company numbering over thirty men, who shall serve ten days each.

SEC. 10. And be it further enacted, That the President of the United States be, and he is hereby, authorized to cause to be enlisted, for each cook, two under-cooks of African descent, who shall receive for their full compensation ten dollars per month, and one ration per day — three dollars of said monthly pay may be in clothing.

SEC. 11. And be it further enacted, That the army ration shall hereafter include pepper, in the proportion of four ounces to every hundred rations.

SEC. 12. And be it further enacted, That the increase of rank of officers, and in the number of officers provided for in this act, shall continue only during the existence of the present rebellion; and thereafter the several officers promoted under this act shall have the respective rank they would have had if this act had not passed, and the number shall be reduced by the President to the number authorized by law prior to the passage of this act.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXIX. — An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirty, eighteen hundred and sixty-four, and for the Year ending the 80[th] of June, 1863, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-four, viz:

Survey of the Coast. — For the survey of the Atlantic and Gulf coasts of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) one hundred and seventy-eight thousand dollars.

For continuing the survey of the western coast of the United States, (including compensation of civilians engaged in the work,) one hundred thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) eleven thousand dollars.

For publishing the observations made in the progress of the survey of
the coast of the United States, (including compensation of civilians employed in the work,) four thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, four thousand dollars.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, nine thousand dollars.

For supplying deficiency in the fund for the relief of sick and disabled seamen, one hundred thousand dollars.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, ten thousand dollars.

Light-House Establishment. — For the Atlantic, Gulf, and Lake coasts, viz:—

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and fifty-four thousand six hundred and ninety-eight dollars and eighty cents.

For repairs and incidental expenses, refitting and improving all the light-houses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of light-houses and light-beacons, and their assistants, fifty-three thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-five light-vessels, one hundred and seventy thousand nine hundred and sixty-seven dollars and seventy cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the purchase of a lot and erection of a suitable building thereon for the light-house establishment in New York City or vicinity, fifty thousand dollars: Provided, That the price of purchase of lot, and erection of building thereon, shall not exceed the sum hereby appropriated.

For the Coasts of California, Oregon, and Washington. — For supplying nineteen light-houses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, publishing notices to mariners of changes of aids to navigation, seventeen thousand two hundred and seventy dollars.

For repairs and incidental expenses of nineteen light-houses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant-keepers of light-houses, at an average not exceeding eight hundred dollars per annum, twenty-five thousand eight hundred dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For maintenance of the vessel provided for by the act of eighteenth August, eighteen hundred and fifty-six, for transportation of supplies and materials, and for repairs of light-houses, and buoy service, and for inspection purposes, twenty thousand dollars.

For compensation of two inspectors of customs acting as superintend-
ents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

**Public Buildings and Grounds.** — For support, care, and medical treatment of forty transient paupers, medical and surgical patients in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, six thousand dollars.

For hire of carts on the public grounds, two thousand dollars.

For purchase and repair of tools used in the public grounds, two hundred dollars.

For purchase of trees and tree-boxes, to replace when necessary such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

**Repairs of Capitol.**

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, eight thousand dollars.

For annual repairs of the President's House and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, six thousand dollars.

For fuel, in part, of the President's House, two thousand four hundred dollars.

**Lighting Capitol, &c.**

For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, and Pennsylvania avenue, Bridge and High streets in Georgetown, Four-and-a-half street, Seventh, and Twelfth streets across the mall, sixty-two thousand dollars.

To enable the Commissioner of Public Buildings to erect two new furnaces under the rotunda of the Capitol, two under the old Hall of the House, and two under the Supreme Court room and vestibule to the same, five thousand five hundred dollars.

**New furnaces.**

For repairs of the Potomac, navy yard, and upper bridges, and the roads appurtenant thereto, and to repair the house occupied by the bridge-keeper at the navy yard, and to erect a wing wall to protect the same, eleven thousand five hundred and eighty-five dollars.

**Bridges.**

For repairs of Pennsylvania avenue, six thousand dollars.

**Avenue. Squares.**

For public reservation number two and Lafayette square, two thousand dollars.

For taking care of the grounds south of the President's House, containing [continuing] the improvement of the same, and replacing trees destroyed last winter and spring by United States cavalry, repairing fences, and other injuries, two thousand dollars.

**Water pipes. Sewer traps.**

For repairs of water-pipes, five hundred dollars.

For cleaning out the sewer-traps on Pennsylvania avenue and repairing the same, three hundred dollars.

For casual repairs of all the furnaces under the Capitol, five hundred dollars.

For continuing the repairs of Delaware avenue north of the Capitol, one thousand dollars.

For removing back the fence, paving the foot-path on First street between the Capitol grounds and Botanic garden, and making a pavement on Third street on the side of said garden, one thousand two hundred dollars.

For making improvements provided for in the thirteenth section of the city charter, per act of May seventeen, eighteen hundred and forty-eight, five thousand dollars.

For improvement of B street south from Sixth to Seventh street west, Maine avenue from the canal to Sixth street west, and Four-and-a
half, east side, from Missouri to Maine avenue, all bordering on the public
grounds, according to the surveyor's estimate, six thousand nine hundred
and forty dollars.

For repairs and rebuilding fence around Smithsonian grounds, two
thousand dollars.

For compensation to the Commissioner of Public Buildings, as dis-
bursing agent of the Patent-Office building and the Capitol extension and
dome, for the current fiscal year, five hundred dollars.

Government Hospital for the Insane. — For the support, clothing, and
medical treatment of the insane of the army and navy and of the revenue
service, and of the District of Columbia, at the Government hospital in
said District, including five hundred dollars for books, stationery, and in-
cidental expenses, fifty thousand five hundred dollars.

For finishing, furnishing, heating, and lighting of additional accom-
domations in the east wing, five thousand dollars.

For extension of workshops and machinery therefor, to afford additional
facilities for the curative and economical employment of patients, two
thousand dollars.

For continuation of the wall enclosing the grounds of the hospital, ten
thousand dollars.

Exploring Expedition. — For preservation of the collections of the
exploring and surveying expeditions of the Government, four thousand
dollars.

Botanic Garden. — For grading, draining, procuring manure, tools,
fuel, and repairs, purchasing trees and shrubs under the direction of
Library Committee of Congress, three thousand three hundred dol-
ars.

For pay of horticulturist and assistants in the botanic garden and green-
houses, to be expended under the direction of the Library Committee
of Congress, five thousand one hundred and twenty-one dollars and fifty
cents.

Columbia Institution for the Deaf, and Dumb, and the Blind. — For
salaries and incidental expenses of said institution, four thousand four
and blind
hundred dollars.

For supplying the institution buildings with gas-making apparatus and
fixtures, one thousand four hundred and seventy dollars.

For supplying the institution buildings with steam-heating apparatus,
two thousand two hundred and fifty dollars.

Patent-Office. — For expenses of receiving, arranging, and taking care
of copyright books, charts, and other copyright matter, one thousand
eight hundred dollars.

For preparing illustrations and descriptions for report, five thousand
dollars.

For finishing the saloon in the north wing of the Patent-Office build-
ing, and for furnishing the same with suitable cases and accommoda-
tions for the reception and convenient exhibition of models, fifty thousand
dollars.

For repairing and painting the saloon in the old portion of the Patent-
Office building, and for furnishing the same with suitable cases and accom-
modations for the inception [reception] and convenient exhibition of
models, twenty-five thousand dollars.

Survey of the Public Lands. — For surveying the public lands, (ex-
clusive of California, Oregon, Washington, New Mexico, Kansas, Ne-
braska, Utah, Dakota, Colorado, and Nevada,) including incidental
expenses and island surveys in the interior, and all other special and
difficult surveys demanding augmented rates, to be apportioned and ap-
plied to the several surveying districts, according to the exigencies of the
public service, in addition to the unexpended balances of all former appro-
priations for the same objects, ten thousand dollars.
For surveying the public lands and private land claims in California and Territory of Nevada, twenty-five thousand dollars.

For surveying the public lands in Kansas and Nebraska, fifteen thousand dollars.

For surveying the public lands in Oregon, ten thousand dollars.

For surveying the public lands in Washington Territory, five thousand dollars.

For surveying the public lands in the Territory of Colorado, five thousand dollars.

For salaries and commissions of register and receiver for the Territory of Nevada for fiscal years ending thirtieth June, eighteen hundred and sixty-three, and thirtieth June, eighteen hundred and sixty-four, two thousand five hundred dollars; expenses for depository during said periods, two hundred dollars.

For incidental expenses, furniture, iron safes, fifteen hundred dollars.

For salaries and commissions of register and receiver for the Territory of Colorado for the fiscal years ending thirtieth June, eighteen hundred and sixty-three, and thirtieth June, eighteen hundred and sixty-four, two thousand five hundred dollars; expenses for depository for said periods, two hundred dollars.

For incidental expenses, furniture, iron safes, fifteen hundred dollars.

For purchase and fitting up of coffee-roaster, cooler and mill, in the inspection office of provisions and clothing, navy yard, New York, one thousand one hundred and sixty-seven dollars and forty cents.

For completion of the court-house at Indianapolis, five thousand dollars.

For continuing the work on the Capitol extension, one hundred and fifty thousand dollars.

For payment of arrears to Capitol police due under act of April twenty-second, eighteen hundred and fifty-four, nine thousand five hundred dollars.

For continuing the work on the new dome of the Capitol, two hundred thousand dollars.

To defray the expenses incurred in taking the census of the Territory of Dakota, one thousand four hundred and fifty dollars.

For defraying the expenses of taking the census of the Territory of Nevada, two thousand five hundred dollars.

For defraying the expenses of taking the census in the Territory of Colorado, three thousand two hundred and sixty-two dollars and sixty-eight cents.

For the purchase of a Territorial library for the Territories of Colorado, Dakota, and Nevada, two thousand five hundred dollars each.

Territory of Arizona. — For salaries of Governor, three Judges, Secretary, and Superintendent of Indian Affairs, fourteen thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, office[r]s, clerks, and contingent expenses, eighteen thousand dollars.

For incidental expenses of the Indian service in the Territory of Arizona, and for presents of goods, clothing, and other useful articles to the Indians, to be expended under the direction of the Secretary of the Interior, ten thousand dollars.

For surveying the public lands in the Territory of Arizona, five thousand dollars.
To pay Jacob F. Kautz for work on the survey of the United States and California boundary from September first, eighteen hundred and sixty, to April thirtieth, eighteen hundred and sixty-one, one thousand dollars.

To pay W. H. Shultz for services on United States and California boundary survey from October one, eighteen hundred and sixty, to March thirty-one, eighteen hundred and sixty-four, four hundred and fifty dollars.

To enable the Secretary of the Interior to pay detective police, employed by a former head of the Department, for expenses incurred and services rendered in the cities of Washington and Philadelphia, in the detection and arrest of counterfeiters of United States coin, there shall be and hereby is transferred to the Department of the Interior, from the appropriation by the act of Congress "making appropriations for the legislative, executive, and judicial expenses of Government for the year ending June thirty, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, to be expended under the direction of the Secretary of the Treasury, so much thereof, not exceeding eleven hundred and eighty-four dollars, as may be necessary for that purpose: Provided, That if the unexpended portion of the appropriation aforesaid be not sufficient to allow of the transfer aforesaid, then, and in that case, the amount aforesaid shall be paid out of any money in the treasury not otherwise appropriated.

For the continuation of the treasury building, two hundred and fifty thousand dollars.

For repairing the Government warehouses, wharves, and fences at Staten Island, fifteen thousand dollars.

For annual repairs of custom-houses and marine hospitals, twenty thousand dollars.

To complete the alterations in the office of the assistant treasurer at New York, authorized by the act of July eleventh, eighteen hundred and sixty-two, fifty thousand dollars.

For detection and bringing to trial to [of] persons engaged in counterfeiting the coin of the United States, Treasury notes, and other United States securities, twenty-five thousand dollars.

To reimburse J. L. Vattier, late postmaster at Cincinnati, for balance expended and paid upon Government post-office at Cincinnati, seventeen hundred dollars.

To complete the compilation of the last census, fifty thousand dollars.

For pay of the United States commissioner and surveyor, and for transportation and other expenses attending the examination of coasts, and for the making of the final chart showing boundary lines established by the commissioner jointly under the reciprocity treaty with Great Britain, seven thousand dollars.

For repair of the pier at Kenosha, Wisconsin, and rebuilding the beacon-light thereon, seven thousand six hundred and forty dollars.

For the erection of two lights near the mouth of Maumee River and Maumee Bay, ten thousand dollars: Provided, That the Light-house Board shall determine that there exists a necessity for such lights.

For the establishment of a series of range lights as aids to navigation at Port Royal harbor, South Carolina, seven thousand dollars.

For establishing a fog-bell at or near Sandy Point light-house, Chesapeake bay, one thousand dollars.

For building a beacon-light at Ediz Hook, Port Angeles harbor, Washington Territory, five thousand dollars.

For expenses incurred under directions of the Governor, Chief Justice, and Marshal of the Territory, in fitting up a Territorial prison at Denver, in the Territory of Colorado, to be expended under the direction of the Secretary of the Interior, five thousand dollars.
For pay of the United States District Judge for the western district of Michigan, two thousand five hundred dollars.

For pay of Marshal same district, two hundred dollars.

For pay of District Attorney same district, two hundred dollars.

SEC. 2. *And be it further enacted*, That the current expenses for the year ending thirtieth June, eighteen hundred and sixty-four, for the Denver Branch Mint be authorized to be paid out of the unexpended balance of the appropriation of seventy-five thousand dollars made for the establishment and current expenses of said mint by act of Congress approved April twenty-first, eighteen hundred and sixty-two.

SEC. 3. *And be it further enacted*, That mileage, as now allowed by law to Senators, Representatives, and Delegates shall be paid for the present session by the proper officer of the treasury, out of any money in the treasury not otherwise appropriated, as soon as certified by the presiding officer of each House.

SEC. 4. *And be it further enacted*, That the Secretary of War cause a register to be prepared, showing the present organization of the volunteers of the United States army, with such facts in reference thereto as may not be incompatible with the public service; and the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for clerk hire and compilation of said register.

For lighting Maryland avenue west, Sixth street south, with gas, made necessary by the occupancy of that street by Government railroad, thereby endangering the lives of citizens in the night, fifteen thousand dollars.

For alteration of steps and improvement to the entrance of the custom-house at Boston, Massachusetts, twelve thousand nine hundred and four dollars.

For repair of culvert on New Jersey avenue, near the Capitol, five hundred dollars.

For the purchase of books of tactics and instructions for the armies of the United States, fifty thousand dollars.

To defray expenses incurred in the raising, equipping, transportation, and subsistence of minute-men and volunteers in Pennsylvania, Maryland, Ohio, Indiana, and Kentucky, to repel rebel raids, six thousand dollars, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the treasury: *Provided, That in determining the claims to be allowed under this act the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to States, under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled “An act to indemnify the States for expenses incurred by them in defence of the United States.”*

For additional compensation to the publishers of the Statutes at Large, four thousand one hundred and twenty-five dollars.

To enable the Secretary of the Interior to purchase of Messrs. Little, Brown and Company, two thousand copies of the twelfth volume of the United States Statutes at Large, for distribution agreeably to the act of Congress directing the distribution of the other volumes, seven thousand dollars.

For compensation of the receiver at Santa Fé, New Mexico, acting as depositary, two thousand dollars.

For four laborers employed by the Commissioner of Public Buildings in the Capitol, (heretofore authorized by special appropriation,) two thousand four hundred dollars.

For new roof to Congressional Library, three thousand five hundred dollars.

To supply deficiency in the appropriations for Agricultural Bureau, for
the fiscal year ending June thirtieth, eighteen hundred and sixty-three, twenty thousand dollars.

To supply deficiency in the appropriation for rent, fitting up, and furnish­ing of the rooms temporarily provided for the use of the Quartermaster-General's Department, including stationery and miscellaneous, for the current fiscal year, six thousand six hundred and eighty-four dollars.

For the Mississippi squadron, building, repairs, equipment, machinery, three million eight hundred thousand dollars; increase on cost of materials, five hundred and eighty thousand dollars; completion of armored-clad vessels, four million five hundred thousand dollars.

For contingent fund of the Bureau of Yards and Docks for eighteen hundred and sixty-two and three, three hundred thousand dollars.

For enlarging hospital at marine barracks, Washington, and construct­ing sewer to Eastern Branch, nine thousand and fifty dollars.

For deficiencies of appropriations in the Navy Department for the fiscal year ending thirtieth June, eighteen hundred and sixty-three, as follows, viz:

For increase and repairs of the navy: completion of side-wheel steamers, hulls, equipment, and machinery, two million eight hundred thousand dollars.

Completion of screw steamers, hulls, equipment, and machinery, one million five hundred thousand dollars.

Purchase of large steamers, two million six hundred thousand dollars.

Purchase of small steamers and tug-boats, seven hundred and fifty thousand dollars.

Repairs of steam machinery, one million nine hundred and fifty thousand dollars.

For instituting and conducting experiments for testing various methods of working steam expensively, twenty thousand dollars.

Sec. 5. And be it further enacted, That the surgeon and the citizen at large, who are, with the provost-marshal, to form the enrolling board of each Congressional district, shall receive the compensation of an assistant-surgeon of the army, excluding commutation for fuel and quarters for the time actually employed; and that the same may be paid by the Secretary of War out of appropriations already made for the services of that Department.

Sec. 6. And be it further enacted, That the President cause to be struck from the dies recently prepared at the United States mint for that purpose, "Medals of Honor" additional to those authorized by the act [Resolution] of July twelfth, eighteen hundred and sixty-two, and present the same to such officers, non-commissioned officers, and privates as have most dis­tinguished or who may hereafter most distinguish themselves in action; and the sum of twenty thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the expenses of the same.

For surveying the public lands in Colorado Territory, in addition to the sum hereinbefore appropriated, five thousand dollars.

For surveying the public lands in Kansas and Nebraska, in addition to the sum hereinbefore appropriated, ten thousand dollars.

For surveying the public lands in Dakota Territory, ten thousand dollars.

For surveying the public lands in Washington Territory, in addition to the sum hereinbefore appropriated, five thousand dollars.

Sec. 7. And be it further enacted, That to supply a clerical omission in the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-four, the following words be, and hereby are, added to the end of the paragraph for the support of the

Quartermaster-General's Department.

Mississippi squadron.

Bureau Yards and Docks.

Hospital at marine barracks.

Deficiency appropriations for Navy Department.

Side-wheel steamers.

Screw steamers.

Purchase of steamers.

Repairs of steam machinery.

Testing methods of working steam.

Pay of surgeon and citizen on enrolling board.

Medals of Honor.

Public lands in Colorado.

Kansas and Nebraska.

Dakota.

Washington Territory.

Metropolitan Police.
Metropolitan Police of the District of Columbia: “One hundred and ten thousand dollars.”

SEC. 8. And be it further enacted, That in addition to the clerical force now authorized by law in the office of the second comptroller, the Secretary of the Treasury is hereby authorized to appoint as follows: Four clerks of class four; four of class three, and ten of class two, and one assistant messenger at a salary of seven hundred dollars per annum; said additional force shall be employed and continue only during the rebellion, and for one year after its close; and the amount necessary to pay their salaries from the time of their appointment, for the fiscal year ending June thirty, eighteen hundred and sixty-three, and for the fiscal year ending June thirtieth, eighteen hundred and sixty-four, is hereby appropriated.

SEC. 9. And be it further enacted, That the appropriation for temporary clerks in the Treasury Department, for the year ending thirtieth June, eighteen hundred and sixty-four, shall apply to and include stationery and furniture for the use of said clerks.

Court of Claims. — For salaries of two additional [judges.] from the eighth of March, eighteen hundred and sixty-three, to thirtieth June, eighteen hundred and sixty-four, at an annual salary each of four thousand dollars, ten thousand five hundred and twenty dollars.

For salary of bailiff, from eighth March, eighteen hundred and sixty-three, to thirtieth June, eighteen hundred and sixty-four, at an annual salary of one thousand dollars, one thousand two hundred and ninety-five dollars.

For a minister resident in Greece, three thousand seven hundred and fifty dollars.

SEC. 9. And be it further enacted, That the Secretary of the Treasury is hereby authorized to allow to Butler and Carpenter, contractors for engraving internal revenue stamps, thirty per cent. of the cost of engraving the special dies for that purpose, and not to exceed in amount the sum of twenty thousand dollars.

SEC. 10. And be it further enacted, That the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, towards defraying the expenses consequent upon carrying into effect the act of Congress of [this date], entitled “An act to regulate [relating to] habeas corpus, and regulating judicial proceedings in certain cases.”

SEC. 11. And be it further enacted, That so much of the second section of the act of August sixth, eighteen hundred and forty-six, entitled “An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue,” as designates the mint of the United States in in the city of Philadelphia to be the place of deposit of the public money at that point, is hereby amended so as to authorize the deposit of the same in the custom-house building of the said city, whenever, in the opinion of the Secretary of the Treasury, the public convenience will be subserved thereby; and the sum of ten thousand dollars is hereby appropriated, payable out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury, in the construction of vaults and the fitting up of offices in the said custom-house building for the proper receipt, custody, and disbursement of such public money as may be deposited therein.

SEC. 12. And be it further enacted, That the treasurer of the mint of the United States, by virtue of that office assistant treasurer of the United States at Philadelphia, is authorized to designate from among the clerks in his said offices respectively, one to act as chief clerk to the treasurer of the mint, and one other to act as chief clerk to the Assistant Treasurer of the United States.

SEC. 13. And be it further enacted, That, in case of the sickness or
unavoidable absence of the treasurer of the mint, he may, in his discretion, authorize the respective chief clerks to act in his place, and to discharge all the duties required by law of the treasurer of the mint or assistant-treasurer of the United States at Philadelphia.

Sec. 14. And be it further enacted, That the chief and other clerks in the treasury department of the mint shall give such assistance in the assistant-treasury of the United States at Philadelphia, in the receipt, custody, and disbursement of the public money, as may be required of them by the treasurer, with the same responsibility for the faithful performance of such duty as is imposed upon them by the laws in force for the government of the mint and the officers and clerks thereof.

Sec. 15. And be it further enacted, That the secretary of the senate be directed to pay, out of the contingent fund, for such extra messengers, pages, laborers, and services for the Senate during the present session, as the committee to audit and control the contingent expenses of the Senate may approve and direct.

Sec. 16. And be it further enacted, That an assistant collector of customs shall be appointed at the port of New York, in the mode prescribed by law for the appointment of deputy collectors, at an annual compensation of five thousand dollars, who shall perform such duties, and exercise such powers now devolved on the collector as may be assigned to him by that officer; and all the official acts of said assistant, in pursuance of such assignment, shall be as valid in law as if performed by the collector himself: Provided, That the collector shall be responsible for the official acts aforesaid of said assistant, and that no additional appropriation shall be made for the payment of his compensation.

Sec. 17. And be it further enacted, That the signal-corps of the army shall, during the present rebellion, be organized as follows: There shall be one chief signal-officer, a colonel, who shall be signal-officer of the army; one lieutenant-colonel; two majors, who shall be inspectors; and for each army corps or military department there shall be one captain and as many lieutenants, not exceeding eight, as the President may deem necessary, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay and emoluments of cavalry officers of similar grades; and for each officer of the signal-corps there may be enlisted or detailed one sergeant and six privates, who shall receive the pay of similar grades of engineer soldiers: Provided, that no officer or enlisted man shall be allowed to serve in the signal-corps until he shall have been examined and approved by a military board, to be convened for that purpose by the Secretary of War.

Sec. 18. And be it further enacted, That the officers and enlisted men herein provided for shall be subject to the rules and articles of war. They may be mounted upon horses, the property of the United States, and shall serve in any military department, or with any forces to which they may be ordered. And officers of the army who may be appointed in this corps may, after the rebellion, be restored to their respective regiments or corps, and receive the same rank and promotion as if they had continued to serve therein.

Sec. 19. And be it further enacted, That there shall be appointed in the office of the signal-officer two clerks of class two. And in selecting officers and men for the organization of the signal-corps, as herein provided, preference shall be given to such as have served faithfully, or as are now serving in the acting signal-corps of the army.

Sec. 20. And be it further enacted, That, in order to allow time for their thorough examination, the President may appoint the officers authorized by this act during the recess of Congress; which appointments shall be submitted to the Senate at their next session for their advice and consent.

Sec. 21. And be it further enacted, That the sum of thirteen thousand
market-house in Georgetown.

dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for reconstructing the bridges and market-house in Georgetown, built across the Chesapeake and Ohio Canal, and for raising the same so as to open a convenient outlet to the trade of the canal to the Potomac River, in place of that which has been interrupted by the occupation of the aqueduct connecting the Chesapeake and Ohio, and the Alexandria Canals, as a bridge for the transportation of supplies for the army of the United States across said river; said sum to be expended under the direction of the President of the Chesapeake and Ohio Canal Company.

SEC. 22. And be it further enacted, That the Secretary of the Treasury be, and he is hereby directed, out of any money in the treasury not otherwise appropriated, to pay to the Governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders, in the year eighteen hundred and sixty-two, not exceeding two hundred and fifty thousand dollars, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the treasury: Provided, That, in determining the claims to be allowed under this act, the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to states under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled "An act to indemnify the States for expenses incurred by them in defense of the United States."

SEC. 23. And be it further enacted, That so much of the act approved the eighteenth of August, eighteen hundred and fifty-six, entitled "An act to regulate the diplomatic and consular systems of the United States," as prohibits the granting of passports to any other than citizens of the United States, shall be, and is hereby repealed, so far as that prohibition may embrace any class of persons liable to military duty by the laws of the United States.

SEC. 24. And be it further enacted, That the President of the United States be, and he is hereby authorized, whenever in his judgment the public interest may so require, to discontinue the consular of the United States at Trinidad de Cuba, and to appoint at Cienfuegos, in that island, a consul with the same salary and emoluments as those now allowed by law to the consul at Trinidad de Cuba.

SEC. 25. And be it further enacted, That every judge-advocate of a court-martial or court of inquiry hereafter to be constituted, shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the state, territory, or district where such military courts shall be ordered to sit may lawfully issue.

Approved, March 3, 1863.

March 3, 1863. Chap. LXXX. — An Act for increasing the Revenue by Reservation and Sale of Town Sites on Public Lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the President of the United States to reserve from the public lands, whether surveyed or unsurveyed, town sites on the shores of harbors, at the junction of rivers, important portages, or any natural or prospective centres of population.

SEC. 2. And be it further enacted, That when, in the opinion of the President, the public interests require it, it shall be the duty of the Secretary of the Interior to cause any of said reservations, or part thereof, to be surveyed into urban or suburban lots of suitable size, and to fix by appraisement of disinterested persons their cash value, and to offer the same for sale at public outcry to the highest bidder, and thence afterward
to be held subject to sale at private entry according to such regulations as
the Secretary of the Interior may prescribe: \textit{Provided}, That no lot shall
be disposed of at public sale or private entry for less than the appraised
value thereof: \textit{And provided, further}, That said sales shall be conducted
by the register and receiver of the land-office in the district in which
said reservations may be situated, in accordance with the laws and rules
and instructions of the department regulating the sales of public lands.

\textit{Approved, March 3, 1863.}

\textbf{CHAP. LXXXI.—An Act relating to Habeas Corpus, and regulating Judicial Proceed-
ings in Certain Cases.}

\textit{Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, during the present re-
bellion, the President of the United States, whenever, in his judgment
the public safety may require it, is authorized to suspend the privilege of
the writ of habeas corpus in any case throughout the United States, or
any part thereof. And whenever and wherever the said privilege shall
be suspended, as aforesaid, no military or other officer shall be compelled,
in answer to any writ of habeas corpus, to return the body of any person
or persons detained by him by authority of the President; but upon the
certificate, under oath, of the officer having charge of any one so detained
that such person is detained by him as a prisoner under authority of the
President, further proceedings under the writ of habeas corpus shall be
suspended by the judge or court having issued the said writ, so long as
said suspension by the President shall remain in force, and said rebellion
continue.}

\textbf{SEC. 2. And be it further enacted, That the Secretary of State and
the Secretary of War be, and they are hereby, directed, as soon as may
be practicable, to furnish to the judges of the circuit and district courts
of the United States and of the District of Columbia a list of the names
of all persons, citizens of states in which the administration of the laws
has continued unimpaired in the said Federal courts, who are now, or
may hereafter be, held as prisoners of the United States, by order or au-
thority of the President of the United States or either of said Secretaries,
in any fort, arsenal, or other place, as state or political prisoners, or other-
wise than as prisoners of war; the said list to contain the names of all
those who reside in the respective jurisdictions of said judges, or who
may be deemed by the said Secretaries, or either of them, to have vi-
olated any law of the United States in any of said jurisdictions, and also
the date of each arrest; the Secretary of State to furnish a list of such
persons as are imprisoned by the order or authority of the President, act-
ing through the State Department, and the Secretary of War a list of
such as are imprisoned by the order or authority of the President, acting
through the Department of War. And in all cases where a grand jury,
having attended any of said courts having jurisdiction in the premises,
after the passage of this act, and after the furnishing of said list, as afo-
said, has terminated its session without finding an indictment or present-
ment, or other proceeding against any such person, it shall be the duty
of the judge of said court forthwith to make an order that any such pris-

er desiring a discharge from said imprisonment be brought before him
to be discharged; and every officer of the United States having custody
of such prisoner is hereby directed immediately to obey and execute said
judge's order; and in case he shall delay or refuse so to do, he shall be
subject to indictment for a misdemeanor, and be punished by a fine of not
less than five hundred dollars and imprisonment in the common jail for a
period not less than six months, in the discretion of the court: \textit{Provided,
however}, That no person shall be discharged by virtue of the provisions
of this act until after he or she shall have taken an oath of allegiance

\textit{March 3, 1863.}

\textit{The President may suspend the writ of habeas corpus during the re-
bellion.}

\textit{Effect of the suspension.}

\textit{List of state or political prisoners to be furnished to the judges of the United States
courts.}

\textit{When such prisoners are to be discharged.}

\textit{Penalty for refusing to obey order of the court.}

\textit{Oath of alle-


giance to be taken before discharge.}
to the Government of the United States, and to support the Constitution thereof; and that he or she will not hereafter in any way encourage or give aid and comfort to the present rebellion, or the supporters thereof:

And provided, also, That the judge or court before whom such person may be brought, before discharging him or her from imprisonment, shall have power, on examination of the case, and, if the public safety shall require it, shall be required to cause him or her to enter into recognizance, with or without surety, in a sum to be fixed by said judge or court, to keep the peace and be of good behavior towards the United States and its citizens, and from time to time, and at such times as such judge or court may direct, appear before said judge or court to be further dealt with, according to law, as the circumstances may require. And it shall be the duty of the district attorney of the United States to attend such examination before the judge.

SEC. 3. And be it further enacted, That in case any of such prisoners shall be under indictment or presentment for any offence against the laws of the United States, and by existing laws bail or a recognizance may be taken for the appearance for trial of such person, it shall be the duty of said judge at once to discharge such person upon bail or recognizance for trial as aforesaid. And in case the said Secretaries of State and War shall for any reason refuse or omit to furnish the said list of persons held as prisoners as aforesaid at the time of the passage of this act within twenty days thereafter, and of such persons as hereafter may be arrested within twenty days from the time of the arrest, any citizen may, after a grand jury shall have terminated its session without finding an indictment or presentment, as provided in the second section of this act, by a petition alleging the facts aforesaid touching any of the persons so as aforesaid imprisoned, supported by the oath of such petitioner or any other credible person, obtain and be entitled to have the said judge's order to discharge such prisoner on the same terms and conditions prescribed in the second section of this act: Provided, however, That the said judge shall be satisfied such allegations are true.

SEC. 4. And be it further enacted, That any order of the President, or under his authority, made at any time during the existence of the present rebellion, shall be a defence in all courts to any action or prosecution, civil or criminal, pending, or to be commenced, for any search, seizure, arrest, or imprisonment, made, done, or committed, or acts omitted to be done, under and by virtue of such order, or under color of any law of Congress, and such defence may be made by special plea, or under the general issue.

SEC. 5. And be it further enacted, That if any suit or prosecution, civil or criminal, has been or shall be commenced in any state court, against any officer, civil or military, or against any other person, for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or any act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or any act of Congress, and the defendant shall, at the time of entering his appearance in such court, or if such appearance shall have been entered before the passage of this act, then at the next session of the court in which such suit or prosecution is pending, file a petition, stating the facts and verified by affidavit, for the removal of the cause for trial at the next circuit court of the United States, to be holden in the district where the suit is pending, and offer good and sufficient surety for his filing in such court, on the first day of its session, copies of such process and other proceedings against him, and also for his appearing in such court and entering special bail in the cause, if special bail was originally required therein. It shall then be the duty of the state court to accept the surety and proceed no further in the cause or prosecution, and the bail that shall have been originally taken
shall be discharged. And such copies being filed as aforesaid in such court of the United States, the cause shall proceed therein in the same manner as if it had been brought in said court by original process, whatever may be the amount in dispute or the damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment in the same manner as by the laws of such state they would have been held to answer final judgment had it been rendered in the court in which the suit or prosecution was commenced. And it shall be lawful in any such action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any cause aforesaid, after final judgment, for either party to remove and transfer, by appeal, such case during the session or term of said court at which the same shall have taken place, from such court to the next circuit court of the United States to be held in the district in which such appeal shall be taken, in manner aforesaid. And it shall be the duty of the person taking such appeal to produce and file in the said circuit court attested copies of the process, proceedings, and judgment in such cause; and it shall also be competent for either party, within six months after the rendition of a judgment in any such cause, by writ of error or other process, to remove the same to the circuit court of the United States of that district in which such judgment shall have been rendered; and the said circuit court shall proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be held on the final judgment of the said circuit court in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be held on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made, as aforesaid. And the state court, from which any such action, civil or criminal, may be removed and transferred as aforesaid, upon the parties giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no further in the case: Provided, however, That if the party aforesaid shall fail duly to enter the removal and transfer, as aforesaid, in the circuit court of the United States, agreeably to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made, as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made. And provided also, That no such appeal or writ of error shall be allowed in any criminal action or prosecution where final judgment shall have been rendered in favor of the defendant or respondent by the state court. And if in any suit hereafter commenced the plaintiff is nonsuited or judgment pass against him, the defendant shall recover double costs.

Sec. 6. And be it further enacted, That any suit or prosecution described in this act, in which final judgment may be rendered in the circuit court, may be carried by writ of error to the supreme court, whatever may be the amount of said judgment.

Sec. 7. And be it further enacted, That no suit or prosecution, civil or criminal, shall be maintained for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or by or under any act of Congress, unless the same shall have been commenced within two years next after such arrest, imprisonment, trespass, or wrong may have been done or committed or act may have been omitted to be done: Provided, That in no case shall the limitation herein provided commence to run until the passage of this act, so
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 82-85. 1863.

that no party shall, by virtue of this act, be debarred of his remedy by suit or prosecution until two years from and after the passage of this act.

Approved, March 3, 1863.

March 3, 1863.

Chap. LXXXII. — An Act to authorize the Brevetting of Volunteer and other Officers in the United States Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to confer brevet rank upon such commissioned officers of the volunteer and other forces in the United States service as have been, or may hereafter be, distinguished by gallant actions or meritorious conduct; which rank shall not entitle them to any increase of pay or emoluments.

Approved, March 3, 1863.

March 3, 1863.

Chap. LXXXIII. — An Act for the Relief of certain Persons who have performed the Duties of Assistant Surgeons in Regiments of Cavalry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That physicians and surgeons who have since the second day of July last been duly appointed and commissioned as second assistant surgeons in volunteer regiments of cavalry, and as such have been duly mustered into the military service of the United States, and actually performed the duties appertaining to that office, shall be paid therefor in like manner and upon like proof as other assistant surgeons of cavalry: Provided, That not more than two assistant surgeons to each regiment shall be allowed and paid for services performed at one and the same time.

Approved, March 3, 1863.

March 3, 1863.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every non-commissioned officer, private, or other person who has been or shall hereafter be discharged from the army of the United States, within two years from the date of their enlistment, by reason of wounds, &c., entitled to bounty shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years; and all acts and parts of acts inconsistent with this, are hereby repealed.

Approved, March 3, 1863.

March 3, 1863.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all domestic and foreign wars the President of the United States is authorized to issue to private armed vessels of the United States, commissions, or letters of marque and general reprisal in such form as he shall think proper, and under the seal of the United States, and make all needful rules and regulations for the government and conduct thereof, and for the adjudication and disposal of the prizes and salvages made by such vessels: Provided, That the authority conferred by this act shall cease and terminate at the end of three years from the passage of this act.

Approved, March 3, 1863.
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 86. 1863.

March 3, 1863.

CHAP. LXXXVI.—An Act further to regulate Proceedings in Prize Cases, and to amend various Acts of Congress in relation thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any prize property shall be condemned in any district or circuit court, or shall at any stage of the proceedings be found by the court to be perishable, liable to deterioration or depreciate, or whenever the costs of keeping the same shall be disproportionate to its value, or whenever all the parties in interest who have appeared in the case shall agree thereto, it shall be the duty of the court to order a sale thereof, and no appeal shall operate to prevent the making or execution of such order. And upon any sale, it shall be the duty of the marshal forthwith to deposit the gross proceeds of the sale with the assistant treasurer of the United States nearest to the place of sale, and subject to the order of the court in the particular case; and the court may at any time order the payment from such deposit of the expenses and disbursements necessarily incurred in the custody, preservation, and sale of said property, audited and allowed by the court in the manner provided by law. And when a decree of condemnation shall be made in any case, the court may, in like manner, order the payment from said deposit of the costs, fees, and charges decreed in the case. And on a final decree of distribution, after the payment of such costs, fees, and expenses, the residue of the deposit shall, by order of the court, be paid into the treasury of the United States for distribution according to the decree. And the clerk of the court shall forthwith transmit to the Secretary of the Treasury and the Secretary of the Navy certified copies of said final decree of distribution; and in case the final decree shall be for restitution without costs, the costs, fees, and disbursements allowed by the court and unpaid shall be a charge upon the fund for defraying the expenses of suits in which the United States is a party or interested. And the Treasury Department shall credit the Navy Department with the amount held for distribution; and the several officers, marines, sailors, and other persons in the naval service entitled to share in the prize money, shall be credited in their accounts with the Navy Department with the amount to which they are respectively entitled.

SEC. 2. And be it further enacted, That the Secretary of the Navy or the Secretary of War shall be, and they or either of them are hereby, authorized to take any captured vessel, any arms or munitions of war, or other material, for the use of the Government; and when the same shall have been taken, before being sent in for adjudication, or afterwards, the department for whose use it was taken shall deposit the value of the same in the treasury of the United States, subject to the order of the court in which prize proceedings shall be taken in the case; and when there is a final decree of distribution in the prize court, or if no proceedings in prize shall be taken, the money shall be credited to the Navy Department to be distributed according to law.

SEC. 3. And be it further enacted, That the Secretary of the Navy shall employ an auctioneer or auctioneers of established reputation in that branch of merchandise, to make sales of all prize goods, under the direction of the marshals of the district in which the property shall be ordered to be sold, and at a rate of compensation not to exceed in any case one and one fourth per centum upon the gross amount of the sales; and such sales shall be advertised in the fullest and most conspicuous manner, and to the satisfaction of the Secretary of the Navy; and any fraud, collusion, or combination, or any act or fraudulent device or contrivance in the sale and disposition of any prize property, by which the captors or the Government are or may be defrauded, shall be, and is hereby, declared to be a felony; and any public officer or agent, or any other person engaged therein, upon conviction thereof by or before any court of competent juris
Counsel to captors.
1862, ch. 50, § 3.
Ante, p. 575.

Compensation.
1862, ch. 204, § 12.
Ante, p. 608.

Authority of Secretary of Navy to employ counsel repealed.
Commissioners of prize not to exceed two in any district.
One to be retired naval officer.
Salaries.
Counsel fees, how paid.

Witness fees, how paid.

Appeals from district courts to be directly to supreme court, and within thirty days, unless, &c.
In what cases appeals may be claimed.

Repealing clause.

March 3, 1863.

CHAP. LXXXVII.—An Act to equalize and establish the Compensation of the Collectors of the Customs on the Northern, Northeastern, and Northwestern Frontiers, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of customs of each of the districts aforesaid shall render, with his accounts of the expenses incident to his office, a list of the clerks and other officers of the customs employed by him, stating the rate of compensation allowed to each, the duties they severally perform, and also an account of the sums paid for stationery, fuel, and all other office expenses, including office rent;
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for all of which expenses he shall submit an estimate each month in advance, and shall state the purposes for which any premises are used; and shall also render an accurate account of all fees and commissions collected by him.

Sec. 2. And be it further enacted, That the district of Sackett’s Harbor be, and is hereby, annexed to the district of Cape Vincent, and the district so annexed is hereby abolished and constituted a part of the district to which it is annexed; and that the district of Niagara is hereby extended so as to include the entire county of Niagara to the channel of Tonawanda creek; and that Lewiston, in the district of Niagara, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Suspension Bridge.

Sec. 3. And be it further enacted, That Plattsburg, in the district of Champlain, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Rouse’s Point, at which place the collector of the district shall reside, and a deputy collector shall reside at Plattsburg; and all vessels passing through Lake Champlain, from Canada, shall hereafter be required to report to the collector of customs at Rouse’s Point.

Sec. 4. And be it further enacted, That Michilimackinack, in the district of Michilimackinack, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Sault Ste. Marie, at which place the collector of the district shall reside, and a deputy collector shall reside at Michilimackinack.

Sec. 5. And be it further enacted, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed.

APPROVED, March 3, 1863.

CHAP. LXXXVIII. — An Act to facilitate the Collection of the Revenue in El Paso County, Texas, and in the Territory of New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tenth section of an act entitled “An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending thirtieth of June, eighteen hundred and fifty-eight,” approved March third, eighteen hundred and fifty-seven, be, and the same is hereby, repealed; and the act entitled “An act creating a collection district in Texas and New Mexico,” approved August second, eighteen hundred and fifty-four, is hereby revived and reenacted: Provided, That the collector shall reside at El Paso, Texas, instead of Frontera.

Sec. 2. And be it further enacted, That the jurisdiction of the district court of New Mexico shall extend over the citizens of El Paso county, Texas, only in cases not instituted by indictment, and the trial and proceedings for violations of the revenue laws in said district court of New Mexico shall be the same as in other district courts of the United States invested with admiralty powers; and this act shall take effect from and after its passage.

APPROVED, March 3, 1863.

CHAP. LXXXIX. — An Act to authorize the Appointment of an Assistant Treasurer of the United States; and to fix the Pay of the Treasurer, Assistant Treasurer, Clerks, and Messengers in the Office of the Treasurer of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint, from time to time, by and with the consent and approval of the Senate of the United States, an assistant treasurer of the United States; and the treasurer of the United States may, in his discretion, with the consent of the Secretary of the Treasury of the United States, authorize the said assistant to act in

Monthly estimate in advance.

District of Sackett’s Harbor annexed to that of Cape Vincent, of Niagara extended, of Lewiston discontinued.

Port of entry established at Suspension Bridge.

Plattsburg discontinued as a port of entry.

Port of entry at Rouse’s Point.

Repealing clause.

Collection district in Texas and New Mexico.

Jurisdiction of district court of New Mexico.

Violations of revenue laws how tried.

When act takes effect.

Appointee of assistant treasurer of the United States authorized.

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Power and duties.

Cashier and assistant.

Salaries.

Chiefs of divisions.

Salaries.

Messenger, assistant, and laborers.

Salary of treasurer of the United States.

do the place and stead, and at any and at all times to discharge any or all the duties required by law of the said treasurer of the United States.

SEC. 2. And be it further enacted, That the Secretary of the Treasury of the United States be, and is hereby, authorized to appoint, in addition to the clerks now authorized by law, a cashier, with an annual salary of two thousand four hundred dollars per annum; an assistant cashier, with an annual salary of two thousand dollars per annum; four chiefs of divisions, with annual salaries of one thousand eight hundred dollars each per annum; and also a messenger, an assistant messenger, and two laborers, in addition to those now allowed, at the compensation now authorized by law.

SEC. 3. And be it further enacted, That there shall be paid to the treasurer of the United States, in lieu and stead of his present compensation, commencing with and including the first day of July, eighteen hundred and sixty-two, the sum of five thousand dollars per annum; but from which amount there shall be deducted all sums of money hereafter paid to, or received by, the said treasurer, on account of his compensation for services rendered as treasurer of the United States, since and including the day aforesaid, and the income tax on such additional compensation as will have accrued since the first day of September, eighteen hundred and sixty-two; and there shall be paid to the assistant treasurer of the United States an annual compensation of twenty-five hundred dollars.

SEC. 4. And be it further enacted, That the compensation of the treasurer, deputy treasurer, clerks, and messengers aforesaid, for the current and next fiscal years, shall be paid out of any money in the treasury not otherwise appropriated. Estimates for all such compensations, after the next fiscal year, shall be submitted by the Secretary of the Treasury with his annual estimates.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCI. — An Act to protect the Limes upon Vessels in certain Cases, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases now or hereafter pending wherein any ship, vessel, or other property, shall be condemned in any proceeding by virtue of the acts above mentioned, or of any other laws on that subject, the court rendering judgment of condemnation shall, notwithstanding such condemnation, and before awarding such ship, vessel, or other property, or the proceeds thereof, to the United States, or to any informing, first provide for the payment, out of the proceeds of such ship, vessel, or other property, of any bona fide claims which shall be filed by any loyal citizen of the United States, or of any foreign state or power at peace and amity with the United States, intervening in such proceeding, and which shall be duly established by evidence as a valid claim against such ship, vessel, or other property, under the laws of the United States or of any loyal state thereof: Provided, That no such claim shall be allowed in any case where the claimant shall have knowingly participated in the illegal use of such ship, vessel, or other property: And provided, also, That this act shall extend to such claims only as might have been enforced specifically against such ship, vessel, or other property, in any loyal state wherein such claim arose.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCI. — An Act to reorganize the Courts in the District of Columbia, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established

* Reference is had to the act of July 13, 1861, ch. 3 (ante, p. 255), and to the act of August 6, 1861, ch. 69 (ante, p. 319), which were recited in the title of the bill as reported. When the act was passed, its title was changed, but this clause was not altered.
in the District of Columbia a court to be called the supreme court of the
District of Columbia, which shall have general jurisdiction in law and
equity. It shall consist of four justices, one of whom shall be denomi-
nated as chief justice. These justices shall be appointed by the Pres-
ident, by and with the advice and consent of the Senate, and shall hold
their offices during good behavior. Each justice, before he enters upon
the duties of his office, shall take the oath prescribed to be taken by
judges of the courts of the United States. Any three of said justices
may hold a general term, and any one of them may hold a special term,
or circuit court, as hereinafter provided. A special term may be held at
the same time with a circuit court and by the same justice.

SEC. 2. And be it further enacted, That the said court shall have
power to appoint a clerk, who shall take the oath, and give a bond, with
sureties, in the manner prescribed by law for clerks of district courts of
the United States.

SEC. 3. And be it further enacted, That the supreme court organized
by this act shall possess the same powers and exercise the same jurisdic-
tion as is now possessed and exercised by the circuit court of the District
of Columbia, and the justices of the court so to be organized shall sever-
ally possess the powers and exercise the jurisdiction now possessed and
exercised by the judges of said circuit court. Any one of said justices
may hold a district court of the United States for the District of Colum-
bia, in the same manner and with the same powers and jurisdiction
possessed and exercised by district courts of the United States.
Any one of said justices may also hold a criminal court for the trial of all
offences arising within said district, which court shall possess the
same powers and exercise the same jurisdiction now possessed and
exercised by the criminal court of the District of Columbia.

SEC. 4. And be it further enacted, That general terms of the said su-
preme court shall be held at the same times at which terms of the circuit
court of the District of Columbia are now required to be held, and at the
same place. District courts and criminal courts shall also be held by one
of said justices at the several times when such courts are now required
by law to be held, and at the same place.

SEC. 5. And be it further enacted, That special terms of said supreme
court shall be held by one of said justices, at such time or times as the
said court, in general term, shall appoint. Non-enumerated motions in
all suits and proceedings at law and in equity shall first be heard and
determined at such special terms. Suits in equity, not triable by jury,
shall also be heard and determined at such special terms. But the justice
holding such special term may, in his discretion, order any such motion or
suit to be heard, in the first instance, at a general term. Any party
aggrieved by any order, judgment, or decree, made or pronounced at any
such special term, may, if the same involve the merits of the action or
proceeding, appeal therefrom to the general term of said supreme court,
and upon such appeal the general term shall review such order, judgment,
or decree, and affirm, reverse, or modify the same, as shall be just.

SEC. 6. And be it further enacted, That the said court, in general term,
shall adopt such rules as it may think proper to regulate the time and
manner of making appeals from the special term to the general term, and
may prescribe the terms and conditions upon which such appeals may be
made. Such court may also establish such other rules as it may deem
necessary for regulation of the practice of the several courts organized
by this act, and from time to time revise and alter such rules. It may
also determine by rule what motions shall be heard at a special term, as
non-enumerated motions, and what motions shall be heard at a general
term in the first instance.

SEC. 7. And be it further enacted, That all issues of fact triable by a
jury or by the court shall be tried before a single justice; when the trial
of fact,
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 91. 1863.

Issues of law, how tried.

is by jury, at a circuit court; and when the trial is without a jury, at a circuit court or special term. Issues of law may be tried at a circuit court or special term. At any time after issue, and at least ten days before the sitting of the court, either party may give notice of trial. The party giving the notice shall furnish the clerk, at least four days before the sitting of the court, with a note of the issue, containing the title of the action, the names of the attorneys, and the time when the last pleading was served; and the clerk shall thereupon enter the cause upon a calendar, according to the date of the issue.

SEC. 8. And be it further enacted, That if, upon the trial of a cause, an exception be taken, it may be reduced to writing at the time, or it may be entered on the minutes of the justice, and afterwards settled in such manner as may be provided by the rules of the court, and then stated in writing in a case or bill of exceptions, with so much of the evidence as may be material to the questions to be raised, but such case or bill of exceptions need not be sealed or signed. The justice who tries the cause may, in his discretion, entertain a motion, to be made on his minutes, to set aside a verdict and grant a new trial upon exceptions, or for insufficient evidence, or for excessive damages: Provided, That such motion be made at the same term or circuit at which the trial was had. When such motion is made and heard upon the minutes, an appeal to the general term may be taken from the decision, in which case a bill of exceptions or case shall be settled in the usual manner.

SEC. 9. And be it further enacted, That a motion for a new trial on a case or bill of exceptions, and an application for judgment on a special verdict or a verdict taken subject to the opinion of the court, shall be heard in the first instance at a general term.

SEC. 10. And be it further enacted, That writes and process issued out of the court hereby organized may be tested in the name of any justice of said court.

SEC. 11. And be it further enacted, That any final judgment, order, or decree of said court may be re-examined and reversed or affirmed in the supreme court of the United States, upon writ of error or appeal, in the same cases and in like manner as is now provided by law in reference to the final judgments, orders, and decrees of the circuit court of the United States for the District of Columbia.

SEC. 12. And be it further enacted, That appeals may be made from the judgments of justices of the peace to the court hereby organized in like manner and in the same cases in which such appeals are now allowed to the circuit court of the United States for the District of Columbia. Such appeals shall be heard and decided at a special term.

SEC. 13. And be it further enacted, That all suits and proceedings which, at the time this act takes effect, shall be pending in any of the courts hereby abolished shall be transferred to the courts to be established under the provisions of this act, and may be prosecuted therein with the same effect as they might have been in the court in which the same were commenced. Process issued out of any of said courts shall also be returned to the court hereby established.

SEC. 14. And be it further enacted, That justices of the peace may be removed by the court to be organized under the provisions of this act at a general term, after due notice, and an opportunity to be heard in their defence, and for causes to be assigned in the order of removal.

SEC. 15. And be it further enacted, That the justices to be appointed by virtue of this act shall receive an annual salary of three thousand dollars, to be paid quarterly at the treasury of the United States.

SEC. 16. And be it further enacted, That the circuit court, district court, and criminal court of the District of Columbia are hereby abolished. All laws and parts of laws relating to said courts, so far as the same are applicable to the courts created by this act, are hereby con-
thinned in force in respect to such courts, and all other laws and parts of laws relating to said circuit, district, and criminal courts, are repealed.

Sec. 17. **And be it further enacted,** That the President of the United States be, and he is hereby, authorized and empowered to appoint, by and with the advice and consent of the Senate, a suitable person, learned in the law, to revise and codify the laws of the District of Columbia.

Sec. 18. **And be it further enacted,** That the person who shall be thus appointed shall receive ten dollars per day for his services whilst so employed, and shall render a final report of his revision and codification to Congress on or before the first day of January next.

**Approved,** March 3, 1863.

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To be enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, two additional judges for the said court, to hold their offices during good behavior, who shall be qualified in the same manner, discharge the same duties, and receive the same compensation, as now provided in reference to the judges of said court; and that from the whole number of said judges the President shall in like manner appoint a chief justice for said court.

Sec. 2. **And be it further enacted,** That all petitions and bills praying or providing for the satisfaction of private claims against the Government, founded upon any law of Congress, or upon any regulation of an executive department, or upon any contract, express or implied, with the Government of the United States, shall, unless otherwise ordered by resolution of the house in which the same are presented or introduced, be transmitted by the secretary of the Senate or the clerk of the House of Representatives, with all the accompanying documents, to the court aforesaid.

Sec. 3. **And be it further enacted,** That the said court, in addition to the jurisdiction now conferred by law, shall also have jurisdiction of all set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever, on the part of the Government against any person making claim against the Government in said court; and upon the trial of any such cause it shall hear and determine such claim or demand both for and against the Government and claimant; and if upon the whole case it finds that the claimant is indebted to the Government, it shall under [render] judgment to that effect, and such judgment shall be final, with the right of appeal, as in other cases herein provided for. Any transcript of such judgment, filed in the clerk's office of any district or circuit court of the United States, shall be entered upon the records of the same, and shall ipso facto become and be a judgment of such district or circuit court, and shall be enforced in like manner as other judgments therein.

Sec. 4. **And be it further enacted,** That the said court of claims shall hold one annual session, commencing on the first Monday in October in each year, and continuing so long as may be necessary for the prompt disposal of the business of the court. The said court may prescribe rules and regulations for practice therein, and it may punish for contempt, in the manner prescribed by common law. It may appoint commissioners, and may generally exercise such powers as are necessary to carry out the powers herein granted to it. The judges, solicitors, and clerks of said court shall be admitted to the use of the congressional library, and also the law library, until a law library be provided for them. The said court may appoint a bailiff, who shall hold his office during four years, unless sooner removed by said court for cause, and who shall receive a salary of
Oaths, &c.

Seal.

Members of Congress not to practise in court of claims.

Appeals to supreme court.

When to be taken.

When an appeal may be had without reference to amount in controversy.

Solicitor and assistants, how appointed.

Duty.

No fee but salary.

Claims sustained, how paid.

Interest.

Payments to be a full discharge, and bar all further claim.

Claimant may be examined on oath.

Proceedings.

one thousand dollars, payable quarterly. The judges and clerks of said court may administer oaths and affirmations, take acknowledgments of instruments in writing, and give certificates of the same. Said court shall have a seal, with such device as it may order. Members of either house of Congress shall not practice in said court of claims.

**Sec. 5. And be it further enacted**, That either party may appeal to the supreme court of the United States from any final judgment or decree which may hereafter be rendered in any case by said court wherein the amount in controversy exceeds three thousand dollars, under such regulations as the said supreme court may direct: *Provided*, That such appeal shall be taken within ninety days after the rendition of such judgment or decree: *And provided, further*, That when the judgment or decree will affect a class of cases, or furnish a precedent for the future action of any executive department of the Government in the adjustment of such class of cases, or a constitutional question, and such facts shall be certified to by the presiding justice of the court of claims, the supreme court shall entertain an appeal on behalf of the United States, without regard to the amount in controversy.

**Sec. 6. And be it further enacted**, That the solicitor, assistant solicitor, and deputy solicitor of said court, shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and it shall be their duty faithfully and diligently to defend the United States in all matters and cases before said court of claims; and in all cases taken by appeal therefrom to the supreme court; and no other fee or compensation than the salary of said solicitor, and assistant and deputy solicitors, shall hereafter, in any case, be paid to either of them, and no fee or compensation for services in either the supreme court or court of claims shall hereafter be allowed or paid in any case by the United States.

**Sec. 7. And be it further enacted**, That in all cases of final judgments by said court, or on appeal by the said supreme court where the same shall be affirmed in favor of the claimant, the sum due thereby shall be paid out of any general appropriation made by law for the payment and satisfaction of private claims, on presentation to the Secretary of the Treasury of a copy of said judgment, certified by the clerk of said court of claims, and signed by the chief justice, or, in his absence, by the presiding judge, of said court. And in cases where the judgment appealed from is in favor of said claimant, or the same is affirmed by the said supreme court, interest thereon at the rate of five per centum shall be allowed from the date of its presentation to the Secretary of the Treasury for payment as aforesaid, but no interest shall be allowed subsequent to the affirmance, unless presented for payment to the Secretary of the Treasury as aforesaid: *Provided*, That no interest shall be allowed on any claim up to the time of the rendition of the judgment by said court of claims, unless upon a contract expressly stipulating for the payment of interest, and it shall be the duty of the Secretary of the Treasury, at the commencement of each Congress, to include in his report or [*a*] statement of all sums paid at the treasury on such judgments, together with the names of the parties in whose favor the same were allowed: *And it is further provided*, That such payments shall be a full discharge to the United States of all claim or demand touching any of the matters involved in the controversy: *And provided further*, That any final judgment rendered against the claimant on any claim prosecuted as aforesaid shall forever bar any further claim or demand against the United States arising out of the matters involved in the controversy.

**Sec. 8. And be it further enacted**, That it shall be lawful for said court, at the instance of the solicitor for the United States, to make an order in any case pending in said court, directing that the claimant or claimants in such case, or any one or more of them, shall appear, upon reasonable notice, before any commissioner of said court, and be examined on oath or
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 92. 1863.

affirmation touching any or all matters pertaining to said claim. And the examination of such claimant or claimants shall be reduced to writing by the said commissioner, and be returned to and filed in said court, and may, at the discretion of the solicitor for the United States, be read and used as evidence on the trial of said cause. And if any claimant or claimants, after such order has been made, and due and reasonable notice thereof given to him or them, shall fail to appear or shall refuse to testify or answer fully as to all matters within his knowledge material to the issue, the said court may, in its discretion, order that the said cause shall not be brought forward for trial until the said claimant or claimants shall have fully complied with the order of said court in the premises.

SEC. 9. And be it further enacted, That the jurisdiction of the said court shall not extend to or include any claim against the Government not pending in said court on the first day of December, Anno Domini eighteen hundred and sixty-two, growing out of or dependent on any treaty stipulation entered into with foreign nations or with the Indian tribes.

SEC. 10. And be it further enacted, That every claim against the United States, cognizable by the court of claims, shall be forever barred unless the petition setting forth a statement of the claim be filed in the court or transmitted to it under the provisions of this act within six years after the claim first accrues: Provided, That claims which have accrued six years before the passage of this act shall not be barred if the petition be filed in the court or transmitted as aforesaid within three years after the passage of this act: And provided, further, That the claims of married women first accrued during marriage, of persons under the age of twenty-one years first accruing during minority, and of idiots, lunatics, insane persons, and persons beyond seas at the time the claim accrued, entitled to the claim, shall not be barred if the petition be filed in the court or transmitted, as aforesaid, within three years after the disability has ceased; but no other disability than those enumerated shall prevent any claim from being barred, nor shall any of the said disabilities operate cumulatively.

SEC. 11. And be it further enacted, That any person or persons who shall corruptly practise or attempt to practise any fraud against the United States in the proof, statement, establishment, or allowance of any claim, or any part of any claim against the United States, shall ipso facto forfeit the same to the Government; and it shall be the duty of the court of claims, in such cases, to find specifically that such fraud was practised or attempted to be practised, and thereupon give judgment that such claim is forfeited to the Government, and that the claimant be forever barred from prosecuting the same. Appeals may be taken from the court of claims to the supreme court, in all such cases, on all questions of law, in the manner herein provided for appeals in other cases.

SEC. 12. And be it further enacted, That any petition filed under the act shall be verified by the affidavit of the claimant, his agent, or attorney, stating that no assignment or transfer of said claim, or any part thereof, or any interest therein, has been made, except as in said petition stated; that said claimant is justly entitled to the amount therein claimed from the United States, after allowing all just credits and offsets; and that he believes the facts as stated in said petition are true: Provided, however, That in order to authorize the said court to render a judgment in favor of any claimant, if a citizen of the United States, it shall be set forth in the petition that the claimant, and the original and every prior owner thereof where the claim has been assigned, has at all times borne true allegiance to the Government of the United States, and whether a citizen or not, that he has not in any way voluntarily aided, abetted, or given encouragement to rebellion against the said Government, which allegations may be traversed by the Government, and if on the trial such issue shall be decided against the claimant, his petition shall be dismissed.
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 92, 93. 1863.

Repeal of inconsistent laws.

Money not to be paid out for claims until appropriated upon estimates.

SEC. 13. And be it further enacted, That all laws and parts [of laws] inconsistent with the provisions of this act are hereby repealed.

SEC. 14. And be it further enacted, That no money shall be paid out of the treasury for any claim passed upon by the court of claims till after an appropriation therefor shall be estimated for by the Secretary of the Treasury.

APPROVED, March 3, 1863.

March 3, 1863.

Chap. Xciii.—An Act to give greater Efficiency to the Judicial System of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the judge of the supreme court for any circuit, from disability, absence, the accumulation of business in the circuit court in any district within his circuit, or from his having been of counsel or being interested in any case pending in such circuit court, or from any other cause, shall deem it advisable that the circuit court in such district shall be holden by the judge of any other circuit, he may request, in writing, the judge of any other circuit to hold the circuit court in such district, during a time to be named in such request; and such request shall be entered upon the journal of the circuit court so to be holden. And thereupon it shall be lawful for the judge so requested to hold the circuit court in such district, and to exercise all the powers of the judge of such circuit within and for such district during the time named in such request.

SEC. 2. And be it further enacted, That the judge of any circuit may order any civil cause certified into any circuit court within his circuit from any court of the United States, to be certified back to the court whence it came; and in such case such cause shall be proceeded in by such court, in all respects, as if the same had not been certified from it: Provided, That if from any cause it shall be improper for the judge of such court to try any such cause so certified back, the same shall be tried by some other judge holding such circuit, pursuant to the provisions of this act. Whenever, by reason of death or resignation, there shall be no judge of any circuit, the chief justice of the supreme court of the United States may make the requests herein provided for, which shall be operative until such circuit shall be assigned to another judge. In case of a vacancy in the office of marshal or district attorney in any circuit, the judge of such circuit may fill such vacancy, and the person so appointed shall serve until an appointment shall be made by the President, and the appointee has duly qualified, and no longer; and the marshal so appointed shall give bond as if appointed by the President, and the bond shall be approved by such judge. The appointment so made shall be in writing, and such writing shall be filed in the clerk's office of the circuit court, and a copy thereof shall be entered upon the journal of such court. The clerk of every court shall give bond in such sum as may be fixed by the court, with sureties to be approved by the court, and a new bond may be required whenever the court shall deem it proper that such bond shall be given. Every marshal's bond so given shall be filed in the office of the clerk of the circuit court, and a copy thereof entered upon the journal of the court. A copy of every bond given by a clerk shall be entered on the journal of the court for which he is appointed, and the bond shall be deposited for safe-keeping as the court may direct. A certified copy of such entry shall be prima facie proof of the execution of such bond, and of the contents thereof.

SEC. 3. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, March 3, 1863.
CHAP. XCIV. — An Act to amend an Act entitled "An Act to further promote the Efficiency of the Navy," approved December twenty-one, eighteen hundred and sixty-one, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any captain in the navy retired by the act entitled "An act to further promote the efficiency of the navy," approved December twenty-one, eighteen hundred and sixty-one, duly recommended according to law, may be promoted to the grade of commodore upon the retired list.

Sec. 2. And be it further enacted, That section twelve of an act entitled "An act to establish and equalize the grades of line officers of the United States navy," approved July sixteen, eighteen hundred and sixty-two, to wit: "And be it further enacted, That the three senior rear admirals shall wear a square blue flag at the mainmast head, the next three at the foremast head, and all others at the mizen," be, and the same is hereby, repealed.

Approved, March 3, 1863.

CHAP. XCV. — An Act to facilitate the taking of Depositions within the United States, to be used in the Courts of other Countries, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the testimony of any witness residing within the United States, to be used in any suit for the recovery of money or property depending in any court in any foreign country with which the United States are at peace, and in which the government of such foreign country shall be a party or shall have an interest, may be obtained, to be used in such suit. If a commission or letters rogatory to take such testimony shall have been issued from the court in which said suit is pending, on producing the same before the district judge of any district where said witness resides or shall be found, and on due proof being made to such judge that the testimony of any witness is material to the party desiring the same, such judge shall issue a summons to such witness requiring him to appear before the officer or commissioner named in such commission or letters rogatory, to testify in such suit. Such summons shall specify the time and place at which such witness is required to attend, which place shall be within one hundred miles of the place where said witness resides or shall be served with said summons.

Sec. 2. And be it further enacted, That if any person shall refuse or neglect to appear at the time and place mentioned in the summons issued, in accordance with this act, or if, upon his appearance, he shall refuse to testify, he shall be liable to the same penalties as would be incurred for a like offence on the trial of a suit in the district court of the United States.

Sec. 3. And be it further enacted, That every witness who shall appear and testify, in manner aforesaid, shall be allowed and shall receive from the party, at whose instance he shall have been summoned, the same fees and mileage as are allowed to witnesses in suits depending in the district courts of the United States.

Sec. 4. And be it further enacted, That whenever any commission or letters rogatory, issued to take the testimony of any witness in a foreign country, in any suit in which the United States are parties or have an interest, shall have been executed by the court or the commissioner to whom the same shall have been directed, the same shall be returned by such court or commissioner to the minister or consul of the United States nearest the place where said letters or commission shall have been executed, who, on receiving the same, shall indorse thereon a certificate, stating the time and place when and where the same was received; and

March 3, 1863.

Any captain retired, may be promoted to the grade of commodore.

Repeal of 4 of act of 1862, ch. 183.

March 3, 1863.

Testimony of witnesses in the United States may be taken to be used in suits in foreign countries.

Mode of procedure.

Summons.

Penalty on witness for not appearing or refusing to testify.

Fees and mileage of witnesses.

Commissions to take testimony of witnesses in foreign countries in suits in which the United States are parties, how returned.

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that the said deposition is in the same condition as when he received the same; and he shall thereupon transmit the said letters or commission, so executed and certified, by mail, to the clerk of the court from which the same issued, in the manner in which his official despatches are transmitted to the Government. And the testimony of witnesses so, as afore-said, taken and returned, shall be read as evidence on the trial of the suit in which the same shall have been taken, without objection as to the method of returning the same.

Approved, March 3, 1863.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a branch of the mint of the United States be located and established at Carson City, in the Territory of Nevada, for the coinage of gold and silver.

Sec. 2. And be it further enacted, That, for carrying on the business of said branch, the following officers shall be appointed, as soon as the public interest shall require their service, upon the nomination of the President, by and with the advice and consent of the Senate, namely: one superintendent, one assayer, one melter and refiner, and one coiner; and the said superintendent shall employ as many clerks, subordinate workmen, and laborers, under the direction of the Secretary of the Treasury, as may be required. The salaries of the said officers shall be as follows: To the superintendent, the sum of two thousand dollars; to the assayer, the sum of eighteen hundred dollars; to the melter and refiner, eighteen hundred dollars; to the clerks, subordinate workmen, and laborers, such wages and allowances as are customary, according to their respective stations and occupations.

Sec. 3. And be it further enacted, That the officers and clerks to be appointed under this act, before entering upon the execution of their offices, shall take an oath or affirmation, before some judge of the United States or of the supreme court of said Territory, faithfully and diligently to perform the duties of their offices, and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint, or the secretary of the Territory of Nevada, and of the Secretary of the Treasury, with the condition of the faithful performance of the duties of their offices.

Sec. 4. And be it further enacted, That the general direction of the business of said branch of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose it shall be the duty of the said director to prescribe such regulations and require such returns periodically and occasionally, and to establish such charges for parting, assaying, refining, and coining, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing said branch; also for the purpose of preserving uniformity of weight, form, and finish in the coin stamped at said branch.

Sec. 5. And be it further enacted, That said branch mint shall be a place of deposit for such public moneys as the Secretary of the Treasury may direct. And the superintendent of said branch mint, who shall perform the duties of treasurer thereof, shall have the custody of the same, and also perform the duties of assistant treasurer; and for that purpose shall be subject to all the provisions contained in an act entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August six, eighteen hundred and forty-six, which relates to the treasury of the branch mint at New Orleans.
SEC. 6. And be it further enacted, That the superintendent of said branch mint be authorized, under the direction of the Secretary of the Treasury, and on terms to be prescribed by him, to issue in payment of the gold dust and bullion deposited for assay and coining or bars, drafts, or certificates of deposit, payable at the treasury or any sub-treasury of the United States, to any depositor electing to receive payment in that form.

SEC. 7. And be it further enacted, That all the laws and parts of laws now in force for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offenses connected with the mint or coining of the United States shall be, and they are hereby, declared to be in full force in relation to the branch of the mint by this act established, as far as the same may be applicable thereto.

SEC. 8. And be it further enacted, That the sum of one hundred thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to carry into effect the provisions of this act, and to meet the expenses of the current year and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-four.

APPROVED, March 3, 1863.

CHAP. XCVII. — An Act to provide for the Disposal of certain Lands therein named.

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 shall, as soon as may be, cause that portion of the public domain known as the Fort Howard Military Reserve, including the site of the fort, containing three acres and four-hundredths of an acre, which is situated in the county of Brown and State of Wisconsin, between Fox River and Beaver Dam Run, and which is not included in the confirmations to Talbot C. Dousman and Daniel Whitney, nor in the grant to the State of Wisconsin under the resolution of Congress approved April twenty-fifth, eighteen hundred and sixty-two, entitled "A resolution explanatory of, and in addition to, the act of June third, eighteen hundred and fifty-six, granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," as heretofore surveyed under the direction of the surveyor-general of Wisconsin and Iowa, to be surveyed and subdivided into lots of such form and of such size, not less than one fourth of an acre, and not more than forty acres, as he may deem expedient, dedicating such portions of the same to the use of the public for streets and highways as he may think the public interest and convenience may require; and shall cause a plat thereof to be duly and properly certified by such surveyor-general, and recorded in the office of the register of deeds for said county of Brown; and when so surveyed, platted, and recorded, he shall cause each and all said lots to be sold separately at public auction, giving not less than two months' notice of the time and place of such sale by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the commissioner of the general land-office aforesaid, but no sale shall be binding until approved by the Secretary of the Interior.

SEC. 2. And be it further enacted, That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot as soon as may be after the purchase of and payment for the same.

SEC. 3. And be it further enacted, That it shall also be the duty of the commissioner of the land-office to cause so much of the public domain adjacent to said reserve as lies between said Beaver Dam Run and Duck Creek to be re-surveyed into lots, the lines of which shall conform as

March 3, 1863.

Fort Howard Military Reserve to be surveyed and subdivided into lots.

Resolution number 30.


Streets.

Plat to be certified and recorded.

Lots to be sold separately at public auction.

Sale not binding unless approved.

Patents.

Portion of the public domain adjacent to Fort Howard Military Reserve.
near as may be to the lines of the survey formerly made by Albert G. Ellis, and shall cause certified plats thereof to be returned as is provided by law in the case of other surveys of the public domain; and he shall thereupon proceed to dispose of the same as other public lands are disposed of, saving to every person who upon the passage of this act may be in possession of any part of said lands, and shall have made improvements thereon, as provided under the preemption laws of the United States, the right to purchase any lots so improved, lying contiguous to each other, and not exceeding in the aggregate eighty acres, upon making proof of such possession and improvements, and paying for such lots the sum of one dollar and twenty-five cents per acre, within six months after public notice shall be given of the time and place for making such proof and payment.

SEC. 4. And be it further enacted, That the commissioner of the general land-office shall cause the military reserve of Fort Crawford, in the county of Crawford, in the same State, to be surveyed and disposed of in the manner prescribed in the first and second sections of this act for the disposition of the Fort Howard Reserve.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. XCVIII.—An Act for a Grant of Lands to the State of Kansas, in alternate Sections, to aid in the Construction of certain Railroads and Telegraphs in said State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Kansas, for the purpose of aiding in the construction: First, of a railroad and telegraph from the city of Leavenworth by the way of the town of Lawrence, and via the Ohio City crossing of the Osage River, to the southern line of the State, in the direction of Galveston bay in Texas, with a branch from Lawrence by the valley of the Wakarusa River, to the point on the Atchison, Topeka, and Santa Fé Railroad where said road intersects the Neosho River. Second, of a railroad from the city of Atchison, via Topeka, the capital of said State, to the western line of the State, in the direction of Fort Union and Santa Fé, New Mexico, with a branch from where this last-named road crosses the Neosho, down said Neosho valley to the point where the said first-named road enters the said Neosho valley; every alternate section of land, designated by odd numbers, for ten sections in width on each side of said roads and each of its branches. But in case it shall appear that the United States have, when the lines or routes of said road and branches are definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of preemption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected, for the purposes aforesaid, from the public lands of the United States nearest to tiers of sections above specified, so much land, in alternate sections or parts of sections, designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the rights of preemption or homestead settlements have attached as aforesaid; which lands, thus indicated by odd numbers and selected by direction of the Secretary of the Interior as aforesaid, shall be held by the State of Kansas for the use and purpose aforesaid: Provided, That the land to be so selected shall, in no case, be located further than twenty miles from the lines of said road and branches: Provided, further, That the lands hereby granted for and on account of said roads and branches severally, shall be exclusively applied in the construction of the same, and for no other purpose whatever, and shall be disposed of only as the work progresses through the same, as in this act hereinafter provided: Provided, also, That no part of the
land granted by this act shall be applied to aid in the construction of any
railroad or part thereof, for the construction of which any previous grant
of land or bonds may have been made by Congress: And provided, fur-
ther, That any and all lands heretofore reserved to the United States, by
any act of Congress, or in any other manner by competent authority, for
the purpose of aiding in any object of internal improvement, or for any
other purpose whatsoever, be, and the same are hereby, reserved to the
United States from the operations of this act, except so far as it may be
found necessary to locate the routes of said road and branches through
such reserved lands; in which case the right of way only shall be granted,
subject to the approval of the President of the United States.

SEC. 2. And be it further enacted, That the sections and parts of sec-
tions of land which, by such grant, shall remain to the United States
within ten miles on each side of said road and branches, shall not be sold
for less than double the minimum price of the public lands when sold;
nor shall any of said lands become subject to sale at private entry until
the same shall have been first offered at public sale to the highest bidder,
at or above the increased minimum price, as aforesaid: Provided, That
actual and bona fide settlers, under the provisions of the preemption and
homestead laws of the United States, may, after due proof of settlement,
improvement, cultivation, and occupation, as now provided by law, purchase
the same, at the increased minimum price aforesaid: And provided, also,
That settlers on any of said reserved sections, under the provisions of the
homestead law, who improve, occupy, and cultivate the same for a period
of five years, and comply with the several conditions and requirements of
said act, shall be entitled to patents for an amount not exceeding eighty
acres each, anything in this act to the contrary notwithstanding.

SEC. 3. And be it further enacted, That the said lands hereby granted
to said State shall be subject to the disposal of the legislature thereof, for
the purposes aforesaid, and no other; and the said railroads and branches
shall be and remain public highways, for the use of the Government of
the United States, free from all toll or other charge upon the transporta-
tion of any property or troops of the United States.

SEC. 4. And be it further enacted, That the lands hereby granted to
said State shall be disposed of by said State only in manner following,
that is to say: when the governor of said State shall certify to the Secre-
tary of the Interior that any twenty consecutive miles of either of said
roads or branches is completed in a good, substantial, and workmanlike
manner, as a first-class railroad, and the said Secretary shall be satisfied
that said State has complied in good faith with this requirement, the said
State may cause to be sold all the lands granted as aforesaid situated op-
tosite to and within a limit of ten miles of the line of said section of road
thus completed, extending along the whole length of said completed sec-
tion of twenty miles of road, and no further. And when the governor of
said State shall certify to the Secretary of the Interior, and the Secretary
shall be satisfied, that another section of said roads or branches, twenty
consecutive miles in extent, connecting with the preceding section, is
completed aforesaid, the said State may cause to be sold all the lands
granted and situated opposite to and within the limit of ten miles of the
line of said completed section of road, and extending the length of said
section, and so, from time to time, until said roads and branches are com-
pleted. And when the governor of said State shall so certify, and the
Secretary of the Interior shall be satisfied, that the whole of said roads
and branches and telegraph are completed in a good, substantial, and
workmanlike manner, as first-class railroads and telegraph, the said State
may cause to be sold all the remaining lands granted and selected for the
purposes indicated in this act situated within the said limits of twenty
miles from the line thereof throughout the entire length of said road and
branches: Provided, That if any part of said roads and branches is not

Lands granted only for what purposes.
Roads, &c., to be public highways, &c.
How lands may be disposed of.
Upon completion of any twenty consecutive miles of a road or branch, &c.
Upon completion of second section of twenty miles, &c.
Upon completion of whole road, &c.
completed within ten years from the passage of this act, no further sale shall be made, and the lands unsold shall revert to the United States.

SEC. 5. And be it further enacted, That the United States mail shall be transported over said roads and branches, under the direction of the Post-Office Department, at such price as Congress may by law direct: Provided, That until such price is fixed by law the Postmaster-General shall have the power to determine the same.

APPROVED, March 3, 1863.

March 3, 1863.

Indian appropriation.

Chap. XCVi. — An Act making Appropriations for the current and contingent Expenditures of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirtieth, eighteen hundred and sixty-four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes —

For the current and contingent expenses of the Indian Department, namely:

For the pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty, eighteenth and thirtieth February, eighteen hundred and sixty-one, and per fifteen article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yancots, ninety-three thousand seven hundred and fifty dollars.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

For the pay of clerk to superintendent at Saint Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

For pay of supervisor[s] for reservation in California, nine thousand dollars.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, eighteenth August, eighteen hundred and fifty-six, and seventeenth July, eighteen hundred and sixty-two, twenty-six thousand nine hundred dollars.

For pay of twenty laborers for reservations in California, twelve thousand dollars.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian Department, thirty-six thousand five hundred dollars.

For the employment of temporary clerks by superintendents of Indian affairs, on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

For fulfilling treaty stipulations with the various Indian tribes:

Blackfoot Indians. — For eighth of ten instalments as annuity, to be expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.
For eighth of ten instalments as annuity, to be expended in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and Christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.

Chasta, Scooten, and Umpqua Indians. — For ninth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

For ninth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For ninth of ten instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For ninth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of Lake Superior. — For two thirds of twenty-second of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of twenty-second of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two thirds of twenty-second of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of twenty-second of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of twenty-second of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two thirds of twenty-second of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For ninth of twenty instalments in corn, [coin.] goods, household furniture, and cooking utensils, agricultural implements and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For ninth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For ninth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For seventh of twenty instalments for the seventh smith and assistant,
and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

Chippewas of the Mississippi.—For one third of twenty-second of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one third of twenty-second of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one third of twenty-second of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

For ninth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnibogoshish Bands.—For ninth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For ninth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For ninth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For ninth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.
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For ninth of fifteen annual instalments for support of two smiths and smiths’ shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw-mill at Leech Lake, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River. — For eighth of ten equal annual instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

For eighth of ten instalments for the support of one blacksmith shop, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

For first and second of five equal annual instalments, each of the second series, of two thousand dollars, for educational purposes, to be expended under the direction of the President, four thousand dollars.

For first and second of five equal annual instalments of the second series, of three thousand dollars each, in agricultural implements, and carpenters’ tools, household furniture and building material, cattle, labor, and miscellaneous items, six thousand dollars.

For third of five equal annual instalments for educational purposes, under the direction of the President, two thousand dollars.

For third of five equal annual instalments in agricultural implements, three thousand dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians. — For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chickasaws.—For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum per annum, for education, support of the government, and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River. — For the last of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

For expenses of transportation of the last of ten instalments of goods,
provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks.—For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent provisions for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent provision for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant and shop and tools during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For iron and steel for shop during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For the last of seven additional instalments for two blacksmiths, assistants, shops, and tools, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand six hundred and eighty dollars.

For the last of seven additional instalments for iron and steel for shops, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, five hundred and forty dollars.

For the last of thirty-three instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For the last of twenty instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article
treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares. — For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty sixth May, eighteen hundred and fifty-four, two thousand three hundred and four dollars.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first July, eighteen hundred and sixty-four, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum, per second article treaty fourteenth January, eighteen hundred and forty-six, ten thousand dollars.

Kickapoos. — For tenth instalment of interest, at five per centum, on one hundred thousand dollars for educational and other beneficial purposes, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars.

For tenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-three, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.

Menomonees. — For eighth of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

For eighth of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars for cession of lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.

For eighth of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas. — For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For fourth of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.
For reappropriation of the sum of sixteen thousand two hundred and sixty-eight dollars and eighty-four cents, being their proportion of the sum of thirty-six thousand and eighty dollars and ten cents, part of the permanent annuity of twenty-five thousand dollars, payable for the years eighteen hundred and fifty-four and eighteen hundred and fifty-five, as per fifth article of treaty of fifth June, eighteen hundred and fifty-four, carried to surplus fund thirtieth June, eighteen hundred and fifty-five.

Miamies of Indiana. — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.

For reappropriation of the sum of nineteen thousand eight hundred and eleven dollars and twenty-six cents, being their proportion of the sum of thirty-six thousand and eighty dollars and ten cents, part of the permanent annuity of twenty-five thousand dollars payable for the years eighteen hundred and fifty-four and eighteen hundred and fifty-five, as per fifth article of treaty of fifth June, eighteen hundred and fifty-four, carried to the surplus fund thirtieth June, eighteen hundred and fifty-five.

Miamies, Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For ninth instalment, in part payment for relinquishment of title to lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, fifteen hundred dollars.

For ninth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas. — For the sixth of ten instalments of this amount, being second of the series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For ninth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For ninth of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For ninth of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land.
set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

**Ottowas and Missourias.** — For sixth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

For ninth of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For ninth of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For ninth of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

**Ottowas and Chippewas of Michigan.** — For eighth of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars.

For eighth of ten instalments for the support of four blacksmith shops, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

For eighth of ten instalments of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and twenty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eleven thousand three hundred dollars.

For eighth of ten equal annual instalments on thirty-five thousand dollars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottowas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

**Ottowas of Kansas.** — For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eight, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars.

**Pawnees.** — For first of five instalments of the second series in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, thirty thousand dollars.

For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per
third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For sixth of ten installments for farming utensils and stock during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fifth of ten installments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fifth of ten installments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

Pottawatomies.  

Pottawatomies.—For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article
treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and six dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth of June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

_Pottawatomies of Huron._—For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

_Quapaws._—For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

_Rogue Rivers._—For tenth of sixteenth instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

_Sacs and Foxes of Mississippi._—For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars.

_Sacs and Foxes of Missouri._—For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars.

_Seminoles._—For the seventh of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For the seventh of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the seventh of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

_Senecas._—For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.
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For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.

For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of New York. — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.

For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and Shawnees. — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twenty-tenth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

Shawnees. — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.

For tenth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

Six Nations of New York. — For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.

Sioux of Mississippi. — To enable the President of the United States to cause the Sioux of the Mississippi to be removed beyond the limits of any states, and for establishing them in their new homes, fifty thousand and sixteen dollars and sixty-six cents, the same being (in amount) equal to one third of the whole sum heretofore stipulated to be paid in the several treaties heretofore existing between the said Indians and the United States, but which treaties have been abrogated in consequence of the war by said Indians and the people of the United States.

For the purpose of maintaining the said Indians in their new homes, and subsisting them and making such provisions as will enable them to support themselves by agricultural pursuits, the President is authorized to use and expend one third of the unexpended balance now remaining in the treasury, which has heretofore been appropriated for the benefit of the said Indians, in such manner as he shall deem expedient and best calculated to promote the interests of the said Indians: Provided, That no part of said sum shall be paid to the said Indians in money.

Treaty of Fort Laramie. — For third of five instalments, at the discretion of the President, in provisions and merchandise, for payment of annuities, and transportation of the same, to certain tribes of Indians, seventy thousand dollars.
Umpquas (Cow Creek Band.)—For tenth of twenty instalments in blankets, clothing, provisions and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.

Umpquas and Calapooya, of Umpqua Valley, Oregon.—For fourth of five instalments, of the second series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand three hundred dollars.

For ninth of ten instalments for the pay of a blacksmith, and furnishing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For ninth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For ninth of ten instalments for the pay of a farmer, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand dollars.

For ninth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Winnebagoes.—For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars.

For seventeenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

And the sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money not otherwise appropriated, to enable the President of the United States to arrange for and effect the peaceful and quiet removal of said Indians to some suitable location outside the limits of any state, the said sum to be taken from and charged to the said fund of one million one hundred thousand dollars held by the United States for said Indians under the aforesaid treaty of first November, one thousand eight hundred and thirty-seven, and that the amount so appropriated shall be replaced from the proceeds of the sales of the lands belonging to said Indians, which the Government may be authorized to sell by virtue of an existing treaty with said Indians, and by act of Congress.

Yancton Tribe of Sioux.—For fifth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

Calapooya, Molalla, and Clackamas Indians, of Willamette Valley.—For fourth of five instalments of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, eight thousand dollars.

Poncas.—For the last of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars.

For fifth of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For fifth of ten instalments, or during the pleasure of the President, to
be expended in furnishing said Indians with such aid and assistance in
agricultural and mechanical pursuits, including the working of the mill
provided for in the first part of this article, as the Secretary of the In-
terior may consider advantageous and necessary for them, per second article
treaty twelfth March, eighteen hundred and fifty-eight, seven thousand
five hundred dollars.

Dwamish and other Allied Tribes in Washington Territory. — For
fourth instalment on one hundred and fifty thousand dollars, under the
direction of the President, per sixth article treaty twenty-second January,
eighteen hundred and fifty-five, twelve thousand dollars.

For fourth of twenty instalments for the establishment and support of
an agricultural and industrial school, and to provide said school with a
suitable instructor or instructors, per fourteenth article treaty twenty-
second January, eighteen hundred and fifty-five, three thousand dollars.

For fourth of twenty instalments for the establishment and support of
a smith and carpenter's shop, and to furnish them with the necessary tools,
per fourteenth article treaty twenty-second January, eighteen hundred
and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith,
carpenter, farmer, and physician who shall furnish medicines for the sick,
per fourteenth article treaty twenty-second January, eighteen hundred and
fifty-five, four thousand six hundred dollars.

Makah Tribe. — For first of three instalments on thirty thousand dol-
lar.s, under the direction of the President, per fifth article treaty thirty-
first January, eighteen hundred and fifty-five, two thousand dollars.

For fourth of twenty instalments for the support of an agricultural and
industrial school, and for pay of teachers, per eleventh article treaty
thirty-first January, eighteen hundred and fifty-five, two thousand five
hundred dollars.

For fourth of twenty instalments for support of a smith and carpenter's
shop, and to provide the necessary tools therefor, per eleventh article
treaty thirty-first January, eighteen hundred and fifty-five, five hundred
dollars.

For fourth of twenty instalments for the employment of a blacksmith,
carpenter, farmer, and physician who shall furnish medicines for the sick,
per eleventh article treaty thirty-first January, eighteen hundred and
fifty-five, four thousand six hundred dollars.

Walla-Walla, Cayuse, and Umatilla Tribes. — For fourth of five in-
stalments of eight thousand dollars, under the direction of the President,
per second article treaty ninth June, eighteen hundred and fifty-five,
eight thousand dollars.

For fourth of twenty instalments for the purchase of all necessary
mill fixtures and mechanical tools, medicines, and hospital stores, books
and stationery for schools, and furniture for the employees, per fourth
article treaty ninth June, eighteen hundred and fifty-five, three thousand
dollars.

For fourth of twenty instalments for the pay and subsistence of one
superintendent of farming operations, one farmer, two millers, one black-
smith, one wagon and plough maker, one carpenter and joiner, one physician,
and two teachers, per fourth article treaty ninth June, eighteen hundred
and fifty-five, eleven thousand two hundred dollars.

For fourth of twenty instalments for the pay of each of the head chiefs
of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred
dollars per annum, per fifth article treaty ninth June, eighteen hundred
and fifty-five, one thousand five hundred dollars.

For fourth of twenty instalments for salary for the son of Pio-pio-mox-
mox, per fifth article treaty ninth June, eighteen hundred and fifty-five,
one hundred dollars.

Yakima Nation. — For fourth of five instalments for beneficial objects,
at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

For fourth of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Perce Indians. — For fourth of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

For fourth of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For fourth of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article...
treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

**Flatheads and other Confederated Tribes.** — For the last four instalments on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, six thousand dollars.

For fourth of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For fourth of twenty instalments for keeping in repair blacksmith's, tin and gunsmith's, carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

**Confederated Tribes and Bands of Indians in Middle Oregon.** — For fourth of five instalments of eight thousand dollars for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, eight thousand dollars.

For fourth of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.
For fourth of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For fourth of twenty instalments for payment of salary of the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

\textit{Molel Indians.}—For fourth of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

For fourth of five instalments (in addition to the instalment specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias of Umpqua Valley) for furnishing iron and steel and other materials for the smith and tin shops provided for in said treaty, and for the pay of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For fourth of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For fourth of five instalments for the pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, eight hundred dollars.

\textit{Qui-nai-elt and Quil-leh-ute Indians.}—For first of three instalments on twenty-five thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, one thousand six hundred dollars.

For fourth of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For fourth of twenty instalments for support of smith and carpenter's shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicines for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

\textit{S'Klallams.}—For first of three instalments on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand dollars.

For fourth of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

For the general incidental expenses of the Indian service in New Mexico, presents of agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves
by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

**Indian Service in the District of Country leased from the Choctaws for the Indians lately residing in Texas.** — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employees, purchase of clothing, medicine, iron, and steel, establishment and maintenance of schools, and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

**For the Wichitaes and other affiliated Bands.** — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchase of clothing, medicines, iron, and steel, and maintenance of schools, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

**Indian Service in California.** — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

For the removal of Indians, transportation of goods, purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians for the northern district of California, thirty-five thousand dollars.

For two blacksmiths for the northern district of California, fifteen hundred dollars.

For two physicians for the northern district of California, two thousand dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians for the southern district of California, fifteen thousand dollars.

For the salaries of clerks to superintendents of Indian affairs for the northern and southern districts of California, three thousand dollars.

For the compensation of five extra clerks employed in the Indian office, under the acts of fifth August, eighteen hundred and fifty-four, and third March, eighteen hundred and fifty-five, and under appropriations made from year to year, seven thousand dollars.

For compensation of one clerk in the Indian office, to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of March third, eighteen hundred and fifty-five, granting bounty lands to Indians, fourteen hundred dollars.

For compensation of two extra clerks in the Indian office, employed to carry out the treaty with the Chickasaws in the adjustment of their claims, two thousand eight hundred dollars.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yankton Sioux annuity goods and provisions, ten thousand dollars.

For expenses of transportation and delivery of annuity goods to the Blackfoot Indians for the year, seventeen thousand dollars.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight hundred and eighty-six dollars and seventy-five cents.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.
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For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office [and] travelling expenses of the superintendent and sub-agents, thirty-five thousand dollars.

For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employees, fifty thousand dollars.

**Indian Service in Nevada Territory.** — For the general incidental expenses of the Indian service in Nevada Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

**Indian Service in Utah Territory.** — For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

For three interpreters for Indian service in Utah Territory, one thousand five hundred dollars.

**Indian Service in Colorado Territory.** — For the general incidental expenses of the Indian service in Colorado Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

**Omahas.** — For assistant engineer for mill, six hundred dollars.

For pay of assistant miller, three hundred dollars.

For payment to Tah-sah, or White Cow, an Omaha chief, for horses killed by white settlers, six hundred and thirty dollars.

For payment of admitted claims of S. C. Webber and J. J. Miller for labor in erection of mill on the Omaha reservation, six hundred and fifty-eight dollars and fifty cents.

For amount required to reimburse the Blackfeet and other Indians in dry goods, clothing, hardware, and guns, which were lost in shipment in the burning of the steamer Chippewa, fourteen thousand four hundred and four dollars and seventy-seven cents.

**Arapahoes and Cheyenne Indians of the Upper Arkansas River.** — For third of fifteen instalments of annuity of thirty thousand dollars to be expended for their benefit, that is to say: fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, thirty thousand dollars.

For first of five instalments to provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanics' shops, with the necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, (if one be necessary,) farmers, and the mechanics that may be employed for their benefit, five thousand dollars.

For transportation and necessary expenses of delivering of annuities, goods, and provisions, five thousand dollars.

For survey and allotment of lands for the Arapahoe and Cheyenne Indians, ten thousand dollars.

For the expenses of colonizing, supporting, and furnishing agricultural implements, teams, seeds, pay of necessary employees, purchase of medicines, iron and steel for the establishment of blacksmith and tin shops for those Indians with whom treaties have been made, but not ratified, in Oregon, ten thousand dollars.
Ottawa Indians of Blanchard’s Fork and Roche de Boeuf: — For payment of annuity in money, eighteen thousand dollars.

For the first of four instalments in money, per fourth article of treaty June twenty-fourth, eighteen hundred and sixty-two, eight thousand five hundred dollars.

For interest on thirty-four thousand dollars at five per centum per annum, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, one thousand seven hundred dollars.

For payment for ponies, cattle, and timber stolen from the Ottawas, reported and approved by Secretary of the Interior, thirteen thousand and five dollars and ninety-five cents.

For payment of damages sustained in compliance with the provisory clause of the tenth article of treaty of June twenty-four, eighteen hundred and sixty-two, three thousand five hundred dollars.

For the salaries of two agents on the Upper Missouri and the country adjacent thereto, to be located under the direction of the Secretary of the Interior, three thousand dollars.

To reimburse the loss sustained by the Yancot Sioux Indians on the twenty-ninth of August, eighteen hundred and sixty-one, by the sinking of the steamer “J. G. Morrow,” four thousand three hundred and twenty dollars and thirty-eight cents.

For clothing, food, and other necessary expenses of the Indian service, in Utah Territory, to be expended under the direction of the Secretary of the Interior, for the year ending June thirty, eighteen hundred and sixty-two, twenty thousand dollars.

For incidental expenses of the Indian Department growing out of the extraordinary Indian troubles during the present fiscal year in the Northwestern States and Territories, twenty thousand dollars.

For the salary of an agent for the Ottawas, Chippewas, of Swan Creek, and Black River, and Christian Indians in the State of Kansas, fifteen hundred dollars: Provided, That said agency shall continue for one year only.

For carrying into effect the sixth section of the “Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations” approved February twenty-eighth, eighteen hundred and fifty-nine, to satisfy the claims of the half-breed to the proceeds of the lands in the Nemaha reserve, excluded from such reservations by the McCoy survey of eighteen hundred and thirty-eight, nineteen thousand six hundred and twenty-one dollars and twenty-seven cents.

For intercourse with the various Indian tribes between whom and the United States there exist no treaty stipulations, including purchase and transportation of provisions and presents, and to meet any other expenses requisite to effect treaties with such tribes, to be expended under the direction of the Secretary of the Interior, under the direction of the President of the United States, to enter into negotiations with Indian tribes for the exchange of lands, to provide for their removal, to arrange questions of boundaries between the respective tribes, and for measures generally for preserving peace with them, fifty thousand dollars: Provided, That the said Secretary of the Interior shall report to Congress, at the commencement of its next session, a statement indicating the disposition made of the money hereby appropriated: And provided, further, That hereafter all special agents and commissioners not appointed by the President, shall be appointed by the Secretary of the Interior.

SEC. 2. And be it further enacted, That the Secretary of the Interior be authorized to dispose of, at the best price they will bring in the market, twenty-five thousand dollars of the bonds of the State of Pennsylvania, purchased with the proceeds of the sales of the lands of the united hands.
of the Weas, Peorias, Kaskaskias, and Piankeshaw Indians of Kansas, now in the custody of the United States belonging to said Indians, or so many thereof as he may deem necessary for the purchase of such clothing, food, seed, grain, agricultural implements or domestic animals, as may be necessary for the immediate relief of said Indians, and to enable them to plant a crop, and appropriate the proceeds of the sales of said bonds or so much thereof as he may deem necessary for said purpose: Provided, That said sale shall be made after three weeks' public notice at the Merchants' Exchange in the city of Philadelphia, to the highest bidder, and at not less than the market price of said bonds in the cities of New York and Philadelphia: And provided further, That no special agent or agents shall be employed, nor shall any such sale be made until after the assent and approval of said Indians for the sale of their bonds shall first be obtained through their regular authorized representatives.

SEC. 3. And be it further enacted, That the Secretary of the Interior be, and he is hereby authorized to expend such part of the amount here-tofore appropriated to carry into effect any treaty stipulation with any tribe or tribes of Indians, all, or any portion of whom shall be in a state of actual hostility to the Government of the United States, including the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, Wichitas, and other affiliated tribes, as may be found necessary to enable such individual members of said tribes as have been driven from their homes, and reduced to want on account of their friendship to the United States, to subsist until they can be removed to their homes, and to assist them in such removal: Provided, That an account shall be kept of the sums so paid for the benefit of the said members of said tribes, which account shall be rendered to Congress at the commencement of the next session thereof.

And all purchases of articles for the purposes above set forth shall be made of the lowest responsible bidder, after sufficient public notice by advertisement in appropriate newspapers: Provided, also, That the said Secretary shall not be required to accept any bid which is in his judgment unreasonable in its character.

SEC. 4. And be it further enacted, That the President of the United States be, and is hereby, authorized to enter into treaties with the several tribes of Indians, respectively, now residing in the State of Kansas, providing for the extinction of their titles to lands held in common within said State, and for the removal of such Indians of said tribes as hold their lands in common to suitable localities, elsewhere within the territorial limits of the United States, and outside the limits of any state.

SEC. 5. And be it further enacted, That the President of the United States be, and is hereby, authorized to enter into negotiations, by treaty or otherwise, with such loyal tribes, or the loyal portions of such tribes, now residing in the country south of Kansas and west of Arkansas, commonly known as the "Indian Country" as may be necessary in order to secure for the Indians of Kansas who shall be removed to said Indian country under the provisions of the preceding section of this act, the title to the lands to which they may be so removed.

SEC. 6. And be it further enacted, That the Secretary of the Interior is hereby authorized to direct so much of the unexpended balances of appropriation for the Indian service in Oregon and Washington as may be necessary to meet the outstanding liabilities of the Indian Department in said State and Territory during the fiscal years ending eighteen hundred and sixty, eighteen hundred and sixty-one, and eighteen hundred and sixty-two, a sum not exceeding sixty-eight thousand dollars: Provided, however, That no money shall be paid except in discharge of liabilities incurred in carrying into effect the objects provided for by law for the Indian service.

SEC. 7. And be it further enacted, That the salaries of the Indian
agents in Nevada and Utah, and Nevada.

agents in Nevada and Utah shall hereafter be at the rate of fifteen hundred dollars per annum.

Approved, March 3, 1863.

March 3, 1863.

CHAP. C.—An Act to provide Circuit Courts for the Districts of California and Oregon, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the supreme court of the United States shall hereafter consist of a chief justice and nine associate justices, any six of whom shall constitute a quorum; and for this purpose there shall be appointed one additional associate justice of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate justices. The districts of California and Oregon shall constitute the tenth circuit, and the other circuits shall remain as now constituted by law.

SEC. 2. And be it further enacted, That so much of any act or acts of Congress as vests in the district courts in and for the said States of California and Oregon, or either of them, the power and jurisdiction of circuit courts, and the act entitled "An act to establish a circuit court of the United States in and for the State of California," approved March second, eighteen hundred and fifty-five, be, and the same are hereby, repealed, and the said circuit court is hereby abolished; and there shall hereafter be circuit courts held for the districts of the States of California and Oregon by the chief justice, or one of the associate justices of the supreme court of the United States assigned or allotted to the circuit to which such districts may respectively belong, and the district judges of such districts, severally and respectively, either of whom shall constitute a quorum, which circuit courts and the judges thereof shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the district courts in and for the several districts in and for said States of California and Oregon, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts and the judges thereof in the other circuits.

SEC. 3. And be it further enacted, That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought and could have been originally cognizable in a circuit court as established by this act,) now pending in or returnable to the several district courts of the United States in the said States of California and Oregon, or now pending in or returnable to the circuit court of California, by this act abolished, acting as circuit courts (or so empowered to act) shall be, and are hereby declared to be, respectively, transferred, returnable, and continued to the several circuit courts constituted by this act, to be held within said districts respectively, and shall be held, tried, and determined therein, in the same manner as if originally brought, entered, prosecuted, or had in such circuit courts; and no bail-bond or recognition taken in any of said actions, suits, prosecutions, or causes transferred to said circuit courts by this act shall thereby be avoided, impaired, or invalidated; and the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of said courts, respectively, shall perform the same duties, and shall be entitled to receive the same fees and emoluments which are by law established for the clerks of the other circuit courts of the United States.

SEC. 4. And be it further enacted, That the circuit court for the districts in California shall be held at the city of San Francisco and the city of Los Angeles, in said State, at the same times now prescribed by law for holding terms of the district courts for the northern and southern districts of said State at said places; and the circuit court for the State of Oregon
THIRTY-SEVENTH CONGRESS. Sess. III. Ch. 101. 1863.

shall be held at Portland, in said State, at the same times now fixed by law for holding terms of the district court for the district of Oregon at that place.

SEC. 5. And be it further enacted, That the judge assigned to the tenth circuit, as constituted by this act, shall receive, in addition to his salary hereinbefore provided, the sum of one thousand dollars for his travelling expenses for each year in which he may actually attend a session of the supreme court of the United States.

Approved, March 3, 1863.
Papers and records to be transmitted to the commission. Records and documents to be returned.

hereby authorized and required to transmit to the said commissioners such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the close of the commission, and of the duties of the umpire, all the records, documents, and all other papers which have been presented on behalf of the claimants, citizens of the United States, shall be returned to the Department of State, or be deposited in the Legation of the United States at Lima, as the President may direct.

APPROVED, March 3, 1863.

March 3, 1863.

Chap. CII.—An Act to amend an Act entitled "An Act to promote the Progress of the useful Arts."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section seven of the act entitled "An act to promote the progress of the useful arts," approved July four, eighteen hundred and thirty-six, as requires a renewal of the oath, be, and the same is hereby, repealed.

Sec. 2. And be it further enacted, That, whereas, the falling off of the revenue of the patent-office required a reduction of the compensation of the examiners and clerks, or other employees in the office after the thirty-first day of August, eighteen hundred and sixty-one, that the commissioner of patents be, and he is hereby, authorized, whenever the revenue of the office will justify him in so doing, to pay them such sums, in addition to what they shall already have received, as will make their compensation the same as it was at that time.

Sec. 3. And be it further enacted, That every patent shall be dated as of a day not later than six months after the time at which it was passed and allowed, and notice thereof sent to the applicant or his agent. And if the final fee for such patent be not paid within the said six months, the patent shall be withheld, and the invention therein described shall become public property, as against the applicant therefor: Provided, That in all cases where patents have been allowed previous to the passage of this act, the said six months shall be reckoned from the date of such passage.

APPROVED, March 3, 1863.

March 3, 1863.

Chap. CIII.—An Act to incorporate the Institution for the Education of Colored Youth in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry Addison, John C. Underwood, George C. Abbott, William H. Channing, Nancy M. Johnson, of the District of Columbia, and Myrtle Miner, of California, and their associates and successors, are hereby constituted and declared to be a body politic and corporate, by the name and title of "The Institution for the Education of Colored Youth," to be located in the District of Columbia; the objects of which institution are to educate and improve the moral and intellectual condition of such of the colored youth of the nation as may be placed under its care and influence, and by that name shall have perpetual succession, with power to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make by-laws, rules and regulations, as may be needful for the government of said institution, and the same to alter, amend, and abrogate at pleasure; to have a common seal, the same to break, alter, and renew at will; to appoint such officers as may be required for the management of the institution, and to assign them their duties, and generally to provide for the transaction of all business appertaining to said institution, and the by-laws, rules, and regulations which may be so adopted, shall be as valid as if they were made a part of this act: Provided, They shall not
be inconsistent herewith, nor repugnant to the laws of the District of Columbia.

SEC. 2. And be it further enacted, That said corporation may have, hold, and receive, for the purposes of said institution and for no other, real, personal, and mixed estate, by purchase, gift, or devise, not to exceed one hundred thousand dollars; to use, lease, sell, or convey the same for the purposes and benefit of said institution; may appoint such teachers as may be necessary, and fix their compensation.

SEC. 3. And be it further enacted, That said corporation shall not be engaged in any banking or commercial business, nor shall it issue any note, check, or other evidence of debt intended to be used as a circulation; and Congress may have the right to alter or repeal this act at any time hereafter.

Approved, March 3, 1863.

CHAP. CIV.—An Act granting Lands to the States of Michigan and Wisconsin to aid in the Construction of a "Military Road" from Fort Wilkins, Copper Harbor, Kewenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Michigan, to aid in the construction of a military wagon-road from Fort Wilkins, Copper Harbor, to Houghton, Portage Lake, and thence, in a southerly direction, to the state line of Wisconsin, every alternate section of public land, designated by even numbers, for three sections in width, on each side of said road, and also a like quantity, to be taken and designated in the same manner, to the State of Wisconsin, to aid in the construction of a like road from the last-mentioned place on the state line of Wisconsin to Fort Howard, Green Bay, in the said State of Wisconsin. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section, or any part thereof, granted as aforesaid, or that the right of preemption or homestead settlement has attached to the same, then it shall be the duty of the Secretary of the Interior to set apart from the public lands of the United States, as near to said even sections aforesaid as may be, so much land as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of preemption or homestead settlement has attached; which lands, (thus selected in lieu of those sold, and to which the right of preemption or homestead settlement has attached aforesaid,) together with the sections and parts of sections designated by even numbers as aforesaid, and approved as aforesaid, shall be held by the States of Michigan and Wisconsin for the use and purposes aforesaid: Provided, That the lands to be selected for and on account thereof shall be applied solely to the construction of the road, and further, That any and all lands herefore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purposes whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands; in which case the right of way only shall be granted.

SEC. 2. And be it further enacted, That the said lands hereby granted to the said States shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said road shall be and remain [a] public highway for the use of the Government of the United States.
and free to the United States.

Mode of disposing of the lands.

Sec. 3. And be it further enacted, That the lands hereby granted to said States shall be disposed of only in the following manner, that is to say: That a quantity of land, not exceeding thirty sections, for said road, may be sold; and when the governors of said states shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then another quantity of land, hereby granted, not to exceed thirty sections for said road, having ten continuous miles completed asforesaid, may be sold, and so, from time to time, until the said road is completed; and if said road is not completed within five years, no further sales shall be made, and the lands unsold shall revert to the United States.

Sec. 4. And be it further enacted, That said military road shall be constructed with sufficient drains and ditches, and not less than forty feet in width, with a grade not less than sixteen feet wide, with such graduation and bridges as shall permit of its regular use as a wagon road in all seasons of the year, and in such other special manner as the States of Michigan and Wisconsin may prescribe.

APPROVED, March 3, 1863.


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Theresa A. Costello, Lucy Gwynn, Margaret Bowden, Sarah M. Carroll, Catherine Ryan, Louisa Fisher, and Catherine Shea, and their successors, be, and they are hereby, made a body politic and corporate forever, by the name of "St. Ann's Infant Asylum," for the purpose of establishing and maintaining in the city of Washington, in the District of Columbia, an institution for the maintenance and support of foundlings and infant orphan and half-orphan children, and also to provide for deserving indigent and unprotected females during their confinement in childhood; and by that name may sue and be sued, prosecute and defend; may have and use a common seal, and the same alter and renew at pleasure; may adopt and establish rules, regulations, and by-laws not repugnant to the Constitution and laws of the United States, for properly conducting the affairs of said corporation; may take, receive, purchase, and hold estate, real, personal, and mixed, not exceeding in value at any one time one hundred thousand dollars, and may manage and dispose of the same, and apply the same, or the proceeds of the sales thereof, to the uses and purposes of said corporation, according to the rules and regulations which now are or may hereafter at any time be established.

Sec. 2. And be it further enacted, That said corporation shall be entitled to retain under their care, charge, and restraint, and subject to the rules and discipline of said corporation, all foundlings and infant children committed to their keeping as fully and completely, to all intents and purposes, as if they were regularly indentured and bound apprentices to said institution, until said foundlings and infants shall be, if males, twenty one years old, and if females, eighteen years old, or any shorter period that may be agreed upon; and said corporation shall have power to bind them out for a time not to exceed said ages of twenty-one and eighteen years, respectively, as apprentices to learn any trade or business, or to learn to be useful in housekeeping, or may, under terms proper in the view of the said corporation and to be by them stipulated, place them for adoption, or as inmates with any families or persons, said corporation not being restricted in the exercise of their powers of binding or placing out to the District of Columbia; and all such acts shall be in writing, signed by the president.
of said corporation, and sealed with their corporate seal, and signed and
sealed by the persons taking said children as apprentices or as aforesaid, and
acknowledged by said parties before a justice of the peace in and for said
District, and within one month thereafter recorded in the office of the
register of wills for said District.

SEC. 3. And be it further enacted, That Congress may at any time
hereafter alter, amend, or repeal this act.

APPROVED, March 3, 1863.

CHAP. CVI. — An Act to define the Powers and Duties of the Levy Court of the County of
Washington, District of Columbia, in regard to Roads, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the levy court of the
county of Washington, District of Columbia, shall hereafter consist of
nine members, to be appointed by the President of the United States, by
and with the advice and consent of the Senate, who shall hold their offices
for the term of three years. But of the members to be first ap-
pointed one third shall be appointed and hold their offices for one year, or
until the thirty-first day of December, eighteen hundred and sixty-three;
one third for two years, or until the thirty-first of December, eighteen
hundred and sixty-four; and one third for three years, or until the thirty-
first of December, eighteen hundred and sixty-five. The terms of members
shall commence on the first day of January, and end on the thirty-first
day of December; and it shall be the duty of the President to nominate
members, to fill the places of those whose term is about to expire, as early
as the fifteenth day of December; and he may renominate any out-going
member, should he think proper to do so. Of the nine members of the
court, five shall be residents of the county, three of the city of Washing-
ton, and one of the city of Georgetown. In case of vacancies happen-
ing, the President shall fill them as other vacancies are filled; and the
term of the person appointed to fill any vacancy shall expire when the
term of him in whose place he is appointed would have expired.

SEC. 2. And be it further enacted, That every person appointed as a
member of the levy court shall, before he enters on his duties, take an
oath faithfully to discharge the duties of the office, and also to support
the Constitution of the United States; and he shall also take the oath of
allegiance prescribed by the act of July second, eighteen hundred and
sixty-two. The members of said court shall hereafter be entitled to re-
ceive four dollars a day, each, for every day they shall attend a sitting of
the court, and not absent themselves without permission of the court, and
four dollars for every day they shall serve on a committee, to be paid by
the county treasurer upon the certificate of the president of said court.

SEC. 3. And be it further enacted, That the said court shall have the
care and charge of, and the exclusive jurisdiction over, all the roads and
bridges in said county, except such roads and bridges as belong to and
are under the care of the United States. And the said court shall have
power, and it shall be their duty —

First. To lay out, alter, repair, discontinue, and regulate any of the
public roads and highways within said county, and at any time hereafter
to inquire and to decide whether any road in said county held by any in-
corporated company, has been, and is at the time of such inquiry, kept
in the condition required by the charter thereof, and if not, to take legal
proceedings to acquire possession of the same as other county roads.

Second. To levy and collect taxes for that purpose upon and from
the inhabitants of said county, of the age of twenty-one years and over;
those having no property to assess to be assessed to labor.

Third. To appoint, annually, and take bond and security from, a clerk
and treasurer, and also to appoint a collector of taxes, who shall have
&c., of clerk,
power to collect all the taxes (not to be paid in labor) levied by said court, and to proceed to collect the same, in such manner and within such periods of time as the said levy court may direct.

Fourth. To appoint, annually, a general superintendent of roads and such number of supervisors of roads as they may deem expedient; to remove them, as well as the clerk and treasurer and tax collector, whenever, in their judgment, there is sufficient cause, or the public interests will be subserved thereby.

Fifth. To cause bridges to be erected whenever necessary or convenient, and to keep all bridges in good repair.

Sixth. To fix, from time to time, the pay of the clerk, treasurer, tax collector, superintendent, and supervisors of roads, and the rates per day or hour, to be paid for labor to be performed by men or teams when employed upon roads or bridges.

Seventh. To levy a tax upon all lands and other assessable property lying in said county, at a rate not exceeding one dollar in the hundred dollars of their valuation, and also a tax of not exceeding one dollar each on dogs.

Eighth. To require reports or the rendition of accounts from the collector of taxes, the treasurer of the county, and from supervisors of roads, whenever they shall deem it expedient or proper. Also, reports from supervisors as to the condition of the roads and bridges in their respective districts, and estimates of the probable amount that will be required to put and keep the same in good repair for the ensuing year.

Ninth. To pass ordinances imposing fines for trespassing upon or obstructing or injuring any road or trees therein, or bridge, in said county, and to empower and require the tax collector to collect the same in the same manner as other fines are now collected, and to exercise a general police power over all roads and bridges in said county.

Tenth. To lay out private roads.

Eleventh. To provide for the maintenance and support of the poor; to erect a "poor-house" for that purpose, if deemed by said court necessary and proper; and, in addition to the tax otherwise herein authorized, to levy and collect a tax on real and personal property in said county to pay for the same. The powers herein given are to apply only to that portion of the county not included within the corporate bounds of Washington and Georgetown.

Sec. 4. And be it further enacted, That the said court may authorize any portion, not exceeding three fourths of the taxes levied for road and bridge purposes, to be paid in labor, of men, horses, mules, oxen, the use of ploughs, carts, and wagons, at rates per day or hour, for each, to be fixed by said court. But in case any one assessed shall have no visible property, and shall prefer it, he may pay the whole of his tax in labor. All labor upon roads and bridges shall be performed at such times and places as the superintendent of roads shall direct, and under his supervision, or that of the supervisor of the road, or such other person as may be appointed to superintend the work. And it shall be the duty of the superintendent to notify all persons liable to pay road tax, or to labor on roads, of the time and place, when and where they must appear and perform such labor, at least one week before the day they are required to appear. And he may notify such as have teams of horses, mules, or oxen, or may have a cart or wagon, to come or send an ablebodied hand with such team, cart or wagon, to be used in repairing or making roads or bridges; such notice to be given personally or in writing left at the residence of the individual notified. If the person so notified fail to appear at the time and place, or send an ablebodied substitute, or shall not conform to the directions of the person having charge of the work, or shall not labor diligently, in the latter case he shall be dismissed, and in either case he shall pay the whole amount of his road tax in cash, with an addition of twenty per centum thereon. For the convenience of the
tax collector and the superintendent of roads, it shall be the duty of all
\(\text{tax-payers who desire to work out that portion of their road tax which}\)
\(\text{is herein provided they may work out, as early as the first Monday of}\)
\(\text{April of each year, to give notice to the supervisor of their district of}\)
\(\text{such desire, and such supervisor shall notify the tax collector. But in}\)
\(\text{case any one shall fail to perform the labor required of him, the tax col-}\)
\(\text{lector shall, upon being notified thereof, collect the said tax in cash, with}\)
\(\text{the twenty per centum added.}\)

\text{SEC. 5. And be it further enacted, That it shall be the duty of the}\)
\(\text{superintendent and supervisors of roads to have at least three fourths of}\)
\(\text{the work to be done on them during the year performed as early as the}\)
\(\text{middle of July; and in making and repairing the roads they shall be}\)
\(\text{raised full twelve inches higher in the middle than at the sides, and shall}\)
\(\text{be gradually rounded off to the gutters, which shall be made capacious}\)
\(\text{enough to carry off all the falling water.}\)

\text{SEC. 6. And be it further enacted, That no bill for labor performed}\)
\(\text{upon any road or bridge shall be allowed or paid to any supervisor by}\)
\(\text{the levy court which is not accompanied by a certificate of the superin-}\)
\(\text{tendent of roads that he has personally examined the road or bridge so}\)
\(\text{made or repaired, and that the work has been well done and according to}\)
\(\text{law, and that the charges are reasonable and just: Provided, however,}\)
\(\text{That one or more members of the court, to be appointed for that purpose,}\)
\(\text{may, after personal examination, make such certificate.}\)

\text{SEC. 7. And be it further enacted, That on extraordinary occasions,}\)
\(\text{when any public road or bridge shall be destroyed, or so injured as to re-}\)
\(\text{quire immediate repair, it shall be the duty of the superintendent as well}\)
\(\text{as the supervisor of the road to cause the necessary repairs to be forth-}\)
\(\text{with made; and if there are no funds in hand with which to hire labor-}\)
\(\text{ers and teams, or if laborers and teams cannot be otherwise procured, the}\)
\(\text{said supervisor shall immediately summon a sufficient number of men liv-}\)
\(\text{ing nearest the place to appear and labor on said road or bridge until it}\)
\(\text{shall be repaired; and he may also require any person owning a team and}\)
\(\text{living within a reasonable distance to appear with said team and cart or}\)
\(\text{wagon and plough. And if any one thus called upon, having received}\)
\(\text{two days' notice, shall neglect or refuse to appear and labor, or send an}\)
\(\text{ablebodied substitute, or shall refuse his team, cart, wagon, or plough, he}\)
\(\text{shall forfeit and pay to the levy court a sum not less than three dollars,}\)
\(\text{nor more than ten, to be recovered before any justice of the peace in said}\)
\(\text{county, with costs. For labor, the use of teams, and other necessary im-}\)
\(\text{plements, performed and furnished on such occasions, a just and fair com-}\)
\(\text{pensation shall be paid, to be fixed by the said court.}\)

\text{SEC. 8. And be it further enacted, That whenever the levy court shall}\)
\(\text{deem it conducive to the public interests to open a new road, or change}\)
\(\text{the course of an old one, they shall direct the route of such road to be}\)
\(\text{surveyed by the county surveyor, and a plat or map of the same to be}\)
\(\text{prepared. They shall then cause notice to be given, by advertisement,}\)
\(\text{twice a week for three weeks, of the proposed opening of the new road,}\)
\(\text{or of the alteration of an existing one, calling upon all persons who may}\)
\(\text{have any objections thereto to present them to the court at its next regu-}\)
\(\text{lar meeting. If any objections are made, the court shall then and there}\)
\(\text{hear them. If the route only is objected to, and another or others sug-}\)
\(\text{gested as more advantageous, the court may adopt it, or appoint five dis-}\)
\(\text{creet, disinterested men, of whom the county surveyor shall be one, to ex-}\)
\(\text{amine all the proposed routes, and report such an one as they shall deem}\)
\(\text{most feasible and advantageous to the county, and such report shall be made}\)
\(\text{to the court at its next session. If no objection to the opening or altering a}\)
\(\text{road by the owners of the land through which it must pass after such}\)
\(\text{notice [is made], it shall be taken for granted that no damages are or will}\)
\(\text{be claimed, and the road may be recorded and opened, and shall then be}\)
a public road or highway; but if any owner or owners of the land shall object and claim damages, and the court cannot agree with such owner or owners upon the amount, then the court shall direct the marshal of the District to summon a jury of seven judicious, disinterested men, not related to any party interested, to be and appear on the premises on a day specified to assess the damages, if any, which each owner of land through which the road is to pass may sustain by reason thereof. And the marshal shall summon such jury, and administer an oath or affirmation to them that they will, without favor or partiality to any one, to the best of their judgment, decide what damage, if any, each owner may sustain by reason of running the road through his premises; but in doing this they shall take into consideration the benefit it may be to him or her by enhancing the value of his or her land, or otherwise, and give their verdict accordingly. It shall be the duty of the marshal, upon receiving the order from the court, to give the owner or owners aforesaid not less than ten days' notice of the time and place of the meeting of the jury to assess their damages. In cases where notice cannot be served on the owner or owners, the same proceedings shall be had as is provided in this section in the case of minors. The jury, having been upon the premises and assessed the damages, shall make out a written verdict, to be signed by them, or a majority of them, and attested by the marshal, which the marshal shall transmit to the court at its next session, and which shall be recorded. If the court or any owner or owners of the land aforesaid are dissatisfied with the verdict thus rendered, and no arrangement being made between the court and the said owner or owners, the court shall order the marshal to summon a second jury of twelve judicious, disinterested men, not related to any one interested, to meet and view the premises, giving the parties interested at least ten days' notice of the time and place of meeting. And the marshal and jury shall proceed as before directed in regard to the first jury. And the verdict, signed by each of the jurors, or a majority of them, shall be returned to the court at its next session, and recorded as final and conclusive, and the road shall then be declared a public road, and the court shall order it to be opened as such. And the same mode of proceeding shall be observed in cases where application shall be made to the court by the residents of the county to lay out a new, or alter any existing road. In all cases where the land through which it is proposed to run a road shall belong to a minor or minors, it shall be presumed that objection is made, and the damages assessed accordingly. In all cases where it becomes necessary to summon a second jury to assess damages, if the amount assessed by the second jury shall not be greater than the amount assessed by the first, the costs of the second jury shall be paid by the party or parties objecting to the first verdict; but if greater, they shall be paid by the county. All expenses up to the second jury shall be paid by the county.

**MARSHAL'S FEES.**

For summoning each juror the marshal shall be entitled to fifty cents.

For travel, per mile, going and coming to the premises to be examined, twelve and a half cents.

For each day's attendance, two dollars and fifty cents.

**JUROR'S FEES.**

For each day's attendance, two dollars.

_Sec. 9. And be it further enacted, That in any case where materials of any kind shall be deemed necessary for making or repairing a public road, if the levy court cannot agree with the owner as to their purchase, the said court may proceed in the same manner for condemning said materials as in cases of condemnation of land for the purposes of a public road, as is provided for in the next preceding section of this act._
SEC. 10. And be it further enacted, That said levy court shall have full power to make sanitary rules and regulations in said county, to abate nuisances, and to pass such ordinances as it may deem necessary for their condemnation and removal, and for the punishment of persons creating them or suffering them to exist on their premises; which punishment shall not exceed a fine of twenty dollars, for the use of the county, or imprisonment in the county jail thirty days for each offence. Said levy court shall also have power to pass such ordinances as it may deem necessary to effectually prevent Sabbath-breaking in said county by hunting, gaming, fishing, or otherwise, on Sunday; to prohibit the killing of such game as said court may think proper during certain periods; to regulate fishing in the waters of said county, and to provide for sufficient penalties for the violation thereof. And it shall be the duty of the metropolitan police of the District of Columbia to enforce any and all of the ordinances of the said levy court in the same manner as they are now required to enforce the ordinances of the cities of Washington and Georgetown; the funds required for that purpose to be paid by said levy court from the county treasury. And from and after the passage of this act the duties of county constable shall be confined exclusively to the service of civil process and the collection of strictly private debts within the said District of Columbia. And each of the county constables holding office at the time of the passage of this act, and each of said constables hereafter appointed, shall, before performing any duties required to be performed in his said office, take the oath of allegiance required by the act of July second, eighteen hundred and sixty-two, in addition to any oath of office required of him at the time, and shall moreover enter into a bond to the United States in the sum of five thousand dollars, with security to be approved by the clerk of the circuit court, conditioned for the faithful performance of the duties of his office, and for the punctual payment of all moneys coming into his hands to the persons entitled to receive the same, and shall renew the said bond on the thirty-first day of June in every alternate year of his continuance in office.

SEC. 11. And be it further enacted, That the act entitled "An act to authorize the levy court to issue tavern and other licenses in the District of Columbia," approved June twelfth, eighteen hundred and sixty-two, be so extended as to authorize the levy court to grant licenses to wholesale and retail dealers in goods, wares, or merchandise in the county of Washington outside the limits of the cities of Washington and Georgetown, under such restrictions and penalties as said levy court may deem expedient.

SEC. 12. And be it further enacted, That fines, under any of the ordinances of the levy court, may be recovered in the name, and for the use of, said levy court, before any magistrate of said county of Washington, and the person or persons against whom a fine may be imposed shall pay the same at the time it is so imposed with costs, or give security for the payment of such fine and costs, as required by the sixth section of an act entitled "An act to amend 'An act to create a metropolitan police district of the District of Columbia, and to establish a police therefor,'" approved August six, eighteen hundred and sixty-one, or shall stand committed till the whole is paid.

SEC. 13. And be it further enacted, That all laws inconsistent with this act are hereby repealed.

APPROVED, March 3, 1863.

CHAP. CVII. — An Act supplementary to an Act entitled "An Act for the Relief of Persons for Damages sustained by Reason of Depredations and Injuries by certain Bands of Sioux Indians," approved February sixteenth, eighteen hundred and sixty-three. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the above act applicable to all damages, &c.,
in Iowa and Da-
Kota.

entitled act be, and the same are hereby, applied to all damages sustained
by reason of depredations and injuries by said Indians as therein set forth,
in the State of Iowa and Territory of Dakota, as well as in the State of
Minnesota.

Approved, March 3, 1863.

March 3, 1863.

CHAP. CVIII. — An Act to regulate the Duties of the Clerk of the House of Represen-
tatives in preparing for the Organization of the House.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That before the first meeting of
the next Congress, and of every subsequent Congress, the clerk of the
next preceding House of Representatives shall make a roll of the represen-
tatives elect, and place thereon the names of all persons and of such
persons only, whose credentials show that they were regularly elected in
accordance with the laws of their states respectively, or the laws of the
United States.

Approved, March 3, 1863.

March 3, 1863.

CHAP. CIX. — An Act amendatory of an Act entitled "An Act to provide for the Care
and Preservation of the Works constructed by the United States for bringing the Potomac
Water into the Cities of Washington and Georgetown, for the Supply of said Water for all
Governmental Purposes, and for the Uses and Benefit of the Inhabitants of the said
Cities."

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That, in addition to the powers
carried upon the corporation of Washington by the second and third
sections of the act of Congress, approved March three, eighteen hundred
and fifty-nine, [entitled] "An act to provide for the care and preservation
of the works constructed by the United States for bringing the Potomac
water into the cities of Washington and Georgetown, for the supply of
said water for all governmental purposes, and for the uses and benefit of
the inhabitants of the said cities," full power and authority are hereby given
to said corporation to levy and collect a water-tax on all real property
within the corporate limits of the city of Washington which binds on or
touches on any avenue, street, or alley in which a main water-pipe has
been laid or hereafter may be laid by the United States or by the corpo-
ration of Washington, which water-tax shall be as nearly as possible equal
and uniform; may be levied on lots in proportion to their frontage or their
area, as the said corporation may determine; and may be collected in not
less than three nor more than five annual instalments, of which instal-
ments all after the first shall bear interest at the rate of six per centum
per annum, commencing from the date of [at] which the first instalment
becomes due, but may, at the option of the owner of the property taxed,
be paid and discharged in full at any time after it shall have been levied.
And the said corporation of Washington is further authorized and empow-
ered, on petition of the owners of the majority of the real estate on any
square or line of squares, to lay down water-pipes and erect fire-plugs
and public hydrants wherever the same may be requisite and necessary
for public convenience, security from fire, or for health.

SEC. 2. And be it further enacted, That, to aid in the erection, main-
tenance, and efficiency of fire-plugs throughout the city, the said corpo-
ration of Washington is hereby authorized and empowered to levy and col-
llect a special annual tax on all buildings within five hundred feet of any
main water-pipe into which, or the premises connected therewith, the
water has not been introduced, and the owners or occupants of which do
not pay an annual water-rate or rent in accordance with the ordinances
of the corporation, which tax shall be levied with reference to the value of
the building so taxed, and shall be not more than five dollars nor less than
one dollar per year; but whenever the water shall be introduced, in
conformity with the corporation laws, into any building or premises, the fire-
plug tax thereon shall cease; and whenever the water shall be discontinued
from any building or premises into which it has been introduced, the said
building shall be subject to the fire-plug tax from the date of the discon-
tinuance of the water.

Sec. 3. And be it further enacted, That the water-tax hereby author-
ized to be levied and collected shall constitute a fund to be used exclusively
to defray the cost of distribution of the water, including all necessary
fixtures and machines connected with said distribution; and the annual
water rates or rents authorized to be collected by the act of which this
act is amendatory shall constitute a fund exclusively for the maintenance,
management, and repair of the system of water distribution.

Approved, March 3, 1863.

CHAP. CX. — An Act to extend the Charter of the Alexandria and Washington Railroad
Company, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Alexandria and Wash-
ington Railroad Company be, and the same hereby, authorized to ex-
tend their said railroad from the south side of the Potomac across said
river, to and along Maryland avenue to the Capitol grounds, and across
Pennsylvania avenue along First street to Indiana avenue, and thence to
the Baltimore and Ohio depot; and that all the ordinary rights, privileges,
and liabilities, incident to similar corporations are conferred upon said
company for that purpose: Provided, however, That the same shall be
subject to alterations, amendment, or repeal: And provided, further,
That the cars shall not be drawn on the streets aforesaid, or on the
structure across the Potomac River mentioned in the second section of
this act, by steam power without the consent of Congress and of the
corporate authorities of the city of Washington thereto: And provided,
further: That said company shall be authorized to charge and re-
ceive rates of freights and fares not exceeding five cents for each person
transported and for each ton conveyed on said road so extended: And
provided, also, That no person shall be excluded from the cars on account
of color.

Sec. 2. And be it further enacted, That the said company are hereby
empowered to make such additional structure or passage way along either
side of the Potomac bridge as may render the same safe for public use,
and so as not to hinder the general use of said bridge for ordinary travel,
which shall be ascertained by one or more experienced civil engineers,
who shall report, by proper surveys and estimates, to the Secretary of the
Interior for his approval; the whole cost of which surveys and construc-
tion of said additional bridge for the purposes aforesaid to be paid by the
said company. And the said company shall construct such draws as shall
 correspond with those now in use on the said bridge, and of such model
as shall be determined by the Secretary of the Interior, and which shall
afford reasonable facilities for navigation on the Potomac River.

Sec. 3. And be it further enacted, That the said company shall keep
that portion of the avenues or streets occupied by their road in good
repair, and provided with suitable crossways, at the proper places, for
vehicles and wheeled carriages, and for general use. The track of said
road shall be laid as nearly in the centre of the street and avenues through which it passes, as may be, without interfering with the water
mains and gas pipes, and the speed of travel shall be subject to such
regulations as the corporate authorities of the city of Washington shall,
from time to time, prescribe, under such penalties as the said corporate
authorities shall impose: Provided, however, That the rights and privileges

Fire-plug tax.

Water-tax, &c., to constitute a fund to defray cost of distribution of water.

The Alexandria and Washington R. R. Company may extend its road.

When steam power may be used.

Rate of freight and fares.

No person to be excluded from cars on account of color.

Additional structure along the Potomac bridge.

Corporation to keep portion of avenues in repair.

Track, where laid.

Speed of travel.
herein granted shall confer no authority or right to interfere with the United States military use or possession of said road or contemplated extension during the present rebellion, or to any claim for damages or indemnification therefor.

SEC. 4. And be it further enacted, That the said company may acquire and hold such real and personal estate as the practical use and working of said road may require, under such regulations, and subject to such taxation, as is imposed by law on similar property located in the city of Washington.

SEC. 5. And be it further enacted, That this act take effect from the time of its passage.

APPROVED, March 3, 1863.

CHAP. CXL.—An Act to Incorporate the National Academy of Sciences.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Louis Agassiz, Massachusetts; J. H. Alexander, Maryland; S. Alexander, New Jersey; A. D. Bache, at large; F. B. Barnard, at large; J. G. Barnard, United States army, Massachusetts; W. H. C. Bartlett, United States Military Academy, Missouri; U. A. Boyden, Massachusetts; Alexis Caswell, Rhode Island; William Chauvenet, Missouri; J. H. C. Coffin, United States Naval Academy, Maine; J. A. Dahlgren, United States navy, Pennsylvania; J. D. Dana, Connecticut; Charles H. Davis, United States navy, Massachusetts; George Engelmann, St. Louis, Missouri; J. F. Frazer, Pennsylvania; Wolcott Gibbs, New York; J. M. Gilless, United States navy, District of Columbia; A. A. Gould, Massachusetts; B. A. Gould, Massachusetts; Asa Gray, Massachusetts; A. Guyot, New Jersey; James Hall, New York; Joseph Henry, at large; J. E. Hilgard, at large, Illinois; Edward Hitchcock, Massachusetts; J. S. Hubbard, United States naval observatory, Connecticut; A. A. Humphreys, United States army, Pennsylvania; J. L. Le Conte, United States army, Pennsylvania; J. Leidy, Pennsylvania; J. P. Lesley, Pennsylvania; M. F. Longstreth, Pennsylvania; D. H. Mahan, United States Military Academy, Virginia; J. S. Newberry, Ohio; H. A. Newton, Connecticut; Benjamin Peirce, Massachusetts; John Rodgers, United States navy, Indiana; Fairman Rogers, Pennsylvania; R. E. Rogers, Pennsylvania; W. B. Rogers, Massachusetts; L. M. Rutherford, New York; Joseph Saxton, at large; Benjamin Silliman, Connecticut; Benjamin Silliman, junior, Connecticut; Theodore Strong, New Jersey; John Torrey, New York; J. G. Totten, United States army, Connecticut; Joseph Winlock, United States Naval Almanac, Kentucky; Jeffries Wyman, Massachusetts; J. D. Whitney, California, their associates and successors duly chosen, are hereby incorporated, constituted, and declared to be a body corporate, by the name of the National Academy of Sciences.

SEC. 2. And be it further enacted, That the National Academy of Sciences shall consist of not more than fifty ordinary members, and the said corporation hereby constituted shall have power to make its own organization, including its constitution, by-laws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign and domestic members, the division into classes, and all other matters needful or usual in such institution, and to report the same to Congress.

SEC. 3. And be it further enacted, That the National Academy of Sciences shall hold an annual meeting at such place in the United States as may be designated, and the academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art, the actual expense of such investigations, examinations, experiments, and reports, to be paid from appro-
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Pirations which may be made for the purpose, but the academy shall receive no compensation whatever for any services to the Government of the United States.

APPROVED, March 3, 1863.

CHAP. CXII. — An Act to establish the Gauge of the Pacific Railroad and its Branches.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the gauge of the Pacific railroad and its branches throughout their whole extent, from the Pacific coast to the Missouri River, shall be, and hereby is, established at four feet eight and one half inches.

APPROVED, March 3, 1863.

CHAP. CXIII. — An Act to enable the District Courts of the United States to issue Executions and other Final Process in certain Cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases wherein the district courts of the United States within and for the several districts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas had rendered final judgments or decrees prior to the passage of an act entitled "An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled 'An act supplementary to the act entitled an act to amend the judicial system of the United States,'" approved July fifteenth, eighteen hundred and sixty-two, which cases might have been brought, and could have been originally cognizable in a circuit court, said district courts shall have power to issue writs of execution or other final process, or to use such other powers and proceedings as may be in accordance with law, to enforce the judgments and decrees aforesaid, anything in said act of the fifteenth of July, eighteen hundred and sixty-two, to the contrary notwithstanding.

APPROVED, March 3, 1863.

CHAP. CXIV. — An Act to provide for issuing an American Register to the Steam-vessel "Maple Leaf."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be issued, under the direction of the Secretary of the Treasury, an American register to the British colonial built steam-vessel "Maple Leaf," now owned by Charles Spear and J. H. B. Lang, of Boston, in the State of Massachusetts.

APPROVED, March 3, 1863.

CHAP. CXV. — An Act relating to the Validity of Deeds of Public Squares and Lots in the City of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no deed or conveyance herefore made, in pursuance of law, of squares or lots of public land in the city of Washington, by the commissioner of public buildings, or any other authorized officer, shall be deemed invalid in law, for the want of an acknowledgment by said commissioner or other authorized officer before such judicial officers as deeds of real property made between individuals are required by law to be acknowledged.

APPROVED, March 3, 1863.
March 3, 1863.

CHAP. CXVI.—An Act to grant the Right of Premption to certain Purchasers on the "Soscol Ranch," in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it may and shall be lawful for the commissioner of the general land-office to cause the lines of the public surveys to be extended over the tract of country known as the "Soscol Ranch," in California, the claim to which by Don Mariana Gaudalupe Vallejo has been adjudged invalid by the supreme court of the United States, and to have approved plats thereof duly returned to the proper district land-office: Provided, That the actual cost of such survey and platting shall first be paid into the surveying fund by settlers, according to the requirements of the tenth section of the act of Congress, approved thirtieth of May, eighteen hundred and sixty-two, "to reduce the expenses of the survey and sale of the public lands in the United States."

SEC. 2. And be it further enacted, That after the return of such approved plats to the district office, it may and shall be lawful for individuals, bona fide purchasers from said Vallejo, or his assigns, to enter, according to the lines of the public surveys, at one dollar and twenty-five cents per acre, the land so purchased, to the extent to which the same had been reduced to possession at the time of said adjudication of said supreme court, joint entries being admissible by coteninuous proprietors to such an extent as will enable them to adjust their respective boundaries.

SEC. 3. And be it further enacted, That municipal claims within the limits of the said "Soscol Ranch" may be entered under the terms, limitations, and conditions of the town-site act of twenty-third of May, eighteen hundred and forty-four.

SEC. 4. And be it further enacted, That all claims within the purview of this act shall be presented to the register and receiver within twelve months after the return of such surveys to the district land-office, accompanied by proof of bona fide purchase under Vallejo, of settlement, and the extent to which the tracts claimed had been reduced into possession at the time of said adjudication; and thereupon each case shall be adjudged by the register and receiver under such instructions as shall be given by the commissioner of the general land-office, to whom the proof and adjudication shall be returned by the local land-office, and no adjudication shall be final until confirmed by the said commissioner.

SEC. 5. And be it further enacted, That any claim not brought before the register and receiver within twelve months, as aforesaid, shall be barred, and the lands covered thereby, with any other tracts within the limits of said "Soscol Ranch," the titles to which are not established under this act, shall be dealt with as other public lands: Provided, That no entry shall be made of lands reserved and occupied for military, naval, or other public uses, or which may be designated for such purposes by the President, nor shall any claim under this act extend to mineral lands. Approved, March 3, 1863.

March 3, 1863.

CHAP. CXVII. An Act to provide a temporary Government for the Territory of Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, to wit: Beginning at a point in the middle channel of the Snake River where the northern boundary of Oregon intersects the same; then follow down said channel of Snake River to a point opposite the mouth of the Kooskooska, or Clear Water River; thence due north to the forty-ninth parallel of latitude; thence east along said parallel to the twenty-seventh degree of longitude west of Washington; thence south along said degree of longitude to the northern boundary of Colorado Territory; thence west along said
boundary to the thirty-third degree of longitude west of Washington; thence north along said degree to the forty-second parallel of latitude; thence west along said parallel to the eastern boundary of the State of Oregon; thence north along said boundary to place of beginning. And the same is hereby created into a temporary government, by the name of the Territory of Idaho: Provided, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory or changing its boundaries in such manner and at such time as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other state or territory of the United States: Provided, further, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain extinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribes, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any state or territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the Territory of Idaho, until said tribe shall signify their assent to the President of the United States to be included within said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the Government to make if this act had never passed.

Sec. 2. And be it further enacted, That the executive power and authority in and over said Territory of Idaho shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, and shall be commander-in-chief of the militia, and superintendent of Indian affairs thereof. He may grant pardons and respite for offences against the laws of said Territory, and reprieve for offences against the laws of the United States until the decision of the President of the United States can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Sec. 3. And be it further enacted, That there shall be a secretary of said Territory, who shall reside therein, and shall hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and journals of the legislative assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semiannually, on the first days of January and July in each year, to the President of the United States, and two copies of the laws to the President of the Senate and to the Speaker of the House of Representatives for the use of Congress; and in case of the death, removal, resignation, or absence of the governor from the Territory, the secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the governor during such vacancy or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

Sec. 4. And be it further enacted, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of seven members having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall,
House of representatives.

At its first session, consist of thirteen members possessing the same qualifications as prescribed for the members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, to twenty-six, in proportion to the increase of qualified voters; and the council, in like manner, to thirteen. An apportionment shall be made as nearly equal as practicable among the several counties or districts for the election of the council and representatives, giving to each section of the Territory representation in the ratio of its qualified voters as nearly as may be. And the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district or county, or counties, for which they may be elected respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken by such persons and in such mode as the governor shall designate and appoint, and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner both as to the persons who shall superintend such election and the returns thereof, as the governor shall appoint and direct; and he shall, at the same time, declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said council districts for members of the council shall be declared by the governor to be duly elected to the council; and the persons having the highest number of legal votes for representatives shall be declared by the governor to be duly elected members of said house: Provided, That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the legislative assembly, the governor shall order a new election; and the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: Provided, That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

Sec. 5. And be it further enacted, That every free white male inhabitant above the age of twenty-one years, who shall have been an actual resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly.

Sec. 6. And be it further enacted, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States, nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the council and house of representatives of the said Territory, before it becomes a law, be presented to the governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large upon their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it
shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return; in which case it shall not be a law: Provided, That whereas slavery is prohibited in said territory by act of Congress of June nineteenth, eighteen hundred and sixty-two, nothing herein contained shall be construed to authorize or permit its existence therein.

Sec. 7. And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of Idaho. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

Sec. 8. And be it further enacted, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first legislative assembly; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Sec. 9. And be it further enacted, That the judicial power of said territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be limited by law: Provided, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the supreme court.
Writs of error, appeals.

of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witnesses, shall exceed one thousand dollars, except that a writ of error or appeal shall be allowed to the supreme court of the United States from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writs of habeas corpus involving the question of personal freedom. And each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeal in all such cases shall be made to the supreme court of said Territory, the same as in other cases. The said clerks shall receive, in all such cases, the same fees which the clerks of the district courts of Washington Territory now receive for similar services.

Sec. 10. And be it further enacted, That there shall be appointed an attorney for said territory, who shall continue in office four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Washington. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present Territory of Washington, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

Sec. 11. And be it further enacted, That the governor, secretary, chief justice, and associate justices, attorney, and marshal, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. The governor and secretary to be appointed as aforesaid, shall, before they act as such, respectively, take an oath or affirmation before the district judge or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the supreme court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of two thousand five hundred dollars, the chief justice and associate justices shall receive an annual salary of two thousand five hundred dollars, the secretary shall receive an annual salary of two thousand dollars; the said
salaries shall be paid quarter-yearly, from the dates of the respective appointments, at the treasury of the United States; but no payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the legislative assembly shall be entitled to receive four dollars each per day, during their attendance at the sessions thereof, and four dollars each for every twenty miles travel in going to and returning from said sessions, estimated according to the nearest usually travelled route, and an additional allowance of four dollars per day shall be paid to the presiding officer of each house for each day he shall so preside. And a chief clerk, one assistant clerk, one engrossing and one enrolling clerk, a sergeant-at-arms and doorkeeper, may be chosen for each house; and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the legislative assembly; but no other officers shall be paid by the United States: Provided, That there shall be but one session of the legislative assembly annually, unless, on an extraordinary occasion, the governor shall think proper to call the legislative assembly together. There shall be appropriated annually the usual sum to be expended by the governor to defray the contingent expenses of the Territory, including the salary of the clerk of the executive department; and there shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the governor and secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall, semi-annually, account to the said Secretary for the manner in which the aforesaid moneys shall have been expended; and no expenditure shall be made by said legislative assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

Sec. 12. And be it further enacted, That the legislative assembly of the Territory of Idaho shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible: Provided, That the seat of government fixed by the governor and legislative assembly shall not be at any time changed, except by an act of the said assembly duly passed, and which shall be approved, after due notice, at the first general election thereafter, by a majority of the legal votes cast on that question.

Sec. 13. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other territories of the United States to the said House of Representatives; but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner as the governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of legal votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Idaho as elsewhere within the United States.
Public lands in the Territory.

School sections reserved.

Judicial districts and assignments of judges.

Officers to give security for moneys intrusted to them for disbursement.

Treaties, &c., with Indian tribes, to be faithfully observed.

Agencies and superintendencies continued.

Location may be changed.

SEC. 14. And be it further enacted, That when the lands in the said Territory shall be surveyed, under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the states and territories hereafter to be erected out of the same.

SEC. 15. And be it further enacted, That, until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 16. And be it further enacted, That all officers to be appointed by the President of the United States, by and with the advice and consent of the Senate, for the Territory of Idaho, who, by virtue of the provisions of any law now existing, or which may be enacted by Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security at such time and in such manner as the Secretary of the Treasury may prescribe.

SEC. 17. And be it further enacted, That all treaties, laws, and other engagements made by the Government of the United States with the Indian tribes inhabiting the Territory embraced within the provisions of this act, shall be faithfully and rigidly observed, anything contained in this act to the contrary notwithstanding; and that the existing agencies and superintendencies of said Indians be continued with the same powers and duties which are now prescribed by law, except that the President of the United States may, at his discretion, change the location of the office of said agencies or superintendents.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXVIII. — An Act making Appropriations for the Naval Service for the Year ending June thirty, eighteen hundred and sixty-four, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-four:

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, fourteen million seven hundred and thirty-four thousand three hundred and thirty-two dollars and seventy cents.

For the construction and repair of vessels of the navy, nine million two hundred and ninety-eight thousand dollars.

For the purchase and building of additional steamers, repairs of same, charter of vessels, extra labor and materials, and repairs of vessels on foreign stations, fifteen millions of dollars.

For two armor-plated sea steamers of iron:

Contract to be made only after advertisement, &c.
For the purchase of hemp and other materials for the navy, three hundred and twenty thousand dollars.

For fuel for the navy, and for the transportation and expenses thereof, two million six hundred and ninety thousand dollars.

For the equipment of vessels in the navy, viz:
   - For the purchase of various articles of equipment, canvas, leather, cables, and anchors, and furniture, and stores, in the masters', boatswains', and sailmakers' departments, two million dollars.
   - For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, five million four hundred and seventeen thousand seven hundred and forty-five dollars.
   - For construction and repair of machinery for vessels in commission, five million seven hundred and seventy-five thousand dollars.
   - For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, one hundred and fifty-seven thousand five hundred dollars.
   - For cannon of all descriptions, field and boat howitzers, gun-carriages, shot, shell, and equipment of all kinds, powder, purchase of nitre, small arms, ordnance labor at navy yards, freight, transportation, books, inspecting instruments, watchmen, assistants for fabrication and inspection of guns, and contingent expenses of ordnance and ordnance bureau, six millions three hundred thousand dollars.

For three powder-tugs at Boston, New York, and Philadelphia, and repairs of ordnance steamboat, forty thousand dollars.

For repairs and additions to ordnance machinery in shops, and for the establishment by purchase or hire of two magazines, and repairs and additions thereto, one hundred and fifty thousand dollars.

For pay of photographer for ordnance bureau, three hundred dollars.

For compass stations and magnetic deviations, books, binnacle, flags, signals, logs, sand-glasses, leads, longitudes, tables of navigation, determination of meridian distances, and experiments with night-signals, one hundred and forty-nine thousand dollars.

For contingent expenses of the navy, one hundred thousand dollars.

Bureau of Yards and Docks. — For contingent expenses that may accrue for the following purposes, viz: For the freight and transportation of materials and stores for yards and docks; for dockage; for printing and stationery; for books, maps, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and the patent right to use the same; for the repair of steam-engines, and attendance on the same in the navy yards; for docking vessels; for the purchase and maintenance of horses and oxen and driving teams; for carts and timber wheels, and workmen's tools of every description, and repairing the same; for postage of letters on public service; for furniture for government houses; for coals and other fuel; for candles and oil for use of navy yards and stations; for cleaning and clearing up yards; for supply of water at navy yards for navy yard purposes; for flags, awnings, and packing-boxes; for watchmen, and for incidental labor at navy yards not applicable to any other appropriation; six hundred and seventy-nine thousand dollars.

Bureau of Equipment and Recruiting. — For contingent expenses that may accrue for the following purposes, viz: Expenses of recruiting; travelling expenses of officers; transportation of men; printing and stationery; advertising in newspapers; postage on public letters; wharfage and demurrage; funeral expenses; apprehending deserters; pilotage and towage of vessels, and assistance to vessels in distress; per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law; pay to judge advocates, and for bills of health and quarantine expenses of vessels of the navy, one million dollars.
Bureau of Navigation.—For contingent expenses of the bureau of navigation, one thousand dollars.

Bureau of Construction and Repair.—For contingent expenses, viz: For transportation of materials; printing, stationery, books, models, drawings, postage, and miscellaneous items, fifty thousand dollars.

Bureau of Provisions and Clothing.—For contingent expenses, viz: For candles; freight to foreign stations; transportation from station to station within the United States; cooperation; pay of assistants to inspectors; advertising for proposals; printing paymasters' blanks; and stationery for cruising vessels, three hundred thousand dollars.

Bureau of Medicine and Surgery.—For contingent expenses of the bureau of medicine and surgery, forty thousand dollars.

Marine Corps.—For pay of non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; additional rations to officers for five years' service; for undrawn clothing and rations, and bounties for re-enlistments, seven hundred and ninety thousand seven hundred and eighty-three dollars and eighty cents.

For provisions, one hundred and thirty-five thousand nine hundred and twenty-six dollars.

For clothing, two hundred thousand two hundred and seventy-six dollars and seventy-six cents.

For fuel, thirty-one thousand four hundred and thirty dollars and seventy-five cents.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, files, and other instruments, fifteen thousand dollars.

For transportation of officers, their servants, troops, and expenses of recruiting, twenty-two thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

For contingencies, viz: Freight, ferriage, toll, cartage, wharfage; purchase and repair of boats; compensation to judges advocate; per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture; furniture for officers' quarters; bed sacks, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital head-quarters; repairs to fire-engine; purchase and repair of engine-hose; purchase of lumber for benches, mess-tables, and bunks; repairs to public conveyall; purchase and repair of harness; scavengering, galleys, cooking-stoves, and ranges; stoves where there are no grates; gravel for parade-grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, forty-five thousand dollars.

For the construction of marine barracks at Mare Island, California, one hundred thousand dollars, or so much thereof as may be necessary: Provided, nevertheless, That said money shall not be expended until the plans for said barracks shall have been submitted to and approved by the Secretary of the Navy.

Navy Yards.

Portsmouth, New Hampshire.—For boat-house and carpenters' shop paint shop; Bishop's derrick; railway; knee-dock-wall; repairs of floating dry-dock, and repairs of all kinds, one hundred and thirty-two thousand three hundred and sixty-two dollars.

For rebuilding porter's house at Portsmouth navy yard, two thousand dollars.
Boston. — For repairing around dry-dock and relaying surface water drains, joiners' shop and painters' loft; extension of sheer wharf; additional expenses on house for heavy forging hammer, and for repairs of all kinds, two hundred and seventy-eight thousand five hundred and sixty-six dollars.

New York. — For continuation of quay wall; for new foundry; drains, paving, and flagging; water pipes and hydrants; filling low place; repairs of dry-dock; chain cable shop; railways; officers' houses; machinery for machine shop, foundry; boiler shop and pattern shop; for large chuck-lathe, for turning large rings for turrets on gun batteries, and for repairs of all kinds, three hundred and seventy-seven thousand and eleven dollars.

For building floating dry-dock at navy yard, New York, seven hundred and fifty thousand dollars: Provided, That if, after examination and survey, the Secretary of the Navy shall deem it expedient.

Philadelphia. — For repairs of all kinds, twenty-eight thousand eight hundred dollars.

Washington. — For Bishop's derrick; depot for coal for steamers; machinery and tools; and for repairs of all kinds, one hundred and thirty-one thousand eight hundred and seventy-one dollars.

Mare Island, California. — For completing officers' houses; grading and paving; foundry, machine shop and equipment; completing Bishop's derrick; repairs of sectional dock; fitting up boiler shop in smithery; portable engines, with machinery for hoisting for yard purposes; cistern and holder for gas-works; saw-mill; commencing stables; commencing coal-house and wharf; commencing sea-wall on west side of island, and repairs of all kinds, three hundred and sixty-six thousand three hundred and sixty-three dollars.

Sackett's Harbor — For repairs of all kinds, one thousand five hundred dollars.

Navy Yard, Norfolk — For repairs of dry-dock, and pumps, and general repairs, eighty-five thousand dollars.

HOSPITALS.

Boston. — For repairs of hospital and grounds at Chelsea, two thousand five hundred dollars.

New York. — For repairs and improvements; repairs and increase of apparatus in laboratory; and for temporary addition to hospital accommodations, twenty-two thousand dollars.

Philadelphia Asylum and Hospital. — For furniture and repairs; house cleaning and whitewashing; repairs to furnaces, grates, and ranges; gas and water rent; improvement of chapel and grounds; for library of asylum; and for hospital and repairs of all kinds, two thousand nine hundred dollars.

For support of beneficiaries, thirty thousand dollars.

Norfolk. — For the support and repair of the naval hospital at Norfolk for the remainder of the current fiscal year, and for the years eighteen hundred and sixty-three and eighteen hundred and sixty-four, eighteen thousand five hundred dollars.

Mound City. — For supporting hospital, repairs, rent, and furniture at Mound City, Illinois, seventeen thousand five hundred dollars.

Mare Island, California. — For commencing hospital, twenty-five thousand dollars.

MAGAZINES.

Portsmouth, New Hampshire. — For ordnance, timber shed, and storehouse for howitzers, thirty-one thousand five hundred and twenty-two dollars.

Boston. — For repairs of building and care of grounds, two thousand dollars.
For pay of superintendents, naval constructors, and all the civil establishment of the several navy yards and stations, one hundred and six thousand seven hundred and eighty-four dollars: Provided, That hereafter the salary of the civil engineer at the Washington navy yard shall be two thousand dollars a year, and the salary of the civil engineer of the bureau of yards and docks shall be three thousand dollars.

For expenses of watchmen and others, and contingencies of the United States Naval Academy, twenty-four thousand eight hundred and eighty-one dollars.

Naval Observatory. — For the purchase of nautical instruments, repairs of the same, and of astronomical instruments, and for the purchase of nautical books, maps, and charts, and for backing and binding the same, twenty-three thousand dollars.

For wages of instrument maker, watchman, porter, and laborers; for keeping grounds in order, and repairs to buildings and enclosures; for fuel, lights, freights, transportation, and postage, and stationery, and incidental expenses, twelve thousand dollars.

For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and fifty dollars.

SEC. 2. And be it further enacted, That there shall be paid, out of any money in the treasury not otherwise appropriated, the several certificates issued by the accounting officers of the Treasury Department to the officers, sailors, marines, and crews of the Congress and Cumberland, and other persons provided for by the act of April second, eighteen hundred and sixty-two, entitled "An act to provide for the equitable settlement of the accounts of the officers and crews of the frigate Congress and other vessels."

SEC. 3. And be it further enacted, That the second section of the act entitled "An act for the temporary increase of the Navy," approved July twenty-four, eighteen hundred and sixty-one, shall be so construed that the temporary appointments made, or which may be made, of acting assistant paymasters and acting ensigns confirmed until, &c. to be paid.

1862, ch. 52. Ante, p. 375.

Temporary appointments of acting assistant paymasters and ensigns confirmed until, &c.


Pay.

Purchase of flour for the navy.

Baking bread.

Assistant paymaster attached to war vessel allowed a clerk. Proviso.

Pay of boatswains, gunners, carpenters, and sail-makers.


American Nautical Almanac.

Certificates to officers, crew, &c., of the Congress and Cumberland to be paid.


Approved, March 3, 1863.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and hereby directed to assign to and set apart for the Sisseton, Wahpaton, Medawakan, and Wahpakoota bands of Sioux Indians a tract of unoccupied land outside of the limits of any state, sufficient in extent to enable him to assign to each member of said bands (who are willing to adopt the pursuit of agriculture) eighty acres of good agricultural lands, * the same to be well adapted to agricultural purposes.

Sec. 2. And be it further enacted, That the several tracts of land within the reservations of the said Indians, shall be surveyed, under the direction of the commissioner of the general land-office, into legal subdivisions to conform to the surveys of the other public lands. And the Secretary of the Interior shall cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preemption, settlement, entry, or location, under any act of Congress, unless the party preempting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

Sec. 3. And be it further enacted, That after the survey of the said reservations the same shall be open to preemption, entry, and settlement in the same manner as other public lands: Provided, That before any person shall be entitled to enter any portion of the said lands by preemption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bona fide settler thereon, and shall conform to all the regulations now provided by law in cases of preemption; and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portions of the said reservations which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value, before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, until otherwise provided for by law.

Sec. 4. And be it further enacted, That the money arising from said sale shall be invested by the Secretary of the Interior for the benefit of said Indians in their new homes, in the establishing them in agricultural pursuits: Provided, That it shall be lawful for said Secretary to locate any meritorious individual Indian of said bands, who exerted himself to save the lives of the whites in the late massacre, upon said lands on which the improvements are situated, assigning the same to him to the extent of eighty acres, to be held by such tenant as is or may be provided by law: And provided, further, That no more than eighty acres shall be awarded to any one Indian, under this or any other act.

Sec. 5. And be it further enacted, That the money to be annually appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the Secretary of the Interior, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the government; but no portion of said appropriations shall be paid in money to said Indians. And in such expenditure, said Secretary may make reasonable discrimination in favor of the chiefs who shall be found faithful to the Government.
Discrimination in favor of loyal chiefs.

Indians to be subject to laws, and to rules and regulations. They cannot make a valid civil contract, &c.

Education.

of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the state or territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be incapable of making any valid civil contract with any person other than a native member of their tribe, without the consent of the President. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

Approved, March 3, 1863.

March 3, 1863.

Chap. CXX. — An Act to provide for the Collection of abandoned Property and for the Prevention of Frauds in insurrectionary Districts within the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Secretary of the Treasury, from and after the passage of this act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any state or territory, or any portion of any state or territory, of the United States, designated as in insurrection against the lawful Government of the United States by the proclamation of the President of July first, eighteen hundred and sixty-two: Provided, That such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

Sec. 2. And be it further enacted, That any part of the goods or property received or collected by such agent or agents may be appropriated to public use on due appraisement and certificate thereof, or forwarded to any place of sale within the loyal states, as the public interests may require; and all sales of such property shall be at auction to the highest bidder, and the proceeds thereof shall be paid into the treasury of the United States.

Sec. 3. And be it further enacted, That the Secretary of the Treasury may require the special agents appointed under this act to give a bond, with such securities and in such amount as he shall deem necessary, and to require the increase of said amounts, and the strengthening of said security, as circumstances may demand; and he shall also cause a book or books of account to be kept, showing from whom such property was received, the cost of transportation, and proceeds of the sale thereof. And any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the court of claims; and on proof to the satisfaction of said court of his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase-money which may have been paid, together with the expense of transportation and sale of said property, and any other lawful expenses attending the disposition thereof.

Sec. 4. And be it further enacted, That all property coming into any of the United States not declared in insurrection as aforesaid, from within any of the states declared in insurrection, through or by any other person than any agent duly appointed under the provisions of this act, or under a lawful clearance by the proper officer of the Treasury Department, shall be confiscated to the use of the Government of the United States. And the proceedings for the condemnation and sale of any such
property shall be instituted and conducted under the direction of the Secretary of the Treasury, in the mode prescribed by the eighty-ninth and ninetieth sections of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage." And any agent or agents, person or persons, by or through whom such property shall come within the lines of the United States unlawfully, as aforesaid, shall be judged guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one thousand dollars, or imprisoned for any time not exceeding one year, or both, at the discretion of the court. And the fines, penalties, and forfeitures accruing under this act may be mitigated or remitted in the mode prescribed by the act of March three, seventeen hundred and ninety-nine, or in such manner, in special cases, as the Secretary of the Treasury may prescribe.

SEC. 5. And be it further enacted, That the fifth section of the "Act to further provide for the collection of the revenue upon the northern, northeastern, and northwestern frontier, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be so construed as to allow the temporary officers which have been or may be appointed at ports which have been or may be opened or established in states declared to be in insurrection by the proclamation of the President on the first of July, eighteen hundred and sixty-two, the same compensation which by law is allowed to permanent officers of the same position, or the ordinary compensation of special agents, as the Secretary of the Treasury may determine.

SEC. 6. And be it further enacted, That it shall be the duty of every officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse or neglect so to do, he shall be tried by a court-martial, and shall be dismissed from the service, or, if an officer, reduced to the ranks, or suffer such other punishment as said court shall order, with the approval of the President of the United States.

SEC. 7. And be it further enacted, That none of the provisions of this act shall apply to any lawful maritime prize by the naval forces of the United States.

APPROVED. March 12, 1863.
RESOLUTIONS.

Dec. 18, 1862.

[No. 1.] A Resolution for increasing the Bond of the Superintendent of Public Printing

Whereas the amount of money which can be advanced to the superintendent of the public printing, under existing laws, is not sufficient to enable him to meet the current expenditures of his office: therefore—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said superintendent be required to furnish a new bond in the penal sum of forty thousand dollars.

APPROVED, December 18, 1862.

Jan. 6, 1863.

[No. 2.] A Resolution in Relation to certain Maps.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, with a view of expediting the issue of the annual report of the general land-office, the public printer is hereby authorized to contract for the lithographing of the maps of the several states and territories which may accompany the same, except in regard to the connected map accompanying the last annual report of the public lands east and west of the Mississippi, in regard to which the commissioner of the general land-office is hereby authorized to procure an engraved plate thereof, to be perfected by adding from time to time the further surveys that may be made.

APPROVED, January 6, 1863.

Jan. 13, 1863.

[No. 3.] Joint Resolution to grant the Use of a Portion of Judiciary Square for a Free Library and Reading-Room for Soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to grant to John A. Fowle and Elida B. Rumsey the use of a portion of the land owned by the United States, and known as "Judiciary Square," to erect thereon, free from charge to the United States, a suitable building for a soldiers' free library and reading-room for soldiers: Provided, That the same can be done without prejudice to the public interests, and provided that all expenses shall be borne by said Fowle and Rumsey, and that all benefits and privileges of such library and reading-room be granted to our soldiers free of charge, and that said building be removed whenever the Secretary of the Interior shall require the same to be done.

APPROVED, January 13, 1863.

Jan. 17, 1863.

[No. 9.] Joint Resolution to provide for the immediate Payment of the Army and Navy of the United States.

Whereas it is deemed expedient to make immediate provision for the payment of the army and navy: therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treas-
ury be, and he is hereby, authorized, if required by the exigencies of the public service, to issue on the credit of the United States the sum of one hundred millions of dollars of United States notes, in such form as he may deem expedient, not bearing interest, payable to bearer on demand, and of such denominations not less than one dollar, as he may prescribe, which notes so issued shall be lawful money and a legal tender, like the similar notes heretofore authorized in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt; and the notes so issued shall be part of the amount provided for in any bill now pending for the issue of treasury notes, or that may be passed hereafter by this Congress.

APPROVED, January 17, 1863.


Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act to provide for the imprisonment of persons convicted of crime by the criminal court of the District of Columbia," approved the sixteenth day of January, eighteen hundred and sixty-three, be, and are hereby, made applicable to all persons who had been convicted of crime by the criminal court of the District of Columbia and sentenced to confinement in the penitentiary prior to the date of the act herein named, and subsequent to the transfer legalized by the fourth section thereof, and their transfer to the penitentiary at Albany, in the State of New York, in the present month, by order of the President of the United States, is likewise hereby legalized and declared valid; and the said persons so transferred shall continue in confinement in said prison until the expiration of their several terms of imprisonment, or until they shall be legally discharged or removed.

APPROVED, January 28, 1863.

[No. 11.] Joint Resolution tendering the Thanks of Congress to Commander John L. Worden, of the United States Navy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in pursuance of the recommendation of the President of the United States, and to enable him to advance Commander John L. Worden one grade, in pursuance of the ninth section of the act of Congress of sixteenth July, eighteen hundred and sixty-two, that the thanks of Congress be, and they are hereby, tendered to Commander John L. Worden for highly distinguished conduct in conflict with the enemy in the remarkable battle between the United States iron-clad steamer "Monitor," under his command, and the rebel iron-clad frigate "Merrimac," in March, eighteen hundred and sixty-two.

APPROVED, February 3, 1863.

[No. 13.] Joint Resolution tendering the Thanks of Congress to Commodore Charles Henry Davis and other Officers of the Navy, in Pursuance of the Recommendation of the President of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and they are hereby, given to the following officers of the United States navy, upon the recommendation of the President of the United States, viz:

Commodore Charles Henry Davis, for distinguished services in conflict...
with the enemy at Fort Pillow, at Memphis, and for successful operations at other points in the waters of the Mississippi River;

Captain John A. Dahlgren, for distinguished service in the line of his profession, improvements in ordnance, and zealous and efficient labors in the ordnance branch of the service;

Captain Stephen C. Rowan, for distinguished services in the waters of North Carolina, and particularly in the capture of Newburn, being in chief command of the naval forces;

Commander David D. Porter, for the bravery and skill displayed in the attack on the Post of Arkansas, which surrendered to the combined military and naval forces on the tenth of January, eighteen hundred and sixty-three;

Rear-Admiral Silas H. Stringham, now on the retired list, for distinguished services in the capture of Forts Hatteras and Clark;

And that a copy of this resolution be forwarded to each of the above officers by the President of the United States.

APPROVED, February 7, 1863.

Feb. 19, 1863.

[No. 18.] Joint Resolution to compensate the Sailors on the Gunboat “Cairo” for Loss of Clothing.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, sailors, and others of the crew of the United States gunboat “Cairo,” to allow to each a sum not exceeding fifty dollars as a remuneration for the damage they may have sustained in the loss of their clothing by the destruction of said vessel in December last.

APPROVED, February 13, 1863.

Feb. 16, 1863.

[No. 19.] Joint Resolution to revise “An Act to secure to the Officers and Men actually employed in the Western Department, or Department of Missouri, their Pay, Bounty, and Pension, and for other Purposes.”

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of a joint resolution entitled “A resolution to suspend all payments under the act approved the twenty-fifth of March, eighteen hundred and sixty-two, entitled ‘An act to secure to the officers and men actually employed in the Western Department, or Department of Missouri, their pay, bounty, and pension, and for other purposes,’” approved July twelfth, eighteen hundred and sixty-two, be, and they are hereby, revived, and the commissioners there-in provided for shall be allowed six months from the passage of this resolution within which to make their report.

APPROVED, February 16, 1863.

Feb. 29, 1863.

[No. 20.] A Resolution to amend the “Joint Resolution for the Payment of the Expenses of the Joint Committee of Congress, appointed to inquire into the Conduct of the War,” approved the twenty-seventh January, eighteen hundred and sixty-two.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any portion of the amount appropriated by the joint resolution for payment of the expenses of the joint committee of Congress appointed to inquire into the conduct of the war, approved the twenty-seventh January, eighteen hundred and sixty-two, that may have been, or shall hereafter be, allowed by the said joint committee to witnesses attending before it, or to persons employed in its service, for per diem, traveling, or other necessary expenses, and
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paid by the Secretary of the Senate in pursuance of the order of that joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

APPROVED, February 20, 1863.

[No. 21.] A Resolution expelling George E. Badger from the Board of Regents of the Smithsonian Institution, and appointing Louis Agassiz in his place. Feb. 21, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That George E. Badger, a member of the board of regents of the Smithsonian Institution, who is now giving aid and comfort to the enemies of the Government, be, and is hereby, expelled from the said board, and that Louis Agassiz, of Cambridge, Massachusetts, be, and he is hereby, appointed a member of the said board to fill the vacancy occasioned by the expulsion of Mr. Badger.

APPROVED, February 21, 1863.

[No. 24.] Joint Resolution authorizing the Appointment of a Commissioner to revise and codify the Naval Laws of the United States. March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint (by and with the consent of the Senate) a commissioner, whose duty shall be to revise and codify the naval laws of the United States, and report such revised code to Congress at its next session. The annual salary of said commissioner shall be three thousand dollars.

APPROVED, March 3, 1863.

[No. 25.] Joint Resolution fixing the Pay of the Commandant of the Navy Yard at Mare Island, California. March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the pay of the officer of the navy assigned to the command of the navy yard at Mare Island, California, shall be the sea pay of his grade.

APPROVED, March 3, 1863.

[No. 26.] A Resolution to facilitate the Payment of sick and wounded Soldiers in the Hospitals and Convalescent Camps. March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the paymaster-general be, and he hereby is, authorized and directed to take immediate measures for the prompt payment of the sick and wounded soldiers in the convalescent camps, hospitals, and elsewhere, so that they may be fully paid days within sixty days from and after the passage hereof.

APPROVED, March 3, 1863.

[No. 27.] Joint Resolution to expedite the Printing of the President's Message and accompanying Documents. March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of furnishing manuscript copies to each house of Congress, the heads of the several departments of Government be required to furnish the superintendent of the public printing with copies of the documents usually accompanying their annual reports on or before the first day of November of each year; whose duty it shall be to print, in addition to the number now required by law, two thousand copies for the use of the Senate, and five thousand for

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for House. When to be delivered.

Number of copies of reports proper.
No greater number, unless directed, &c.

Number of bills, &c., to be printed, not to exceed 600, unless, &c.

Condensed statement of aggregate amount of exports and imports to be furnished printer, by 1st November.

Number of copies, and how distributed.

Number of copies of commercial relations.

Lithographing and engraving of over $300, to be awarded to lowest bidder.

Form and style of printing to be determined by the superintendent.

Repeal of inconsistent laws.

the use of the House, in volumes (bound in the usual manner) of convenient size, and to deliver the same to the proper officer of each house, respectively, on or before the third Monday in December of each year. It shall also be his duty to print for the use of each of said heads of departments one thousand copies of their said reports proper; and for the use of the commissioners of the general land-office, of Indian affairs, and of pensions, five hundred copies of each of their reports, respectively. And it shall not be lawful for said superintendent to print any greater number of said reports, nor the reports of heads of any bureau to their respective superiors, unless directed to do so by either house of Congress.

SEC. 2. And be it further resolved, That hereafter the number of any bill or joint resolution ordered or required to be printed by either the Senate or House of Representatives, under any rule of either house, shall not exceed six hundred, unless specially directed by the house ordering the same.

SEC. 3. And be it further resolved, That it shall be the duty of the Secretary of the Treasury to furnish a condensed statement of the aggregate amount of the exports to, and imports from, foreign countries to the superintendent of the public printing, on or before the first day of November of each year, who shall print and bind as soon thereafter as practicable ten thousand copies thereof, to be distributed as follows, viz: The usual number (one thousand five hundred and fifty) for the two houses of Congress; three hundred copies for the treasury department; two thousand for the use of the members of the Senate; and six thousand one hundred and fifty copies for the use of the members of the House of Representatives.

SEC. 4. And be it further resolved, That six thousand copies of the "Commercial Relations," annually prepared under the direction of the Secretary of State, be printed and distributed as follows, viz: The usual number (one thousand five hundred and fifty) for the houses of Congress; four hundred and fifty for the state department; two thousand for the use of the members of the Senate; and three thousand for the use of the members of the House of Representatives.

SEC. 5. And be it further resolved, That all lithographing and engraving, where the probable cost exceeds two hundred and fifty dollars, shall be awarded to the lowest and best bidder for the interest of the Government, after due advertisement by the superintendent of public printing, under the direction of the committee on printing.

SEC. 6. And be it further resolved, That the form and style in which the printing ordered by either house of Congress, or by any of the departments, shall be executed, and the size of type to be used, shall be determined by the superintendent of public printing, having proper regard to economy and workmanship.

SEC. 7. And be it further resolved, That all laws or parts of laws conflicting with the above provisions be, and they are hereby, repealed.

APPROVED, March 3, 1863.

March 3, 1863.

[No. 28.] Joint Resolution providing for the Distribution of certain Public Books and Documents.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, and all other custodians thereof, be, and are hereby, authorized and directed to cause equal distribution to be made forthwith, among the members of the two houses of the present Congress, of all books and documents heretofore printed or purchased at the cost of the Government and not actually belonging to any public library, or the library kept for use in any department of the Government, excepting, however, all such books
and documents as are embraced in any existing order for the distribution thereof among the members of either house of Congress.

APPROVED, March 3, 1863.

[No. 20.] A Resolution giving the Thanks of Congress to Major-General William S. Rosecrans, and the Officers and Men under his Command, for their Gallantry and good Conduct in the Battle of Murfreesborough, Tennessee.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and they are hereby, presented to Major-General William S. Rosecrans, and, through him, to the officers and men under his command, for their distinguished gallantry and good conduct at the battle of Murfreesborough, Tennessee, where they achieved a signal victory for our arms.

Sec. 2. And be it further resolved, That the President of the United States be requested to cause the foregoing resolution to be communicated to Major-General Rosecrans, in such terms as he may deem best calculated to give effect thereto.

APPROVED, March 3, 1863.

[No. 30.] Joint Resolution in Relation to Telegraph Companies in the District of Columbia.

[Be it resolved ] by the Senate and House of Representatives of the United States of America in Congress assembled, That the Independent Line of Telegraph, a corporation organized under the laws of the State of New York, for the purpose, and with the intention, of constructing a line of telegraph from Portland, Maine, to Washington city, or any other corporation or company organized according to law, to construct a line of telegraph, be permitted to use any of the highways, roads, streets, or grounds in the District of Columbia in the extension and operation of their line to, in, and through the city of Washington, and other parts of the District: Provided, however, That the location and construction of any such line of telegraph within the said District shall not be carried into effect without the written approval of the Secretary of the Interior and commissioner of public buildings and grounds first obtained as to the proper route and course of said line to be followed within the said District of Columbia: And provided, further, That the use of said highways, streets, roads, and grounds hereby granted for telegraphic purposes shall not obstruct the use and convenient occupancy of said highways, streets, roads, and grounds for public or other purposes, as the same are at present used. And all acts heretofore passed and now in force in the District of Columbia for the protection of telegraph-poles, wires, and corporations, shall be extended to any such line of telegraph.

APPROVED, March 3, 1863.

[No. 31.] A Resolution to enable the Secretary of the Treasury to obtain the Title to certain Property in the City of Denver, Colorado Territory, for the Purposes of the Branch Mint located in said Place.

Whereas, The Secretary of the Treasury of the United States, in order to carry into effect an act entitled "An act to establish a branch mint at Denver, in the Territory of Colorado," approved April twenty-first, eighteen hundred and sixty-two, has purchased of Messrs. Clarke, Gruber, and Company, the premises and occupants thereof, certain city lots in said town of Denver, together with all the valuable improvements thereon:

And whereas the said Clarke, Gruber, and Company have not, and cannot at an early day, perfect their title to said lots by entry of the same at the district land-office, for the sole reason that no such office is yet established in said district:

Preamble.

SECRETARY OF THE TREASURY TO RECEIVE CONVEYANCES OF RIGHTS OF GRANTORS TO CERTAIN LOTS IN DENVER, LOTS TO BE RESERVED FROM SALE, &C.

And whereas it is highly important for the interest of the Government to obtain at an early day the use and possession of said property to establish and open said mint, therefore,

Resolved 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 to receive and accept from said Clarke, Gruber, and Company such relinquishments and conveyances of their right or claim to said lots and property, as he, the said Secretary, shall deem sufficient for the extinguishment of any claim, right, or title which the said Clarke, Gruber, and Company may or can have thereto. And said lots and property shall thereafter be reserved from public sale, preemption, or homestead settlement, and shall remain the property of the United States.

APPROVED, March 3, 1863.

March 3, 1863.

SECRETARY OF NAVY TO ADJUST CLAIMS OF CONTRACTORS FOR NAVAL SUPPLIES.

[No. 82.] Joint Resolution authorizing the Secretary of the Navy to adjust the Equitable Claims of Contractors for Naval Supplies, and regulating Contracts with the Navy Department.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to adjust and settle the claims of contractors for naval supplies, who, during the last fiscal year ending thirtieth June, eighteen hundred and sixty-two, have furnished to the department more than one hundred per centum above the quantities specified in their contracts and without default therein; and for the purpose of hearing said claims may associate with the chief of the bureau with which the contract was made the chief of any other bureau, subject to an appeal to said Secretary from their decision: Provided, That no contractor shall be allowed, except upon the excess over the stipulated quantity and one hundred per centum in addition thereto, and upon such excess not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery; nor shall any contractor be allowed any amount under this section unless there has been an actual loss to the contractor under the whole contract: And provided, further, That all claimants under any such contracts shall present their claims to the department within six months after the passage of this joint resolution, or be forever barred from any equitable claim on account of said contracts.

Sec. 2. And be it further resolved, That the chief of any bureau of the Navy Department, in contracting for naval supplies, shall be at liberty to reject the offer of any person who, as principal or surety, has been a defaulter in any previous contract with the Navy Department; nor shall parties who have failed as principals or sureties in any former contract be received as sureties on other contracts; nor shall the copartners of any firm be received as sureties for such firm or for each other; nor, in contracts with the same bureau, shall one contractor be received as surety for another; and every contract shall require the delivery of a specified quantity, and no bids having nominal or fictitious prices shall be considered. That if more than one bid be offered by any one party, by or in the name of his or their clerk, partner, or other person, all such bids may be rejected; and no person shall be received as a contractor who is not a manufacturer of, or regular dealer in, the articles which he offers to supply, who has not a license as such manufacturer or dealer. And all persons offering bids shall have the right to be present when the bids are opened and inspect the same.

Sec. 3. And be it further resolved, That the Secretary of the Navy be, and he is hereby, authorized to release and discharge the penalties, or the provisions in the nature of penalties, in certain cases of unfulfilled
contracts with the bureau of construction and of provisions and clothing of the Navy Department, made by Nathaniel W. Coffin, William Lang, Henry Newton, Baxter and Sumner, and Tilton, Wheelwright, and Company, for the fiscal year ending thirtieth of June, eighteen hundred and sixty-two, made prior to the proclamation of the President establishing blockades of the southern ports, or to the several acts of Congress passed subsequent thereto, imposing additional duties upon domestic and foreign products, wherein, by reason of said acts and failure of the Government to pay according to the prescribed terms, parties have been obstructed and prevented from a proper fulfilment of the same, to the end that these accounts may be settled and adjusted on terms of equity and justice; and in the settlement of such accounts, there shall be associated with the chief of the bureau in which the contract was made the chief of some other bureau of the Navy Department, and their decision shall be passed upon, modified, abridged, rejected, or approved by the Secretary of the Navy as, in his judgment, the law and justice shall require.

**APPROVED, March 3, 1863.**

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[No. 38.] **Joint Resolution authorizing the Secretary of the Treasury to issue American Registers to certain Vessels named therein.**

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized to issue American registers to the following named vessels: the "Marion," "Selkirk, of Winson," "Hastings," "Ottawa," and "California," of the Oswego district in the State of New York; the "Providence," owned by A. J. Richardson, of New York, and the Canadian built steamers "City of Toronto," of Detroit, and "Blue Bonnet," of New York.

**APPROVED, March 3, 1863.**

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[No. 84.] **Joint Resolution respecting the Compensation of the Judges and so forth, under the Treaty with Great Britain and other Persons employed in the Suppression of the Slave Trade.**

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and hereby is, authorized to expend during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-four, so much of the appropriation of second March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the African slave-trade, for any services they may render, and for which no allowance is otherwise provided by law; and also, so much of said appropriation as may be necessary to pay the salaries of the judges and arbitrators appointed by him pursuant to the act of Congress, approved July eleven, eighteen hundred and sixty-two, entitled "An act to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade," and for the expenses of the mixed courts provided for by said treaty: Provided, That no payment shall be made to any judge or arbitrator, on account of salary, who, after accepting the office, has declined or may hereafter decline the same without having actually entered upon duty; and no judge or arbitrator shall be regarded as entitled to salary from the date of the acceptance of the office to which he has been or may be appointed, who shall not have entered upon the duties thereof in good faith within three months from the date of his acceptance.

**APPROVED, March 3, 1863.**
March 3, 1863.  [No. 35.] A Resolution authorizing the Collection in Coin of Postages due on unpaid Mail Matter from Foreign Countries.

Preamble.

Whereas, the failure to prepay foreign correspondence throws upon the Post Office Department of the United States large balances which have to be paid in coin, Therefore:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and is hereby, authorized to take such measures as may seem to him advisable to collect postages on letters from abroad, not prepaid, in order to avoid loss in the payment of such balances.

APPROVED, March 3, 1863.

March 3, 1863.  [No. 36.] A Resolution to grant the Use of a Portion of Judiciary, or Armory Square, for a Home for Destitute Newsboys in Washington.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to grant to Professor Joseph Henry, Henry Beard, and J. W. Forney, as trustees, and their successors, the use of a portion of the Judiciary Square, or Armory Square, in the city of Washington, to erect thereon, free from charge to the United States, a suitable building for a "Home for destitute Newsboys:" Provided, That the same can be done without prejudice to the public interests: And provided, that all expenses shall be borne by said trustees in erecting, maintaining, and removing said building, and that said building shall be removed whenever the Secretary of the Interior shall require the same to be done.

APPROVED, March 3, 1863.

March 3, 1863.  [No. 37.] Joint Resolution to compensate the Crew of the United States Steamer "Monitor" for Clothing and other Property lost in the Public Service.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, and others of the crew of the United States steamer "Monitor," which was wrecked near Cape Hatteras, on or about the thirtieth day of December, eighteen hundred and sixty-two, to credit each of them with the amount of sixty dollars, to cover their losses of bedding, clothing, and other property, occasioned by the sinking of the said steamer.

APPROVED, March 3, 1863.

March 3, 1863.  [No. 38.] A Resolution in Relation to Property devised to the People of the United States by Captain Uriah P. Levy, deceased.

Preamble.

Whereas, Uriah P. Levy, late a captain of the United States navy, died in the city of New York, on the twenty-second day of March, eighteen hundred and sixty-two, leaving a last will and testament, containing the following provision, to wit: "I give, devise, and bequeath my farm and estate of Monticello, in Virginia, formerly belonging to President Thomas Jefferson, together with all the rest and residue of my estate, real and personal or mixed, not hereby disposed of, wherever or however situated, to the people of the United States, or such persons as Congress shall appoint to receive it, and especially all my real estate in the city of New York, in trust for the sole and only purpose of establishing and maintaining at said farm of Monticello, in Virginia, an agricultural school, for the purpose of educating, as prac-
tical farmers, children of the warrant office[rs] of the United States navy whose fathers are dead," subject to certain conditions therein mentioned, Therefore:—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney-General be authorized and empowered to ascertain the facts in relation to the devise and bequest aforesaid, and report the same, with his opinion as to the validity of the same, and such recommendations as he may think proper to make in reference thereto to the next Congress.

APPROVED, March 3, 1863.