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LAWS OF THE UNITED STATES.

Passed at the Second Session of the Forty First Congress.

[PUBLIC—No. 67.]

AN ACT to incorporate the Washington Market Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas Berry, D. W. Bliss, Henry D. Cooke, William B. Todd, Peter Gardner, Henry S. Davis, George W. Riggs, Byron G. Daniels, M. G. Emery, Frederick P. Stanton, Thomas C. Connolly, S. P. Brown, John S. Crocker, Alexander R. Shepherd, William Clark, Hallett Kilbourn, John R. Elvans, B. F. French, C. H. Michner, James L. Barbour, I. T. Mitchell, T. T. Fowler, T. H. Alexander, J. W. Angus, W. W. Rapley, and Thomas Lewis, their successors, and each of their assigns, be, and they are hereby created a body corporate and politic, by the name and style of the Washington Market Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded, to defend and be defended, in all courts of law and equity; and may make and use a common seal, ordain and establish such by-laws, ordinances and regulations, not inconsistent with this act or of the laws of the United States, as may be necessary and proper for the management of the concerns of said company. Said company shall have power to issue and sell bonds, or to borrow money and execute mortgages and deeds of trust upon its property and franchise.

SEC. 2. And be it further enacted, That said company is hereby authorized and empowered to locate and construct a suitable building or buildings upon the following described grounds, namely: Commencing at the intersection of the centre line of B street north, with the west line of Seventh street west, running thence north along the west side of Seventh street to the southerly side of Pennsylvania avenue; thence westerly along the southerly side of Pennsylvania avenue to the southerly side of Louisiana avenue; thence westerly along the southerly side of Louisiana avenue to the east side of Ninth street west; thence along the east line of Ninth street to the centre line of B street; thence along the centre line of B street to the place of beginning; and to use and occupy the same by the erection of a suitable building or buildings for a public market-house, including the necessary stalls and sheds, and also for stores, public halls, and such other purposes as may be determined by said company, not inconsistent with its use as a public market. The buildings herein designated to be used for the purposes of a market shall be used for no other purpose inconsistent therewith, but the same shall remain a public market as hereinbefore described. And the said company shall, whenever any part or parts of said buildings, stalls, stands, and so forth, for market purposes are ready for use or occupancy, offer the same for sale at public auction for one or more years, to the highest bidder or bidders, subject to the payment of an annual rent, the amount of which to be fixed by the mayor and common council of the city of Washington and the directors of this incorporation, and public notice shall be given of the day of said sale in two or more daily newspapers published in the city of Washington, for two weeks previous to said sale, and by handbills to be posted up in said market grounds, ten days previous thereto, and all subsequent sales and leases thereof shall be made on similar notice and in the same manner; and the said company shall have full power to assess and collect rents for the use of said buildings, stands, stalls, and grounds aforesaid. The stalls, stands, and privileges of all kinds in said market to be used for market purposes, when offered at public sale, shall be let to the highest bidder, and there shall be no bidding on the part of said company, directly or indirectly; but said company with the consent of the Mayor and Aldermen of the city of Washington may fix a minimum rate of bids at such sale, and the person who shall offer the highest price at or beyond such minimum for any such stand, stall, or privilege shall be entitled to the occupation thereof, and shall be considered as having the good will and the right to retain the possession thereof so long as he chooses to occupy the same for his own business and pay the rent therefor; and the rent shall only be raised on application to the Mayor and Common Council, who, after hearing the parties, may change and determine the same; provided, however, that such right to the possession of such stands or stalls may be sold and transferred by such purchaser under regulations to be fixed by the by-laws of said company, and in the case of the death of any such purchaser during the existence of his lease, it shall be disposed of as other personal property, and the municipal government of said city shall at all times have power to make and enforce such regulations with regard to said markets and the management thereof as in their judgment the convenience, health and safety of the community may require.

SEC. 3. And be it further enacted, That the capital stock of said company shall be one million of dollars, and shall consist of twenty thousand shares of fifty dollars each. The stock may be subscribed for upon the books of the company, which shall be open at the Department of the Interior, in the city of Washington, on the second Monday following the final passage of this act, at twelve o'clock noon; said books to be kept open until the whole amount of said stock shall be subscribed, or so much thereof, not less than fifty per centum of the whole amount, as a majority of said corporators shall deem sufficient to authorize the said company to commence work. A cash payment of ten per centum shall be paid at the time of subscription to said stock to the person or persons authorized to receive the same by the said corporators. After the books, as aforesaid, shall have been kept open for the space of two days, if a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators shall forthwith apportion said capital stock among the subscribers in such manner that citizens of the city of Washington shall have the full amount individually subscribed for, so far as may be practicable; and any deductions necessary in consequence of any excess of subscription shall be made from subscriptions of the largest amount, so that no bona fide subscription shall be diminished while any larger subscription shall be maintained. That as soon as the stock is subscribed and apportioned as above mentioned, and the payment made as aforesaid, the said corporators, or a majority of them, shall call a meeting of the stockholders at some place in Washington city, District of Columbia, by advertisement in one or more of the daily newspapers in said city ten days previous thereto, and the stockholders, in person or by proxy, shall proceed to the election from among the stockholders, by ballot, of thirteen directors for conducting and managing the business of said company, for the term of one year from the time of their election, or until the first Monday of January next ensuing their election, if that should happen to be less than one year from the election; that said directors, when elected, shall immediately appoint one of their number to be president of the board of directors, and also appoint a treasurer of said company. In the absence of the president, a majority of said directors may appoint a president pro tempore; and a majority of said directors shall constitute a quorum for the transaction of business.

SEC. 4. And be it further enacted, That said directors may fill any vacancy which may happen in their own body during the time for which they are elected, and in case of the death, resignation, or disqualification of the president or treasurer, to fill the vacancy, to serve for the residue of the term; and the stockholders, on the first Monday of January in each and every year thereafter, shall elect by ballot, at the office of the said company, a new board of thirteen directors from among the stockholders, from whom a president and treasurer shall be appointed as above mentioned, to hold their offices for one year from the time of their election, and until their successors are elected and qualified. Each stockholder shall be entitled to one vote for every share of stock held by him or her at the time, which may be given by the stockholder, or by proxy, at any general or special election, of which general or special election notice shall be given by advertisements in one or more of the daily newspapers in said city ten days previous thereto.

SEC. 5. And be it further enacted, That the plans submitted by the incorporators, as set forth in the schedule annexed to this act, and which schedule is made part of this act, and as set forth in the drawings referred to in said schedule, shall be adopted for such new buildings and market square. There shall be one or more entrances to said market grounds between Seventh and Ninth streets, on Pennsylvania avenue or Louisiana avenue, of suitable width and height, for the accommodation of pedestrians.

SEC. 6. And be it further enacted, That the treasurer of said company shall, before he acts as such, give a bond to the company, in such penalty and with such security as the president and directors shall require, conditional for the faithful discharge of the duties and trusts committed to him. All salaries shall be fixed by the president and directors.

SEC. 7. And be it further enacted, That the shares in said company shall be deemed personal and not real estate, and shall be transferable in such manner as the by-laws of the company shall prescribe; and the shares held by any individual shall be liable to be attached or taken in execution to satisfy the debts due from any such stockholder in like manner as other personal property may be.

SEC. 8. And be it further enacted, That the said president and direc[t]ors of said company shall have power to demand and receive of the stockholders the remaining nine-tenths of said stock from time to time as they shall deem necessary: Provided, That such calls shall not exceed the rate of fifteen per centum thereof per month; and if any stockholder shall neglect or refuse to pay the amount due and demanded, within thirty days after said demand, the said shares may be forfeited, or not, by said directors at their option.

SEC. 9. And be it further enacted, That the said president and directors shall have power to contract with any person or persons for the necessary work on the grounds, and for the construction of buildings, stands, stalls, and all necessary fixtures; to appoint a general superintendent and other laborers, and to affix the amount of compensation for labor, as well as for all materials furnished said company, and to do all acts which by this act and the by-laws of said company they may be authorized to do.

SEC. 10. And be it further enacted, That the said company is hereby required to purchase and pay for all buildings and fixtures which may be upon the above-mentioned ground belonging to individuals, within a reasonable time after the passage of this act, the price of which shall be agreed upon by the president and directors of said company and the owners (should they demand any pay therefor) of the aforesaid buildings and fixtures; and whenever the president and directors and the owners of said property can not agree as to the price of said buildings or fixtures, then in such case the company shall select one competent person, and the owner shall select one competent person, and they, the two, shall choose a third one, who shall proceed to value the buildings and fixtures, and a decision of a majority of the three shall be final as to the value of said property, and the amount so agreed upon shall be paid to the owner thereof before the same is removed from the grounds aforesaid. That in case the owner of said property will neither sell said property nor choose an arbitrator, as aforesaid, to value said property, after ten days' notice so to do, then, in such case, the said company may proceed to remove the same to some place off said grounds without being liable to an action for damages.

SEC. 11. And be it further enacted, That the said company shall, within sixty days from the time it gets quiet and peaceable possession of the real estate mentioned in this act, commence work thereon, and so prosecute the same that buildings for stores, halls, market grounds, stands, stalls, and other purposes, and all market buildings, shall be fully completed within two years or less from the commencement thereof; or in case said company shall not commence said buildings within the time aforesaid, or, having commenced, shall fail to complete the same within the time aforesaid, or having completed the same, shall permit the same to get out of repair or become dilapidated, and should the said company fail to comply with any of the conditions of this act for the space of six consecutive months, the franchise hereby granted to said company shall be forfeited, and the rights and privileges hereby granted shall revert to the United States.

SEC. 12. And be it further enacted, That the privileges conferred by this act shall be enjoyed by said company for the term of ninety-nine years, unless sooner terminated for a non-compliance or abuse of the conditions herein imposed upon said company, which may be done by suit in the name of the United States, to recover possession of said property. At the end of said period of ninety-nine years, the said lands, with all the erections and improvements thereon, shall revert to the United States, unless Congress shall by law extend the period of occupation thereof by said company: Provided, That if the corporation of the city of Washington shall, after a period of thirty years from the approval of this act, by a vote of the councils thereof express a desire to possess itself of the said market buildings and grounds, Congress may authorize the corporate authorities to take possession of the same upon payment to the said Market House Company of a sum of money equal to a fair and just valuation of the buildings and improvements then standing on said grounds, and the mode and manner of ascertaining such valuation shall be determined by Congress.

SEC. 13. And be it further enacted, That the real estate herein described is hereby vested in the said corporation for and during the said term of ninety-nine years, or until a forfeiture of its rights and privileges by a breach of the conditions herein imposed on said company, and said estate shall be [illegible] as a determinable fee. The real and personal property of said corporation shall be subject to assessment and taxation for all District and municipal purposes, in the same manner and to the same extent that like property in the city of Washington owned and possessed by individuals is liable to assessment and taxation.

SEC. 14. And be it further enacted, That in consideration of the privileges granted by this act to the Washington Market Company, the said company shall pay, yearly, every year during the said term of ninety-nine years, unto the city of Washington, the sum of twenty-five thousand dollars; which sum shall be received by said city, and set apart and expended by and under the direction of the city government of said city for the support and relief of the poor of said city and of the District of Columbia; and said city may enforce the payment of said sum from time to time as the same shall become due, either by an action at law or by the same proceedings now authorized by law for the collection of taxes by said city.

SEC. 15 And be it further enacted, That if the corporators named in this act, or a major part of them, shall refuse or neglect for sixty days from and after the passage of this act, to accept the franchise hereby created, or if, having accepted the same, they shall have forfeited the same within two years from and after the passage of this act, then and in that case it shall and may be lawful for any citizens of the city of Washington, to the number of twenty or more, to associate themselves together by articles in writing subscribed by them, whereby they shall undertake and agree to accept the franchise conferred by this act and to perform all the conditions therein imposed; said articles shall be recorded in the office of the register for the city of Washington, and thereupon such associates shall become a body corporate and be invested with all the rights, privileges, and immunities conferred by this act upon the corporators named therein.

SEC. 16. And be it further enacted, That the city government of Washington shall have the right to hold and use, under such rules and regulations as the said corporation may prescribe, the open space at the intersection of Ohio and Louisiana avenues with Tenth and Twelfth streets as a market for the purchase and sale of the following articles, to wit: Hay, straw, oats, corn, corn-meal, seed of all kinds, wood for sale from the wagon, cattle on the hoof, swine on the hoof, country produce, sold in quantities from the wagon, and such other bulky and coarse articles as the said corporation may designate. And from and after sixty days from the passage of this act marketing of the products named herein shall be excluded from Pennsylvania and Louisiana avenues, and the sidewalks and pavements thereon.

SEC. 17. And be it further enacted, That all acts and parts of acts of the Board of Aldermen and Board of Common Council, and of Congress, inconsistent with this act are hereby repealed, and that this act shall be deemed a public act, and shall take effect from and after its passage. But Congress hereby reserves the right to legislate in respect to said property hereby granted, and to amend or repeal this act.

SPECIFICATIONS FOR WASHINGTON CITY MARKET BUILDING.

SCHEDULE.

Specifications of materials and workmanship required in carrying out and completing the improvements proposed to be made by the Washington City Market Company, on Center Market Space, at Washington, District of Columbia, and more particularly within the metes and bounds prescribed and enumerated in the accompanying act.

The work to be executed according to the annexed drawings, which are hereby made a part of these specifications, and which consist of—

1. An elevational view in perspective; 2. Ground plans of first story; 3. Ground plans of second story; 4. Ground plans of third story; 5. Ground plans of fourth and fifth stories, and sectional views, showing the interior arrangement of the main building, as well as the open structures for market purposes, to wit: 6. By a line running due east and west through center of square; 7. By a line running due north and south through center of the square; 8. By a line running transversely through wings of main building.

The work must be done also in accordance with all working plans and detail sheets in explanation of the above designs, such as the architect may find necessary in order to give full artistic effect to most substantial and permanent structures.

DESCRIPTION OF THE IMPROVEMENTS.

A. Main building on the northern front.—The northern or avenue front will be appropriated to an edifice which consists, as per design, of projecting pavilions, with deep returns on Seventh and Ninth streets. These are five stories in height above the ground, exclusive of the prominent Mansard roofs; further, it consists of connecting wings, four stories high above ground, and having also Mansard roofs. The main part of this building will be eighty feet in depth, exclusive of wide projections at center and at ends, toward the south, and of light, ornamental projections to the north.

The first story of this building is occupied by stores, and the upper stories will contain all the necessary and useful accommodations for offices, rooms, or other lawful purposes, the servants' department of which is located in a basement, which has also cellars for the stores, and the necessary cold air ducts, hot air flues, coils of steam pipes, chambers and fixtures for heating all the rooms and corridors of the whole building with low pressure steam generated in non-explosive boilers, walled in fire proof. Among the modern accommodations are prominent separate elevators, with best mechanical appliances for the conveyance of persons and baggage to the different stories, liberal allowances for lobbies, public and private parlors, reading rooms, large and well ventilated modern public and private halls, suites of rooms and single rooms, with communicating bath-rooms and alcoves, good-sized plain rooms, spacious corridors, twelve feet in width, easy and wide stairways in sufficient number, which afford easy egress in case of alarms; further, large dust shafts through the house; also, speaking tubes in all directions, electric bells and clocks.

The whole avenue front, as well as the fronts of the pavilions, returned around their northern corners on Seventh and Ninth streets, will be faced with granite for entrance story, and with marble or cut sandstone of equal style and durability for upper stories up to the main cornice. The ornamental and molded or carved trimmings of the windows, and other details implying the art of the sculptor, will be constructed of metal. All the above cut-stone and ornamental work to be backed with and anchored to brick work of proportionate thickness, consisting of best hard-burnt bricks, laid in cement mortar. The Mansard roofs will be covered with ornamental slate laid to chaste and tasty patterns; the roof of the cupola will be covered in likewise with projecting ribs of galvanized metal running up along the hips, and the prominent parts of which are gilded. The flat part of the Mansard roofs will receive a metal covering, laid on English felt, the scroll-work forming the crest-railings along the upper edges of the French roofs; and all similar parts, whether purely constructive or decorative, wherever they are exposed to the destructive agency of the elements, will be of cast or wrought iron, and bronzed. The shell of the building, respectively, the substance and finish of its exterior being thus clearly defined, we now proceed to specify the character and substance of construction and interior finish.

The foundations and cellar walls to be started upon two courses of blue stones, of extra size, well bedded on the natural ground, and finished in solid with good cement mortar. All the foundations, to go down to solid natural ground, and wherever this or its equivalent can not be obtained, recourse must be had to pile foundations.

The basement and cellar walls will be built with best blue-stone masonry, laid in cement mortar; the floors of cellars and basement to consist of a layer of concrete, consisting of cement, brickbats and broken stones in due proportions and of a proportionate thickness for the different purposes. The floors to be laid upon this substratum of cement will consist of bricks, pure cement or wooden flooring, as the considerations of safety, health and comfort of the occupants will require.

The ceiling of the cellar, or, rather, floor of the entrance story, will be constructed fire-proof, of rolled iron beams with intermediate brick arches wherever any remote danger may be apprehended, but those sections between the stores and their cellars will be laid with wooden joists, the intervals between which will be counter-ceiled and filled in with a layer of hair-mortar two inches thick. All the wooden floors of the building which separate the upper stories will be constructed with these same precautions against the progress or communication of fire from one story to another.

The floors of lobby and private entrances to the upper stories will be laid with encaustic English tile, and the rest of the floors of this and the upper stories of best narrow North Carolina pine.

All the principal partitions of entrance story to be constructed of brick work.

The fronts of the stores to consist mainly of French plate glass of first quality, set in hard-wood finish.

The upper stories will be divided off by what externally shows as pavilions, into fire-proof compartments formed by substantial brick partition walls, but the minor subdivisions will be formed by studded partitions, thoroughly bridged and trussed where necessary, all plastered in three-coat work with hard finish, proportionate cornices, pilaster-caps, and centre pieces of ornamental stucco work for the more prominent rooms.

The outside walls must be stripped and lathed, preparatory to plastering.

All the windows to have double box frames and one and three inch thick sash.

All the sash of fronts to be in imitation of French sash, to be glazed with best crystal sheet-glass of double thickness, they, as well as the rear windows to have boxed inside shutters. Door frames and modern-styled interior doors to be one and three-quarter inches thick. The trimmings of windows and doors to consist of heavy and bold mouldings, well proportioned in width and projections, and graduated for the different stories. All the wash-boards to have sub-bases, screwed to the floors and top moldings. The roofs and cupola must be framed and trussed in best and scientific manner. All the rooms inside the Mansard roof to be studded out square. Well-secured and largest sized sky-lights will run for the whole length of the longitudinal corridors, so as to introduce an abundance of light and ventilation by means of shafts. Ornamental skylights on top of well-holes of stairs will also serve for this purpose.

Ornamental and heavy marble mantels for all the principle rooms. All the hardware required will be of the best American manufacture, sufficiently strong for the different purposes, and in elegance graduated for the different stories and departments.

Particular attention must be paid to the successful and substantial execution of the plumber's work, with galvanized iron supply-pipes for Potomac water, sufficiently large to feed fire-plugs for two-inch hose in each and every story. Globe valves or compression stop-cocks must be introduced in sufficient numbers to shut off each story, and again, each bath room, or section of the work, independently, so as to reduce the inconveniences to the particular locality where any repairs may be required hereafter. These stop-cocks must be connected by tubes with the waste-pipes, so as to empty the pipes without the possibility of injury to the building. All the plumber's fixtures, such as stationary wash-trays, ranges, sinks, washstands, water-closets, urinaries, and bath-tubs, must be of the best and most approved patterns and manufacture; all of them will have independent, large-sized stink traps, with trap-screws to afford best facilities for removing any obstructions. All this plumber's work in upper stories must be set on lead-lined floors, which must be connected by trapped tubes with the waste-pipes, so as not to expose the rooms to any contingencies of overflows by leaks in the connections of fixtures with pipes. All the wash-trays and sinks to be of soapstone or enameled iron; the washstands for principal stories to have China bowls and countersunk marble slabs; for basement, entrance story, and and upper stories, the washstands will consist of enameled iron.

The public water-closets to have self-acting hopper closets; the private closets to be pan-lever pull closets; all the bath-tubs to be copper planished with seamless bottom, to be set on well-boxes, let into the lead-lined floors. The plumber's work for principal story bath-tubs will all be provided with silver-plated cocks, plugs, and chains. Lead lined small tanks with bells and ball cocks for the supply of evoporating pans of the coil chambers, so as to supply moisture to the heated air throughout the house.

No waste-pipe to be less than two inches, and no soil pipe to be less than five inches, interior diameter, and all to be securely and well connected with and trapped from the main sewer pipes leading to the canal. Three-inch main gas-pipes to be introduced for the supply of the house, and to be properly graduated throughout all the rooms, corridors, and passages of the house, stop-cocks to be introduced in sufficient number, so as to enable the gas to be shut off immediately from any section of the building where any alarm of fire may be given. All the painting through the house, outside and inside, to be done in four coats, with best Lewis's white lead and linseed oil, or zinc paint, as the case may require it. The parlors and public rooms of second and third stories to be finished artistically in parti colors, with Chind gloss. The glazing of rear elevation and sky light, and so forth, to be done with best Baltimore glass, single or double, as the case may require.

All the down spouts from the roof to be connected with the sewer, so as to keep them from freezing, and serve the purpose of ventilating the sewer.

B. Wing along Seventh street front.—The entire frontage on Seventh street, to the south of the above described building, will be appropriated to a two-story building, seventy-five feet in width, and covered with a metal roof. For character of the foundations, reference is made to that specified for building on the avenue. There will be a cellar, containing an independent steam heating apparatus for the second story of this building, arranged fully equal to the one described before. The first story will be arranged for a large and open market hall, prepared to receive [illegible] and twenty modern market stalls, not less than twenty feet high; the floor to be laid with a proper fall toward traps for each stall or set of stalls, connecting by large sized drain pipes with the sewer. This hall will have a brick floor upon a concrete foundation, except that part constituting the drive-way for wagons leading into the hollow square, and which will be laid with the most approved wood pavement. Ample light and air will be thrown into this hall by pivoting windows on the east and west side, which will be glazed with ground glass to intercept the solar rays. Two rows of wrought iron columns will support rolled iron girders, supporting a fire-proof floor, constructed by brick arches sprung between rolled iron double T beams.

Wide fire-proof stairs of wrought and cast iron lead to the second story of this wing, containing ample and spacious office rooms. All these rooms to have wooden floors laid on concrete, filling up the haunches of the brick arches. The finish of this wing to be equal in substance and style to that of the office rooms in the new building lately erected for the Department of Agriculture; the partitions to be of brick wherever feasible, and the ceiling to be light but fire-proof. The outside walls of this building to be constructed of the best hard-burned bricks, with a chastely ornamented pressed brick front, facing Seventh street; window sash in imitation of French sash, glazed with crystal sheet glass. The frame of the roof to be solidly constructed, and to be thoroughly trussed, ventilation shafts to reach above roof for market hall, and ventilating flues for all the office rooms, with the necessary registers. Light wells above corridors. All the details required for the successful execution of the work to be provided for and done, such as plumbing and gas-fitting, fully equal to that specified before.

C. Wing along Ninth street.—This wing will be laid out similar to that on Seventh street, to which reference is made, therefore, for the construction of foundations, walls, floors and roof. But the width of this wing will be eighty feet outside measure. The first story of this building will be appropriated again for market stalls, and all the appointments made for the Seventh street wing will therefore be also applicable for this wing. The second story of this wing will be reached by wide and commodious iron stairs at both ends, and will be appropriated in toto for a grand hall, with surrounding galleries and extra height, so as to be useful for conventions and other extraordinary occasions of national importance. All the necessary dressing and retiring rooms, and water closets are amply provided. The galleries to be supported by ornamental brackets of cast and wrought iron, firmly secured and anchored through the whole thickness of outside walls. Floor of narrowest North Carolina yellow pine, to be waxed. Heavy and wide doors will open outward. Heavy trimmings for windows and doors coved and paneled; ornamental ceiling with perforated largest sized rosettes above the chandeliers, arranged so as to discharge the foul air into large ventiducts reaching above roof. This hall to be heated by steam like the other buildings.

C. Market shed on south front.—Along the south front of the square, and connecting the two wings on Seventh and Ninth streets, there will be built a one-story market shed, sixty feet in width, and in style as marked out in the sectional drawings and ground plans. This shed will be erected on a sufficient foundation, and will be supported by cast-iron columns, carrying a neat and appropriately designed, planed, open roof construction. The drainage will be so regulated as to afford facilities for keeping live fish in basins during the hot season. The south side of this shed between the iron columns, will be inclosed by a light brick base wall, seven feet in height, and wide stationary blinds above. All the exposed iron, tin and wood work, inside and outside, to be well painted in three-coat work and tints, as will be directed by the architect. Roof to be covered by best bright roofing, tin on felt, laid upon a tongued and grooved planed narrow sheathing. Down-spouts and surface drainage to be connected with sewer.

D. Alley.—Along the south front of the principal building on the avenue (described under head A) there will be a paved alley twenty feet in width, with covered entrance and exit for wagons on Seventh and Ninth streets. The covered part to be paved with wood and the open part to be paved with wood or paving stone, as will be found most suitable.

E. Additional market sheds.—Along the southern line of the alley, and parallel with the main building, also against the inner walls of the wings on Seventh and Ninth streets, and in a manner so as to surround the hollow square formed by the improvements previously described, and as laid down distinctly and well defined on ground plan and sectional drawings, there will be built market stands in style, substance, and finish similar to that described for southern front, (under head C.) These structures being lower than the market halls under the main roofs, abundant space is left for head-lights above the light roofs of the sheds, through which to pass light and air into these closed market halls. All these sheds have brick floors.

F. Court-yard.—The court-yard will be paved with wood, by either one of the best tested or most approved systems, in best manner, and with a due fall, so as to afford an easy surface drainage. At the most convenient place in centre of court-yard there will be constructed an ornamental fountain. The covered entrances for pedestrians from the avenue front into the market square will also be laid with wood pavement, as above.

G. Sewer.—Through the center of the square, from north to south, an egg-shaped sewer of brick-work laid in cement will be built, into which all the large-sized drain-pipes from the different sections of the whole improvement will discharge in a manner so as to sweep off all the rain-water, waste and soil, and also to drain efficiently the ground of the whole square.

GENERAL CONDITIONS.

The specifications and drawings are intended to co-operate, so that anything exhibited in the drawings, and not mentioned in the specifications, or vice versa, is to be executed the same as is if both were mentioned in the specifications, and set forth in the drawings, to the true meaning and spirit of said drawings. All the work to be done under the direction and according to the designs of the architect of the company. It is to be understood that these specifications are intended to include all and everything necessary to the completion of all the improvements in a good, substantial, and workmanlike manner, and modern style, with best sound materials for each and every part and department, at the company's own cost.

Approved, May 20, 1870.

[The drawings referred to in this act are on file with the original in the Department of State.]

[PUBLIC—No. 80.]

AN ACT in relation to the Hot Springs reservation in Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person claiming title, either legal or equitable, to the whole or any part of the four sections of land constituting what is known as the Hot Springs reservation, in Hot Springs county, in the State of Arkansas, may institute against the United States in the Court of Claims, and prosecute to final decision, any suit that may be necessary to settle the same; Provided, that no such suits shall be brought at any time after the expiration of ninety days from the passage of this act, and all claims to any part of said reservation upon which suit shall not be brought under the provisions of this act within that time shall be forever barred.

SEC. 2. And be it further enacted, That all such suits shall be by petition in the nature of a bill in equity, and shall be conducted and determined in all respects except as herein otherwise provided, according to the rules and principles of equity practice and jurisprudence in the other courts of the United States; and for the purposes of this act the Court of Claims is hereby invested with the jurisdiction and powers exercised by courts of equity so far as may be necessary to give full relief in any suit which may be instituted under the provisions of this act.

SEC. 3. And be it further enacted, That notice of every suit authorized by this act shall be executed by the delivery of a true copy thereof with a copy of the petition to the Attorney General, whose duty it shall be for and in behalf of the United States, to demur to or answer the petition therein, within thirty days after the service of such process upon him, unless the court shall for good cause shown, grant further time for filing the same.

SEC. 4. And be it further enacted, That if two or more parties claiming the same lands under different rights shall institute separate suits under the provisions of this act, such suits shall be consolidated and tried together, and the court shall determine the question of title and grant all proper relief as between the respective claimants as well as between each of them and the United States.

SEC. 5. And be it further enacted, That if, upon the final hearing of any cause provided for in this act, the court shall decide in favor of the United States, it shall order such lands into the possession of a receiver to be appointed by the court, who shall take charge of and rent out the same for the United States, until Congress shall by law direct how the same shall be disposed of, which said receiver shall execute a sufficient bond to be approved by the court, conditioned for the faithful performance of his duties as such, render a strict account of the manner in which he shall have discharged said duties, and of all moneys received by him as a receiver as aforesaid, which shall be by said court approved or rejected accordingly as it may be found correct or not, and pay such moneys into the treasury of the United States; and he shall receive such reasonable compensation for his services as said court may allow, and in case of a failure of said receiver to discharge any duty devolving upon him as such, the court shall have power to enforce the performance of the same by rule and attachment. But if the court shall decide in favor of any claimant, both as against the United States and other claimants, it shall so decree, and proceed by proper process to put such successful claimant in possession of such portion thereof as he may be thus found to be entitled to, and upon the filing of a certified copy of such decree with the Secretary of the Interior, he shall cause a patent to be issued to the party in whose favor such decree shall be rendered for the lands therein adjudged to him; Provided, that either party may within ninety days after the rendition of any final judgment or decree in any suit authorized by this act, carry such suit by appeal to the Supreme Court of the United States, which court is hereby vested with full jurisdiction to hear and determine the same on such appeal, in the same manner and with the same effect as in cases of appeal in equity causes from the circuit courts of the United States: And provided further, that in case the judgment or decree of the Court of Claims in any such suit shall be adverse to the United States, the Attorney General shall prosecute such appeal within the time above prescribed; and the taking of an appeal from any such judgment or decree shall operate as a supersedeas thereof until the final hearing and judgment of the Supreme Court thereon.

J. G. BLAINE,
Speaker of the House of Representatives.
SCHUYLER COLFAX,
Vice President of the United States, and President of the Senate.

Received by the President May 31, 1870.

NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the constitution of the United States, has become a law without his approval.]

[PUBLIC—No. 81.]

AN ACT to establish the collection district of Willamette, in the State of Oregon.

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 district of Oregon, situated above the junction of the Willamette and Columbia rivers, and drained by said rivers and their tributary waters, is hereby constituted a collection district, to be called the Willamette district, whereof Portland shall be the port of entry; and a collector shall be appointed for said district, to reside at Portland; and said collector shall be allowed a salary of one thousand dollars per annum, with the fees allowed by law; such salary and fees not to exceed in any one year three thousand dollars.

SEC. 2. And be it further enacted, That the master of every vessel entering the Columbia river from the sea, and bound for Portland, shall exhibit his papers to the collector of the port of Astoria and deposit with him a sworn copy of the manifest of cargo; and if said vessel be laden with domestic merchandise or merchandise in bond for Portland, the collector at Astoria shall permit her to proceed to her place of destination; but if she shall have dutiable merchandise on board not bonded, he shall cause a customs officer to proceed on board said vessel to Portland, who shall see that no goods are landed from such vessel before her arrival and entry at the latter port. And the necessary expenses, including the per diem of such officer and the expense of his return to Astoria, shall be paid by the master of such vessel to the collector of customs at Portland, for the use of the United States, before permit shall be given to unload.

SEC. 3. And be it further enacted, That all vessels clearing from Portland, and bound to sea, shall on arrival at Astoria report to the collector, and the master of every vessel so reporting shall leave a copy of his manifest, including any additional cargo taken on board after leaving Portland, with the collector at Astoria, and thereupon shall be allowed to proceed to sea. And the master or other person in charge or cammand of any vessel entering the Columbia river from the sea, or clearing from Portland and bound to sea as hereintofore described, who shall neglect to exhibit his papers or to report to the collector or to deposit his manifest as herein required, shall forfeit and pay the sum of one hundred dollars.

SEC. 4. And be it further enacted, That when a vessel shall arrive at Astoria from sea having merchandise on board for that place and also for Portland, such vessel shall enter at Astoria and discharge such portion of her cargo as is destined for that place, whereupon the collector shall cause her hatches to be closed and sealed and shall then permit her to proceed to Portland in charge of a customs officer as hereinbefore provided.

Approved June 14, 1870.

[PUBLIC—No. 82.]

AN ACT to regulate credits to prisoners for good behavior.

Be it enated by the Senate and House of Representatives of the United States of America in Congress assembled, That prisoners where now or who may hereafter be confined a prisons of any of the States, as punishment for crimes of which they have bee convicted and sentenced by courts of the United States, shall hereafter be entitle to the same system of credits for good behavior as other prisoners confined in the same prison. And hereafter the act approved March two, eighteen hundred and sixty-seven, entitled "An act in relatin to persons imprisoned under sentence for offenses against the United States," shall only apply to such persons as are confined in prisons where no credits for good behavior are allowed.

Approved, June 14, 1870.

[PUBLIC—No. 83.]

AN ACT to provide for the appointment of a assistant treasurer of the United State at Baltimore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in additin to the officers provided for in the fifth section of the act approved August six, eighteen hundred and forty-six, entitled "An act to provide for the better organization of the treasury, and for the collecion, safe-keeping, transfer, and disbursement of the public revenue," there shall be appointed an assistant treasurer of the United States, to be located in the city of Baltimore, in the State of Maryland, and such assistant treasurer shall be appointed in like manner, for like time, and be subject to all the provisions of law to which the other assistant treasurers provided for in said fifth section are subject.

SEC. 2. And be it further enacted, That there shall be prepared within the Custom-house of the city of Baltimore, in the State of Maryland, suitable and convenien rooms for the use of the assistant treasurer herein authorized, and sufficient and secure fire-proof vaults and safes for the keeping of the public moneys collected and deposited with him; and the said assistant treasurer shall have the custody and care of said rooms, vaults, and safes, respectively, and of all the public moneys deposited therein, and shall perform all the duties required to be performed by United States assistant treasurers in reference to the receipt, safe-keeping, transfer, and disbursements of such moneys: Provided, that the rooms and vaults now used by the United States designated depository at Baltimore shall be set apart for the purposes named in this section, as far as they may be applicable.

SEC. 3. And be it further enacted, That upon the appointment and qualification of said assistant treasurer, the Secretary of the Treasury shall revoke the designation as a United States depositary of the collector of customs at Baltimore, and shall direct the transfer of all the books, accounts, vouchers, property, and public moneys in the office of said depositary to the office of said assistant treasurer.

SEC. 4. And be it further enacted, That the assistant treasurer directed by this act to be appointed shall receive a salary of five thousand dollars per annum, to be paid quarter-yearly at the treasury of the United States; which salary shall be in full for all his services, and a sufficient amount to pay said salary until June thirtieth, eighteen hundred and seventy-one, is hereby appropriated.

SEC. 5. And be it further enacted, That the United States assistant treasurer herein provided for, with the approval of the Secretary of the Treasury, may appoint the same number of clerks and messengers in his office, and at the same compensation, as is now provided by law for the office of United States depositary in Baltimore; and all unexpended balances of moneys heretofore appropriated, or that may hereafter be appropriated, for the payment of the clerks and messengers in the office of said depositary, shall be appled to the payment of the clerks and messengers appointed in the office of the assistant treasurer under this act.

SEC. 6. And be it further enacted, That there shall be appropriated and paid, out of any money in the treasury not otherwise appropriated, the sum of one thousand dollars, to be expended under the direction of the Secretary of the Treasury in such repairs and additions as may be necessary to put in good condition, for immediate use, the office, rooms, vaults, and safes herein mentioned, and in the purchase of any necessary additional furniture and fixtures, and in defraying any other incidental expenses necessary to carry this act into effect.

Approved, June 15, 1870.

[PUBLIC RESOLUTION—No. 48.]

A RESOLUTION appointing managers of the National Asylum for Disabled Volunteer Soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons be and they are hereby appointed managers of the National Asylum for Disabled Volunteer Soldiers, under the provisions of the second section of the act approved March twenty-third, one thousand eight hundred and sixty six: Lewis B. Gunckel, of Ohio; Jay Cooke, of Pennsylvania; and John S. Cavender, of Missouri; whose terms expire on the twenty-first day of April, in the year one thousand eight hundred and seventy.

Approved, June 9, 1870.

CONVENTIONS AND TREATIES.

POSTAL CONVENTION between the United States of America and the Hawaiian Kingdom.

The undersigned, being thereunto duly authorized by their respective governments, have agreed upon the following articles, establishing and regulating the exchange of correspondence between the United States of America and the Hawaiian Kingdom:

ARTICLE I.

There shall be an exchange of correspondence between the United States of America and the Hawaiian Kingdom, by means of the subsidized line of United States mail steamers plying between San Francisco and Honolulu, as well as by occasional steamers, and by sailing vessels running between Honolulu and the ports of San Francisco, California, Portland, Oregon, or ports in Puget Sound, Teekalet, Olympia, and Port Townsend, comprising letters, newspapers and printed matter of every kind, originating in either country, and addressed to and deliverable in the other country.

ARTICLE II.

San Francisco, New York, Boston, Portland, Oregon, Teekalet, Olympia and Port Townsend shall be the United States offices of exchange, and Honolulu and Hilo the Hawaiian offices of exchange, for all mails transmitted between the two countries under this arrangement.

ARTICLE III.

The United States office shall defray the expenses of the sea conveyance of all mails