

any deduction, save as specified in Article VI, hereinafter.

#### ARTICLE V.

The high contracting parties agree to consider the result of the proceedings of this commission as a full, perfect and final settlement of every claim upon either government arising out of any transaction of a date prior to the exchange of the ratifications of the present convention; and further engage that every such claim, whether or not the same may have been presented to the notice of, made, preferred, or laid before the said commissioners, shall, from and after the conclusion of the proceedings of the said commission, be considered and treated as finally settled, barred, and therefore inadmissible.

#### ARTICLE VI.

The salaries of the commissioners shall not exceed forty-five hundred dollars in United States gold coin, each, yearly. Those of the secretaries and arbitrator or umpire shall be determined by the commissioners, and in case the said commissioners finish its labors in less than six months, the commissioners together with their assistants will be entitled to six months' pay, and the whole expenses of the commission shall be defrayed by a ratable deduction on the amount of the sums awarded by the commissioners provided always that such deduction shall not exceed the rate of five per cent. on the sums so awarded. The deficiency, if any, shall be defrayed by the two governments in moieties.

#### ARTICLE VII.

The present convention shall be ratified by the President of the United States, by and with the consent of the Senate thereof, and by the President of Peru, with the approbation of the Congress of that republic, and the ratifications will be exchanged in Lima, as soon as may be, within six months of the date hereof.

#### ARTICLE VIII.

The high contracting parties declare that this convention shall not be considered as a precedent obligatory on them, and that they remain in perfect liberty to proceed in the manner that may be deemed most convenient regarding the diplomatic claims that may arise in the future.

In witness whereof the respective plenipotentiaries have signed the same in the English and Spanish languages, and have affixed thereto the seals of their arms.

Done in Lima, the fourth day of December, in the year of our Lord one thousand eight hundred and sixty-eight.

ALVIN P. HOVEY, [L. S.]  
J. A. BARRENECHEA, [L. S.]

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Lima on the 4th of June last:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this sixth day of July, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States of America the ninety-fourth.

[Seal.] U. S. GRANT.  
By the President:  
J. C. BANCROFT DAVIS,  
Acting Secretary of State.

Additional Article to the Treaty of Commerce and Navigation between the United States and Belgium of July 17, 1858. Trade Marks. Concluded, December 20, 1868; Exchanged, June 19, 1869; Proclaimed, July 30, 1869.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Whereas an additional article to the treaty of commerce and navigation between the United States and his Majesty the King of the Belgians, of the seventeenth of July, eighteen hundred and fifty-eight, was concluded and signed by their respective plenipotentiaries at Brussels on the twentieth day of December, eighteen hundred and sixty-eight, the original of which additional article, being in the English and French languages, is word for word as follows:

The President of the United States and his Majesty the King of the Belgians, deeming it advisable that there should be an additional article to the treaty of commerce and navigation between them of the 17th July, 1858, have for this purpose named as their plenipotentiaries, namely: the President of the United States, Henry Shelton Sanford, a citizen of the United States, their minister resident near his Majesty the King of the Belgians; and his Majesty the King of the Belgians, the Sieur Jules Vander Stichelen, grand cross of the Order of the Dutch Lion, &c., his minister of foreign affairs; who, after having communicated to each other their full powers, have agreed to and signed the following:

ADDITIONAL ARTICLE.

The high contracting parties, desiring to secure complete and efficient protection to the manufacturing industry of

their respective citizens, agree that any counterfeiting in one of the two countries of the trade marks affixed in the other on merchandise, to show its origin and quality, shall be strictly prohibited, and shall give ground for an action of damages in favor of the injured party, to be prosecuted in the courts of the country in which the counterfeiting shall be proven.

The trade marks in which the citizens of one of the two countries may wish to secure the right of property in the other, must be lodged, to wit: the marks of citizens of the United States, at Brussels, in the office of the clerk of the tribunal of commerce; and the marks of Belgian citizens, at the patent office in Washington.

It is understood that if a trade mark has become public property in the country of its origin, it shall be equally free to all in the other country.

This additional article shall have the same duration as the before-mentioned treaty of the 17th July, 1858, to which it is an addition. The ratifications thereof shall be exchanged in the delay of six months, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed the same, and affixed thereto their seals.

Done at Brussels in duplicate, the twentieth of December, [Seal.] eighteen hundred and sixty-eight.

M. S. SANFORD.

And whereas the said additional article has been duly ratified on both parts, and the respective ratifications were exchanged at Brussels, the nineteenth day of June, one thousand eight hundred and sixty-nine.

Now, therefore, be it known that I, U. S. Grant, President of the United States of America, have caused the said additional article to be made public, to the end that the same, and every clause thereof, may be observed and fulfilled in good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the city of Washington, this thirtieth day of July, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States the ninety-fourth.

[Seal.] U. S. GRANT.  
By the President:  
HAMILTON FISH,  
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Whereas an additional article to the convention for the surrender of criminals, between the United States and his Majesty the King of Italy, was concluded and signed by their respective plenipotentiaries at Washington, on the twenty-first day of January, eighteen hundred and sixty-nine, which additional article, being in the English and Italian languages, is word for word as follows:

It is agreed that the concluding paragraph of the second article of the convention aforesaid shall be so amended as to read as follows:

S. Embezzlement by any person or persons hired or salaried, to the detriment of their employers, when these crimes are subject to infamous punishment according to the laws of the United States, and criminal punishment according to the laws of Italy.

In witness whereof the respective plenipotentiaries have signed the present article in duplicate, and have affixed thereto the seal of their arms.

Done at Washington, the 21st day of January, 1869. [Seal.] WILLIAM H. SEWARD.  
[Seal.] M. CERRUTI.

And whereas the said additional article has been duly ratified on both parts, and the respective ratifications were exchanged at Washington, on the 7th instant:

Now, therefore, be it known that I, U. S. Grant, President of the United States of America, have caused the said additional article to be made public to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this eleventh day of May, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States of America the ninety-third.

[Seal.] U. S. GRANT.  
By the President:  
HAMILTON FISH,  
Secretary of State.

[RESOLUTION—No. 77.]

Joint Resolution granting the Evansville and Southern Illinois Railroad Company the right to build a bridge across the Big Wabash river.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

That the Evansville and Southern Illinois Railroad Company, a corporation organized under an act of the legislature of the State of Illinois, is hereby granted the right to construct an iron or wooden bridge for railroad purposes and as a public highway, either with a draw or a continuous span, as it may determine, across the Big Wabash river at any point said corporation may select, either at the little chain, in or opposite White county; Illinois; and Posey county, Indiana, or at any

point above the same, extending up said river as far as the town of New Harmony, in said county of Posey, and State of Indiana; and should said railroad company hereafter at any time consolidate with the Evansville, Carmi, and Paducah Railroad Company, of Indiana, or any company now organized or hereafter to be organized in the said State of Indiana, that the rights and franchises hereby granted shall inure to and become vested in said consolidated company and its assigns forever: Provided that the bridge to be constructed under the authority hereby granted shall not interfere with the free navigation of said stream beyond what is necessary in order to carry into full effect the rights and privileges hereby granted, and shall be built at right angles with the current of the stream where said bridge may be erected, and that a space of at least one hundred and seventy feet over the main channel of said stream shall be left between the piers of said structure: And provided further, that if said bridge shall be built with a draw of not less than one hundred feet in width, and said draw is kept in repair for the passage of boats at all times, the detention of passing said bridge shall not be construed as interfering with the navigation of the stream: And be it further provided, that said bridge shall be considered a legal structure, and shall be a post road for the transmission of the United States mails: And provided further, that in case said bridge is built with a continuous span, the piers shall be at least two hundred feet apart, and the bridge shall be built at such height as not to interfere with the navigation of said river by steamboats.

Approved, July 14, 1870.

A RESOLUTION to determine the construction of an act to provide internal revenue to support the Government, and for other purposes, approved June 29, 1864.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

That the act entitled "An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes," approved June thirty, eighteen hundred and sixty-four, and the several amendments thereto, shall not be construed so as to impose a tax on any undisputable sum added to the contingent fund of any fire, marine, inland life, health, accident, or life insurance company, or any unearned premium or premiums received for risks assumed by such companies to their policy-holders.

Approved, July 13, 1870.

Convention between the United States of America and France concerning Trade Marks.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas a convention between the United States and his Majesty the Emperor of the French, desiring to secure in their respective territories a guarantee of property in trade marks, have resolved to conclude a special convention for this purpose, and have named as their plenipotentiaries: the President of the United States, Hamilton Fish, Secretary of State, and his Majesty the Emperor of the French, J. Berthemy, Commander of the Imperial Order of the Legion of Honor, &c., &c., accredited as his envoy extraordinary and minister plenipotentiary to the United States; and the said plenipotentiaries, after an examination of their respective full powers, have agreed to and signed the following articles:

ARTICLE I.

Every reproduction in one of the two countries of trade marks affixed in the other to certain merchandise, to prove its origin and quality, is forbidden, and shall give ground for an action for damages in favor of the injured party, to be prosecuted in the courts of the country in which the counterfeiting shall be proven, just as if the plaintiff were a subject or citizen of that country.

The exclusive right to use a trade mark for the benefit of citizens of the United States in France, or of French subjects in the territory of the United States, cannot exist for a longer period than that fixed by the law of the country for its own citizens.

If the trade mark has become public property in the country of its origin, it shall be equally free to all in the other country.

ARTICLE II.

If the owners of trade marks, residing in either of the two countries, wish to secure their rights in the other country, they must deposit duplicate copies of those marks in the patent office at Washington, and in the clerk's office of the Tribunal of Commerce of the Seine, at Paris.

ARTICLE III.

The present arrangement shall take effect ninety days after the exchange of ratifications by the two governments, and shall continue in force for ten years from this date.

In case either of the two high contracting parties gives notice of its intention to discontinue this convention, twelve months from its expiration, it shall remain in force one year from the time that either of the high contracting parties announces its discontinuance.

ARTICLE IV.

The ratifications of this present arrangement shall be exchanged at Washington within ten months, or sooner, if possible.

In faith whereof the respective plenipotentiaries have signed the present convention in duplicate and affixed thereto the seal of their arms.

Done at Washington, the sixteenth day of April, in the year of our Lord, one thousand eight hundred and sixty-nine.

[Seal.] HAMILTON FISH.  
[Seal.] BERTHEMY.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the 3d instant, by J. C. B.

Davis, acting Secretary of State of the United States, and Count Faverney, chargé d'affaires of his imperial Majesty the Emperor of the French at Washington, on the part of their respective governments:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said convention to be made public, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this sixth day of July, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States the ninety-fourth.

[Seal.] U. S. GRANT.  
By the President:  
J. C. B. DAVIS, Acting Secretary of State.

AMENDED ARTICLE.

To replace Article 16 of the Detailed Regulations for the Postal Convention signed at Florence the 8th day of November, 1867.

In accordance with Article XVIII of the postal convention between Italy and the United States, signed at Florence on the eighth day of November, eighteen hundred and sixty-seven, the two administrations have agreed to replace Article XVI of the detailed regulations, of nineteenth day of March and second day of May, one thousand eight hundred and sixty-eight, by the following article:

ARTICLE XVI.

It is understood that the accounts between the two offices shall be established in the respective letters-bills, in the proper money of the despatching office; but the international postage on the unpaid letters, or insufficiently prepaid letters, shall be computed in the money of the receiving office. The reduction of these moneys shall be effected in the general at the rate of five lire ten centesimi of Italy for one dollar of the United States.

In entering the foreign charges on the letter-bill, in the money of the despatching office, the cent of the United States, and five centesimi of Italy shall be taken as equivalent.

It is also understood that the quarterly accounts shall be paid, respectively, in gold, and in the denomination of the money of the creditor office.

Signed at Washington, the first day of May, eighteen hundred and sixty-nine, and at Florence the twenty-fifth day of May, eighteen hundred and sixty-nine.

JNO. A. J. CRESWELL,  
Postmaster-General.  
G. BARBAVARA,  
Director-General of Posts.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an additional article to the convention for regulating the jurisdiction of consuls, between the United States of America and his Majesty the King of Italy, was concluded and signed by their respective plenipotentiaries at Washington, on the twenty-first day of January, eighteen hundred and sixty-nine, which additional article, being in the English and Italian languages, is word for word as follows:

The exchange of ratifications of the convention for regulating the jurisdiction of consuls, between the United States of America and his Majesty the King of Italy, which was signed on the 8th day of February, 1868, having been unavoidably delayed beyond the period stipulated in Article XVIII, it is agreed between the high contracting parties that the said convention shall have the same force and effect as if it would have had if the exchange had been effected within the stipulated period.

In witness whereof the respective plenipotentiaries have signed the present article in duplicate, and have affixed thereto the seal of their arms.

Done at Washington, the 21st day of January, 1869. [Seal.] WILLIAM H. SEWARD.  
[Seal.] M. CERRUTI.

And whereas the said additional article has been duly ratified on both parts, and the respective ratifications were exchanged at Washington, on the 7th instant:

Now, therefore, be it known that I, U. S. Grant, President of the United States of America, have caused the said additional article to be made public to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the city of Washington, this eleventh day of May, in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States the ninety-third.

[Seal.] U. S. GRANT.  
By the President:  
HAMILTON FISH, Secretary of State.

AN ACT to facilitate the Administration of Justice in the State of Texas.

Whereas the present incumbent of the office of district judge for the eastern district of the State of Texas is incapacitated by sickness and paralysis from performing the duties of his office, and has remained so incapacitated for a long period, which incapacity is believed to be permanent, by reason of which the government and citizens of the United States have been unable to have their business transacted in that court, and have suffered great loss and inconvenience therefrom: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

That the resignation of the district judge for the eastern district of the State of Texas, being tendered and accepted by the President of the United States, the salary now received by said judge shall be continued to him during his natural life, payable in the same manner and form as if he actually performed the duties of his office.

Approved, April 5, 1870.

AN ACT authorizing the construction of a bridge across the Arkansas river at Little Rock, Arkansas.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

That it shall be lawful for the Citizens' Bridge Company, a corporation having authority from the State of Arkansas, to build a railroad, transit, and wagon bridge across the Arkansas river at or near the city of Little Rock, in Arkansas, and that, when constructed, all trains of all roads terminating at the Arkansas river, at or near the location of said bridge, shall be allowed to cross said bridge for a reasonable compensation to be paid the owners thereof; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

Sec. 2. And be it further enacted, That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a drawbridge, with a pivot or other form of a draw, or with unbroken continuous spans: Provided, That if the said bridge be made with unbroken and continuous spans, it shall not be in any case less elevated than fifty feet above extreme high-water mark, understood at the point of location, to the bottom chord of the bridge. Nor shall the spans be of less than two hundred and fifty feet in length in the clear; and the piers of said bridge shall be parallel with the current of said river; and the main span shall be over the main channel of the river at low water: And provided also, That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than one hundred and sixty feet in length in the clear, on each side of the central or pivot pier of the draw. And the next adjoining spans to the draw shall not be less than two hundred and fifty feet; and said spans shall not be less than twenty feet above high-water mark, measuring to the bottom chord of the bridge; and the piers of said bridge shall be parallel with the current of the river: And provided also, That said draw shall be opened promptly upon reasonable signal, for the passage of boats whose construction shall not be such as to admit of their passage under the permanent spans of said bridge, except when trains are passing over the same; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

Sec. 3. And be it further enacted, That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroad or public highways leading to the said bridge: And provided also, That said corporation may execute a mortgage and issue bonds payable, principal and interest, in gold or United States currency.

Sec. 4. And be it further enacted, That the United States shall have the right of way for postal telegraph purposes across said bridge.

Sec. 5. And be it further enacted, That the bridge company aforesaid, shall submit to the Secretary of War, for his approval, a plan with the necessary drawings of their bridge, conforming to the above requirements; and until the Secretary of War approves the plan and location of said bridge, and notify the company of the same in writing, the bridge shall not be built or commenced; and should any change be made in the plan of the bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

Sec. 6. And be it further enacted, That Congress shall have power at any time to alter amend or repeal this act.

Approved, July 1, 1870.

JOINT RESOLUTION to construe an Act entitled "An Act to amend an Act entitled 'An Act to confirm certain private Land Claims in the Territory of New Mexico,'" as requires that derivative claimants under Virgil and St. Vrain shall establish their claims to the satisfaction of the register and receiver of the proper land district within one year from the passage of said act, shall be so construed as to authorize the presentation of such derivative claims within one year from the completion and approval of the subdivision surveys contemplated by said act of twenty-fifth February, eighteen hundred and sixty-nine.

Sec. 2. And be it further enacted, That all settled entitled by said act to the rights of pre-emption or homestead shall have the further time of thirty days, after notice in their favor of their respective claims, to file their declaratory statements as pre-emptors or to make entry under the homestead laws, as they may select.

Approved, April 23, 1870.

Old Judge B—, of New Hampshire, was what Artemus Ward would call a "sociable cuss," off the bench, and was noted for claiming the acquaintance of any one whose appearance happened to please him. Entering a crowded car on the Boston and Maine road, one day, his Honor found the only unoccupied seat to be by the side of a smartly dressed and rather good looking young woman. Ascertaining that the seat was not engaged, the Judge settled himself comfortably in it, and turning, with his accustomed bland, fatherly smile, to his fair companion, said:

"Your face seems familiar to me, my dear; I think I must know you."

"I should think you might," said the unknown, in a coarse, whisky, contralto voice, turning a vindictive pair of eyes on the astounded Judge.

"I should think you might; you sent me to the House of Correction for three months, last winter, you infernal old scoundrel."

The Judge did not press his claim for acquaintance.

England supports 20,000 office holders who exist but in name.