

Albany Register.

OFFICIAL.

Laws of the United States.

PASSED AT THE THIRD SESSION OF THE FORTY-SECOND CONGRESS.

(General Nature—No. 47.) AN ACT to amend an act entitled "An act to promote the development of the mining resources of the United States."...

(General Nature—No. 48.) AN ACT to change and fix the time of holding the spring terms of the United States circuit and district courts in the cities of Covington and Paducah, in the State of Kentucky.

(General Nature—No. 49.) AN ACT authorizing the President to appoint Frank M. Ashton a second assistant engineer in the navy of the United States.

(General Nature—No. 50.) AN ACT to transfer the control of certain powers and duties in relation to the Territories to the Department of the Interior.

(General Nature—No. 51.) AN ACT relating to the circuit and district courts of the United States for the middle and northern districts of Alabama.

Sec. 2. That all civil causes, actions, suits, executions, pleas, process, and other proceedings now pending in said district courts of the United States for the middle and northern districts of Alabama, which might have been brought and would have been originally cognizable in a circuit court are hereby declared to be transferred to the circuit court of the district of Alabama; and the clerks of said district courts shall transmit all the original papers in such causes and a complete transcript of all the dockets, minutes, orders, judgments, and decrees in such causes, as the same appear of record in said district courts, to said circuit court of the United States at Mobile, Alabama.

Sec. 3. That nothing in this act contained shall apply to any indictment found by a grand jury and now pending in either of said district courts; nor shall anything contained in this act affect the jurisdiction or power of the Supreme Court of the United States to hear and determine any cause or proceeding now pending in said Supreme Court on writ of error or appeal from either of said district courts for the middle and northern districts of Alabama.

Sec. 4. That hereafter the circuit court of the United States for the district of Alabama shall exercise appellate and revisory jurisdiction over the decrees and judgment of said district courts of the United States for the middle district of Alabama, under the laws of the United States conferring and regulating the jurisdiction, powers, and practice of the circuit courts in cases removed in said courts by appeal or writ of error.

(General Nature—No. 52.) AN ACT to provide for the better care and protection of subsistence supplies. 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 empowered to select from the sergeants of the line of the army who shall have faithfully served therein five years, three years of which in the grade of non-commissioned officer, as many commissary-sergeants as the service may require, not to exceed one for each military post or place of deposit of subsistence supplies, whose duty it shall be to receive and preserve the subsistence supplies at the posts, under the direction of the proper officers of the Subsistence department, and under such regulations as shall be prescribed by the Secretary of War.

(General Nature—No. 53.) AN ACT to abolish the office of surveyor at the port of Chester, in Pennsylvania, 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 office of surveyor at the port of Chester, in the district of Philadelphia, provided by the act establishing said port, approved March twenty-ninth, eighteen hundred and sixty-seven, be, and the same is hereby, abolished.

(General Nature—No. 67.) AN ACT fixing the time for the election of Representatives from the State of California to the Forty-fourth Congress. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on the first Wednesday in September, in the year eighteen hundred and seventy-four, there shall be elected in each congressional district in the State of California one Representative to represent said State in the Forty-fourth Congress of the United States.

(General Nature—No. 68.) AN ACT to authorize the unloading of steamships at night. 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 collector of customs (with the concurrence of the naval officer, if there be one) of any port at which a steamship from a foreign port or place may arrive, upon or after the issuing of a general order, to grant, upon proper application therefor, a special license to include the cargo of said vessel at night, that is to say, between sunset and sunrise; but before any such special license is granted, the master, agents, or consignees of the vessel shall execute and deliver to the said collector a good and sufficient bond, to be approved by him, conditioned to indemnify and save the said collector harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special license; And provided, That any liability of the master or owner of any such steamship to the owner or consignee of any merchandise landed from said vessel shall not be affected by the granting of such special license or of any general order, but such liability shall continue until said merchandise is properly removed from the dock whereon the same may be landed; and the collector, under such general regulations as the Secretary of the Treasury may prescribe, shall fix a uniform and reasonable rate of compensation for like service, to be paid by the master, owner, or consignee, whenever such special license is granted, and shall collect and distribute the same among the inspectors assigned to superintend the unloading of the cargo.

(GENERAL NATURE—No. 69.) AN ACT to provide for the preparation and presentation to Congress of the Revision of the Laws of the United States, consolidating the laws relating to the post-roads, and a code relating to military offences, and the revision of treaties with the Indian tribes now in force.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a committee of three of the Committee of the House of Representatives on the Revision of the Laws, with committee on the part of the Senate, is hereby authorized, by resolution, to be filed in the Department of Justice, to accept, on the part of Congress, the draft on Revision of the Laws of the United States prepared by the commissioners to revise the statutes, so far as the same has been reported by them, and may be hereafter reported by them, at the expiration of the time designated for

performing that service, to wit, the fourth day of May, eighteen hundred and seventy-three, and to discharge said commissioners, from and after which all acts and parts of acts declaring the duties, powers, rights, and privileges of said commissioners, are hereby repealed; but nothing herein contained shall be construed as an approval or adoption by Congress of any part of the work of the commissioners.

Sec. 2. That the Committee of the House of Representatives on the Revision of the Laws, together with such committee as the Senate may join, be, and they hereby are, authorized to contract with some suitable person or persons, learned in the law, to prepare a bill revising and embodying in one act all the laws authorizing post-roads in force at the expiration of the present session of Congress; and also to prepare a bill codifying and regulating the laws in regard to military offences, according to the recommendation made by the President of the United States in his annual message communicated to Congress at the present session; and also to prepare a revision of all the Indian treaties now in force as laws.

Sec. 3. That said committee are also authorized to contract with some suitable person or persons, under the supervision of said committee and such regulations as may be by them prescribed, to prepare the revision of the statutes already reported by the commissioners, or which may be reported before said fourth day of May, in the form of a bill, to be presented at the opening of the session of Congress in December next, embodying all the laws so revised and the bills and provisions herein provided for with proper indexes, so that the same may be in form to be acted upon forthwith by Congress at said session.

Sec. 4. That said committee is further authorized to have such revisions and bills printed by the Congressional Printer from time to time, uniform with the revision already reported, and to distribute them, and all the consolidation and colligation of the postal and military laws and treaties herein provided for, to members of Congress and others competent to judge of their merits, in order for their correction by such persons.

Sec. 5. That any moneys appropriated for the payment of the work herein provided for shall be disbursed by the Department of Justice from time to time only so far as that Department shall be satisfied that the work has been well and faithfully performed, as said Department shall be satisfied that the work will be fully done and completed by the commencement of said session of Congress in December next.

(General Nature—No. 70.) AN ACT to provide for the apportionment of the Territory of Wyoming for legislative purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the apportionment of the Territory of Wyoming for the election of members of the next legislative assembly of said Territory shall be made by the governor thereof, in accordance with the provisions of an act of Congress entitled "An act to provide a temporary government for the Territory of Wyoming," approved July twenty-fifth, eighteen hundred and sixty-eight; Provided, That for the purpose of such apportionment it shall not be necessary to take a new or additional census or enumeration of said Territory.

(General Nature—No. 71.) AN ACT to amend the law requiring consular officers to collect three months' extra pay for seamen in certain cases. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law to regulate the consular system of the United States, which requires consular officers to collect three months' extra wages upon the discharge of seamen, be, and the same hereby is, so amended as to permit said officers whenever, after a full hearing of both parties, the cause of discharge is found to be the misconduct of the seaman, to remit so much of the extra wages as is now by law paid to the seamen discharged; Provided, that relief can immediately be offered to such seamen by reshipment without expense to the United States.

(General Nature—No. 72.) AN ACT to provide for the establishment of a military prison, and for its government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established at Rock Island, in the State of Illinois, a prison for the confinement and reformation of offenders against the rules, regulations and laws for the government of the army of the United States, in which shall be securely confined, and employed at labor, and governed in the manner hereinafter directed, all offenders convicted before any court-martial or military commission in the United States, and sentenced according to law to imprisonment therein.

Sec. 2. That the Secretary of War shall organize a board of five members, to consist of three officers of the

army and two persons from civil life, who shall adopt a plan for the building of such prison, and who shall frame regulations for the government of the prisoners, in accordance with the provisions of this act. The said commissioners from civil life shall hold their offices for the term of three years, and shall be paid five dollars a day while on duty, and necessary travelling expenses; and the said officers of the army shall, at all times, be subject to removal by the Secretary of War.

Sec. 3. That the Secretary of War shall, with said commissioners, semi-annually, and as much oftener as may be deemed expedient, visit said prison for the purposes of examination, inspection, and correction; and they shall inquire into all abuses or neglects of duty on the part of the officers or other persons in charge of the same, and make such changes in the general discipline of the prison as they may hold to be essential.

Sec. 4. That the officers of the prison shall consist of a commandant and such subordinate officers as may be necessary, a chaplain, a surgeon and a clerk, who shall be detailed by the Secretary of War from the commissioned officers of the army; and a sufficient number of enlisted men shall be detailed by the Secretary of War to act as turnkeys, guards, and assistants in the prison.

Sec. 5. That one of the inspectors of the army shall, at least once in three months, visit the prison for the purpose of examining into the books and all the affairs thereof, and ascertaining whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.

Sec. 6. That before the commandant enters upon the duties of his office he shall give bond, with sufficient sureties, in a sum to be fixed by the Secretary of War, to be approved by him, conditioned that he shall faithfully account for all moneys placed in his hands for the use of the prison and for the faithful discharge of all his duties as commandant. He shall have command of the prison; shall have the charge and employment of the prisoners, and the custody of all the property of the government connected with the prison. He shall receive and pay out all moneys used for the prison, and shall cause to be kept, in suitable books, complete accounts of all the property, expenses, income, business, and concerns of the prison; and shall make full reports thereof to the Secretary of War; and shall, under the direction and with the approval of the Secretary of War, employ, for the benefit of the United States, the convicts at such labor and in such trades as may be deemed best for their health and reformation. He shall have power to sell and dispose of any articles manufactured by the convicts, and shall regularly account for the proceeds thereof, and shall give bond and security for the faithful keeping and accounting of all moneys and property coming to his hands as such commandant. He shall take note and make record of the good conduct of the convicts, and shall shorten the daily time of hard labor for those who, by their obedience, honesty, industry, or general good conduct, earn such favors; and the Secretary of War is authorized and directed to remit, in part, the sentences of such convicts, and to give them an honorable restoration to duty in case the same is merited; and in case any convict shall disobey the lawful orders of the officers of the prison, or refuse to comply with the rules and regulations thereof, he may be placed in solitary confinement, and the commandant shall at once report the case to the Secretary of War, who shall direct the inspector to make full examination and report of the matter at the next inspection; but in no case shall any prisoner be subjected to whipping, branding, or the carrying of weights for the purpose of discipline, or for producing penitence; and every prisoner, upon being discharged from prison, shall be furnished with decent clothing.

Sec. 7. That the use of newspapers and books shall not be denied the convicts at times when not employed; and that unofficial visitors shall be admitted to the prison under such restrictions as the board of commissioners may impose. The prisoners shall not be denied the privilege of communicating with their friends by letter, and from receiving like communications from them, all of which shall be subject to the inspection of the commandant, or such officer as he may assign to that duty.

Sec. 8. That the prisoners shall be supplied with ample and clean bedding, and with wholesome and sufficient food, but when in hospital or under discipline their diet shall be prescribed by the proper authority. The prison shall be suitably ventilated, and each prisoner shall have a weekly bath of cold or tepid water, which shall be applied to the whole surface of the body, unless the surgeon shall direct otherwise for the health of the prisoner.

Sec. 9. That no officer of the prison, or other person connected there-

with, shall be concerned or interested, directly or indirectly, in any contract, purchase, or sale made on account of the prison.

Sec. 10. That any officer who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape, or in an attempt to escape, shall, upon conviction, be dismissed from the service, and suffer such other punishment as a court-martial may inflict.

Sec. 11. That any soldier or other person employed in the prison who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape, or in an attempt to escape, shall, upon conviction by a court-martial, be confined therein not less than one year.

Sec. 12. That all prisoners under confinement in said military prisons undergoing sentence of courts-martial shall be liable to trial and punishment by courts-martial under the rules and articles of war for offences committed during the said confinement.

(General Nature—No. 72.) AN ACT to amend an act entitled "An act to prevent smuggling, and for other purposes," approved July eighteenth, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventh section of the act entitled "An act to further prevent smuggling, and for other purposes," approved July eighteenth, eighteen hundred and sixty-six, is hereby amended so as to read as follows: That it shall be the duty of the several collectors of customs and of internal revenue to report within ten days to the district attorney of the district in which any fine, penalty or forfeiture may be incurred for the violation of any law of the United States relating to the revenue, a statement of all the facts and circumstances of the case within their knowledge, together with the names of the witnesses, and which may come to their knowledge from time to time, stating the provisions of the law believed to be violated, and on which a reliance may be had for condemnation or conviction, and such district attorney shall cause the proper proceedings to be commenced and prosecuted without delay for the fines, penalties, and forfeitures by law in such case provided, unless, upon inquiry and examination, he shall decide that such proceedings cannot probably be sustained, or that the ends of public justice do not require that proceedings should be instituted, in which case he shall report the facts in customs cases to the Secretary of the Treasury, and in internal revenue cases to the Commissioner of Internal Revenue, for their direction; and for the expenses incurred and services rendered in all such cases the district attorney shall receive and be paid from the treasury such sum as the Secretary of the Treasury shall deem just and reasonable upon the certificate of the judge before whom such cases are tried or disposed of; Provided, however, That the annual compensation of such district attorney shall not exceed the maximum amount now prescribed by law; and if any collector shall in any case fail to report to the proper district attorney as prescribed in this section, such collector's right to any compensation, benefit, or allowance in such case shall be forfeited to the United States, and the same may, in the discretion of the Secretary of the Treasury, be awarded to such persons as may make complaint and prosecute the same to judgment or conviction.

(General Nature—No. 73.) AN ACT to regulate the taking of testimony in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no witness shall be compelled to appear or to testify before any commissioner or officer appointed to take testimony under letters rogatory, issued or to be issued from any court in any foreign country, in any suit or proceeding in which the government of such foreign country shall be a party of record or in interest, except for the purpose of answering specific written interrogatories issued with and accompanying such letters rogatory, and addressed to such witness; Provided, That when counsel for all the parties attend the examination, they may consent that questions in addition to those accompanying the letters rogatory, exclude such additional interrogatories.

Sec. 2. That no witness shall be required, on such examination, or any other under letters rogatory, to make any disclosure or discovery which shall tend to criminate him either under the laws of the State or Territory within which such examination is had, or any other, or any foreign State.

(General Nature—No. 75.) AN ACT providing for the payment to the government of Japan the sum due on account of rents for lands and buildings occupied by the diplomatic and consular representatives of the United States to Japan, 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 State be, and he is hereby, authorized to pay to the government