New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE COURTS.

Eighth District Court—Another Mandamus Against Auditor Graham Prayed for—The Louisiana Levee Company Stock in Court—A Merchant Declines to Pay his License Twice.

Judge Emerson opened this court yesterday morning in place of Judge Dibble, who was absent attending the closing exercises in the high schools. The court was in session only a few minutes.

In the case of the State on the relation of John M. Carr vs. the State Auditor, application for a writ of mandamus has been made to compel the Auditor to issue to the relator warrants on the Treasurer for the amount of twenty-six warrants issued by the Warrant Clerk of the House of Representatives for contingent expenses of the Legislature. The total amount of the twenty-six warrants is $28,732 48. The case is fixed for next Friday.

Francis Xavier Barbot brings suit against James S. Clark, of this city, wherein he sets forth that on the twenty-fourth of April, 1871, he was the owner of five certificates of stock in the Louisiana Levee Company, said certificates being for the amount of one hundred shares each, the par value of each share being one hundred dollars, said certificates being numbered respectively, 169, 170, 171, 172 and 173, the same being now fully worth the sum of five thousand dollars. That petitioner pledged said certificates to said Clark, to secure the payment of a promissory note, dated at that date and payable sixty days after date, for five thousand dollars, with eight per cent per annum interest after maturity.

Petitioner further pledged a claim against the Louisiana Levee Company to said Clark, to pay and secure him against any difference between the value of said stock and the amount of $5535 83, advanced by said Clark in money and by indorsement.

Petitioner further represents that he delivered said stock to said Clark, and executed the pledges hereinabove described, and that at the maturity of said pledge, petitioner was unable to pay said note and redeem said stock, and that said Clark is now about illegally disposing of the same to the detriment of petitioner.

Wherefore he prays citation of said Clark, and that the Civil Sheriff of the parish of Orleans be ordered to sequester and take possession of said stock. He further prays that the Louisiana Levee Company, Hibernia Bank and said Clark be enjoined from transferring, parting with or disposing of said stock or deposit in trust for said Clark.

In the absence of Judge Dibble, Judge Emerson, Judge of the Third District Court, ordered the writs to issue.

The following answer was filed by Dr. Ball, of Ball, Lyons & Co., who is sued for non-payment of his license for the year 1871, as wholesale druggists.

"Now comes the defendant, and for answer pleads that he owes nothing to the plaintiff, having already paid the said license once, and he is unwilling to, and is advised that he is not liable to pay again; that having paid promptly and according to law to the proper officers claiming to collect the same, he is unable to account for this second demand for the identical license if a proper accountability existed, and proper credits given to parties paying their licenses; that either the cash of the State Tax Collector was over the sum paid by defendant, when balanced, or else he unintentionally failed to make return of said collection, and in either event respondent is entitled to relief."

Wherefore, respondent prays to be hence dismissed with costs; or in default thereof, the Tax Collector, Auditor and Treasurer be called in warranty to defend this suit in order to show what became of the money collected from respondent.

Fourth District Court.

Notwithstanding the overpowering heat, Messrs. Race and Hornor were earnestly engaged, yesterdry forenoon, in arguing the important case of Henry Whitaker vs. Joseph H. Wilson.

The store involved in this controversy is one of the largest and best patronized dry goods establishments on Canal street. Plaintiff claims a partnership and one-half the profits accrued since September, 1869.

After the argument the case will doubtless be submitted, and decided during the coming vacation. The evidence and pleadings are unusually voluminous, the testimony alone filling full two thousand pages, originally taken in short hand.

In the rule for a new trial *in re* A. Glenn vs. Thompson & Barnes, after argument by J. Ad. Rozier, Esq., for plaintiff in rule, the new trial was refused.

The Railroad in Canal Street.

The following is a correct copy of the opinion lately delivered by Mr. Justice Howe, at Opelousas:

This case was before this court lately on an appeal from a judgment in favor of plaintiff, rendered by the Sixth District Court of the parish of Orleans. See 23 Ann., p. —. The cause was remanded that it might be transferred to the Eighth District Court. Having been thus transferred the Judge of the Eighth Court, following the opinion expressed by the Judge of the Sixth, rendered another judgment in favor of plaintiff, enjoining the defendants from constructing a horse railroad track on the edge of the neutral ground, on Canal street.

A careful examination of the record fails to disclose any legal reason for this injunction. The plaintiff has filed no brief in this court, and we can only presume that he relies on the following points, which we will notice in the order in which they are set forth in his petition:

It appears that in the middle of the neutral ground in question there is a draining canal; that this draining canal is covered by a platform on which, for some years, the tracks of the defendants' railway have been laid; that this canal was cleared out by the authorities of the city of New Orleans, and the earth thus excavated thrown out and leveled down on each side in such a way as to form a bank of some fourteen inches in thickness, encroaching somewhat on the shellroads on either side; that on these banks defendants propose to lay their tracks, removing them from over the canal, under a permission given by an ordinance of the Common Council, dated May 3, 1869, and that these banks of earth will, unless properly provided with ditches, prevent in some measure the flow of surface water from the inner edges of the shellroads. The plaintiff, as owner of property on Canal street, claims that he has been greatly injured by the announced intention of the defendants thus to remove their tracks, and that the laying thereof on the newly selected lines will work him an irreparable injury; and hence his claim for a perpetual injunction.

1. The excavation of the draining canal, the throwing up of earth on either side upon the neutral ground, and the possible obstructions of drainage of shellroads were all the work of the city of New Orleans. The defendants had nothing to do with these facts, and are in no wise responsible for the real or imaginary consequences of them. The city is not a party to the suit, and it is not necessary, therefore, to decide how far the plaintiff might have a right to interfere with its administration of the public highways on which he chooses to buy land. It is enough to say that neither the plans nor performances of the defendants have caused or are likely to cause any injury to the plaintiff, which can authorize the stringent remedy of injunction as against them.

2. The plaintiff alleges that the ordinance under which the defendants propose to shift the line of their tracks is null and void under the law of 1867, No. 111, by which the Common Council was forbidden to pass any ordinance until it should have provided certain sanitary regulations—act of 1867, p. —. We can not determine whether this point is seriously insisted on, or whether it formed any part of the reasons for judgment below. It might be sufficient to remark that the plaintiff in this record does not show any legal interest in discussing this question with these defendants. It will, we imagine, be time enough to test the validity of this ordinance when the issue shall be raised by the one on whom the ordinance confers a right or imposes a duty, or inflicts a wrong. The plaintiff attempts to show that the [illegible] of the defendants' tracks will lead to the removal of the platform which covers the canal, and so will cause discomfort and ill-health in the vicinage. The testimony is unsatisfactory and conflicting. It is not rendered even probable that the removal of the tracks will be followed by the removal of the covering of the canal; it is not rendered certain that the removal of the covering of the canal will be followed by the predicted evils; but granting that these results will occur, we are still unaware of any legal obligation on the part of the defendants to the plaintiff requiring them to keep covered a draining canal of the city of New Orleans.

On the whole, we conclude that the changes of the canal and of the banks on either side are the work of the city of New Orleans, to the discretion of whose municipal authorities such work is properly confided—14 An., 842; that no act of the defendants, whether done or threatened to be done under the permission given to them by the city, so far as this record shows, can be said to inflict a legal injury on the plaintiff, and that the defendants are entitled to judgment.

It is therefore ordered that the judgment appealed from be reversed, and that the injunction issued herein be dissolved, and that there be judgment in favor of defendants, with costs in both courts. Howe, J.

Tragedy in San Antonio.

[From the San Antonio Express.]

San Antonio was on Monday evening the site of the enactment of a tragedy perfectly terrible in its accompaniments, and sending a thrill of horror through our entire community. The Main Plaza and Ward's Hotel thereon is the spot where the dark and damnable murder was committed, and so horrifying are the details that we can not but attribute insanity to the unfortunate man who is now imprisoned to answer for taking the life of a man who had been his friend and companion.

We have only been able to gather a few particulars of the terrible affair, and hasten to lay what few we possess before the people. Two comparative strangers to our city, Doctors Lindsay and Smith, have occupied the same room at Ward's Hotel, the one hailing from Charlestown, and the other (Doctor Smith), from Illinois. On Monday they quarreled about something, and for the time separated, after, it seems, bitter burning words passing between them. Lindsay, smarting under some affront or imagined affront, seemed to grow hourly more and more indignant and nervous, and at last procured a revolver and started up to the room where Smith was. It is said he was met and disarmed by the proprietor, Mr. Ward, and pacified in a measure by the soothing words of Mr. Ward, who desired to preserve peace in his house.

Lindsay retired from the place for a while, but about a quarter past seven o'clock again returned, and it seems made his way to the room where Dr. Smith was lying down on the bed. Whether any additional words passed between them or not we can not say, but the anger or insanity of Lindsay got the better of him, and he shot Smith twice, while Smith was lying down, and then advanced to the bed and grappled him, placing, so it is said, the pistol against Smith's body to make sure of his victim.

With the desperation of a dying man, Smith essayed to cast him from him, and Lindsay was covered with the hot blood of his friend and companion that had been. So desperate was the struggle, that the hands of the dead man, when found, held within their grasp handfuls of the beard of Lindsay, evidently wrenched from Lindsay in the death struggle.

The alarm was speedily given, and Lindsay, drunk with excitement of the affair, was found and hurried off to jail, while hundreds of people who heard the alarm flocked to the plaza and gave ear to the wild, mad rumors that were drawn in with every breath.

A fearful sight was the corpse of the murdered man, and with blanched faces and contracted brows a hastily summoned jury gathered around it to take the facts into notice, and render their decision accordingly. Wild as was the sight, a more ghastly spectacle was the man with the brand of Cain upon him. His hands, his face, his clothing covered with blood, while to inquiries as to what he had done, he returned the unconscious insane reply that he supposed he had killed somebody.

San Antonio, with all its history, has seldom chronicled so terrible a tragedy as that of the evening of June 19, 1871. We shall try and obtain more full particulars and lay them before our horrified readers.

The Chicago *Tribune* reports the death of a well known actress:

Charles Getzler, of this city, received a dispatch from Sacramento yesterday announcing the death, on the seventeenth, of Sue Robinson, the very talented California actress, who was under engagement with Messrs. McVicker & Myers, to fill the position of "leading lady" for the ensuing season. She was born at Blue Island, in this State, in 1845, and at the age of five years she left Illinois with her parents for California. She began her theatrical career as a dancer in the "Golden State" when quite a child. Her name was familiar with every one, young and old, from California to Oregon. She was particularly popular at Maguire's Opera House, San Francisco, where she made her *debut* some years since. No one acquainted with Sue Robinson's character, socially or professionally, can mark one blot on her career in this world. As an estimate of her versatility, she was equally clever as *Lady Macbeth, Nan, the Good-for-Nothing, Pauline, Ixion*, or any character in the range of the drama. As a singer she possessed a clear soprano voice, as a dancer she had no equal on the California stage. A kind open hearted friend to one and all—the first to aid her brother and sister artists. She leaves two children. She was a kind, gentle mother; a great loss to her home and her profession.

The Alexandria *Democrat* of the twenty-first, says:

The past week has been one of anxiety and excitement to our people. The main cause of this is the state of the river and weather. The former is still very high, being only four inches below the high water mark of 1867, has risen four inches since our last, and up to Monday noon, was a little on the swell. All reports from above concur in a fall as low down as Grand Ecore, and at a stand there. Somehow or other, however, this fall is long reaching Alexandria. As for the weather, with the exception of two lone days, rain has been our portion the balance of the time. The crops of Rapides, if they may be called crops, are in the worst possible condition, and almost past redemption. We are in the bounds of the truth in asserting that not three days good work has been done since the fifteenth of May. We consider the corn crop an entire failure; this, and this alone, is bound to entail almost misery on our people. We really dread to look to the future of Rapides, for we seem to be a doomed people. Still we hope for the better day.

This is from the Bay St. Louis *Gazette:*

We hear that some capitalists, interested in the opening of the bar at the mouth of Galveston harbor, have come to New Orleans to make some arrangements about having a number of dredge boats built. After careful inquiry and deliberate investigation they came to the conclusion that they could be built cheaper and better on the lower portion of Pearl river than anywhere else, and they accordingly visited Pearlington and Gainesville, to consult with some of the business men there on the subject.

The Boston *Herald* has this theatrical gossip:

Messrs. Joseph C. Trowbridge & Co. have secured the lease of the Olympic Theatre, and will shortly renovate and improve it in a most elaborate manner. It will open sometime in August next, with a superior specialty combination. Mr. W. B. Cavanagh, formerly stage manager of the Howard, is to be director of amusements. The theatre will be styled the "St. James."

We copy this from the Galveston *Civilian:*

The New Orleans *Picayune* "learns that the Vulcan Paving Company are about consummating contracts with the cities of Galveston and Houston, Texas, for laying in the streets of those cities some two hundred thousand yards of their paving at five dollars per square yard." The *Picayune* has this news exclusively. We rather suspect that the Vulcan Paving Company will fail to vulcanize this city at the figure named.

LAWS OF THE UNITED STATES.

Passed at the Third Session of the Forty-First Congress.

[GENERAL NATURE—No. 46.]

AN ACT making appropriations for sundry civil expenses of the government for the fiscal year ending June thirty, eighteen hundred and seventy-two, and for other purposes.

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

STATE DEPARTMENT.

For defraying the expenses of defending claims under the convention with Mexico of July four, eighteen hundred and sixty-eight, to be expended under the direction of the Attorney General, twenty thousand dollars.

For the compensation and expenses of the commission for determining the pending questions between Great Britain and the United States, twenty-five thousand dollars.

For the compensation and expenses of a commission for determining the questions pending between the United States and Spain, growing out of the acts of the Spanish officials in and about Cuba, fifteen thousand dollars.

For the increase in the expenses of the diplomatic and consular officers of the United States in Paris, caused by a state of war; and also for compensation for extraordinary services performed by such officers during the war; and also for the additional expense caused to the legations and consulates of the United States in Madrid, Paris, Berlin and London by reason of the war, and by reason of the protection assumed by the United States of persons, legations and consulates of other powers in Paris, a sum not to exceed fifty thousand dollars in all, or so much thereof as may be necessary; to be expended under the direction of the Secretary of State, on the approval of the President, and on vouchers to be filed in the Treasury Department, and a statement thereof to be reported to Congress by the Secretary of State.

To defray the expenses incurred by the United States legation in Paris, in protecting the subjects of the North German Confederation in France during the war between France and Prussia, including extra compensation to the secretaries, messenger, and use of carriage of said legation, four thousand dollars; and the foregoing appropriations are hereby made available immediately upon the passage of this act.

TREASURY DEPARTMENT.

SUPERVISING INSPECTORS OF STEAM VESSELS.

For carrying out the provisions of the act of thirtieth of August, eighteen hundred and fifty-two, for the better protection of the lives of passengers on vessels propelled in whole or in part by steam, and of the acts amendatory thereof, the following sums, viz:

For salaries of fifty-nine local inspectors of steam vessels, and clerk in local officers at New York and New Orleans, fifty-eight thousand two hundred dollars.

For ten supervising inspectors of steam vessels, nine at two thousand dollars each, and one at two thousand five hundred dollars, twenty thousand five hundred dollars.

For special agent of the department, two thousand one hundred and ninety dollars.

For contingent expenses, viz: Traveling expenses of ten supervising inspectors, at not to exceed eight hundred dollars in any one year each, eight thousand dollars.

For traveling expenses of fifty-nine local inspectors, fifteen thousand dollars.

For traveling expenses of the special agent of the department, one thousand four hundred dollars.

For expenses of the meeting of the board of supervising inspectors, including travel and necessary incidental expenses, and printing of manual and report, four thousand dollars.

For stationery and postage stamps; furniture for offices, and repairs thereof; instruments, repairs, transportation, and storing thereof; office rent, janitors, and fuel; printing and binding certificates of license for pilots and engineers, and miscellaneous items, twenty-five thousand dollars.

For life-saving stations: Salaries of two superintendents of the life-saving stations on the coast of Long Island and New Jersey, at one thousand five hundred dollars each, three thousand dollars.

For fifty-five keepers of stations, at two hundred dollars each, eleven thousand dollars.

For pay of six experienced surfmen to man each of the boats at alternate life-saving stations on the New Jersey coast, commencing at the first station from Sandy Hook, from December fifteenth to March fifteenth, to be appointed by the keepers thereof, at forty dollars per month, ten thousand and eighty dollars.

For contingent expenses of life-saving stations on the coast of the United States, ten thousand dollars.

REVENUE CUTTER SERVICE.

For pay of officers, viz: Thirty-five captains, one hundred and two lieutenants and fifty-one engineers, three hundred and fifteen thousand three hundred dollars.

For rations for officers, twenty thousand and thirty-nine dollars.

For pay of crews, viz: Eight hundred and seventy-eight petty officers, seamen, cooks, stewards and boys, three hundred thousand five hundred and twenty dollars.

For rations for crews, including liquor equivalent, one hundred and twenty-one thousand seven hundred and seventy-nine dollars and ten cents.

For fuel for twenty four steam vessels, one hundred and twenty-five thousand dollars.

For repairs and outfits of thirty-two vessels, one hundred thousand dollars.

For ship chandlery for the same, forty thousand dollars.

For the traveling expenses of the officers traveling on duty under orders from the Treasury Department, ten thousand dollars.

For temporary employment of pilots, heretofore permanently employed, and compensation included in estimates for pay of officers, ten thousand dollars.

For commutation of quarters for officers on shore duty, ten thousand dollars.

Contingent expenses: For payment of expenses incurred in the transaction of the business of the two boards of examiners (engineer board at Baltimore, Maryland, and that for the line officers at Washington, District of Columbia): also, for that of the special commission, for rent of offices, including quarters for examining surgeon, and for miscellaneous expenses, exclusive of clerk hire or compensation for service of any kind except consulting engineer employed to supervise construction of engines, five thousand dollars.

MARINE HOSPITAL SERVICE.

For supplying deficiency in the fund for the relief of sick and disabled seamen, one hundred and fifty thousand dollars.

LOANS AND TREASURY NOTES.

For paper, engraving, printing, express charges, and other expenses of making and issuing the national currency, seventy-five thousand dollars.

For expenses in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, national bank notes, bonds, and other securities of the United States, as well as the coins of the United States, and other frauds upon the government, one hundred and twenty-five thousand dollars.

MISCELLANEOUS.

For payment of the necessary expenses incurred in defending suits against the Secretary of the Treasury or his agents for the seizure of captured or abandoned property; and for the examination of witnesses in claims against the United States pending in any department; and for the defense of the United States in respect of such property in the Court of Claims, to be expended under the direction of the Attorney General, sixty thousand dollars, no part of which shall be paid to attorneys at law for professional services, for appearing and assisting in the trial of causes in the Supreme, circuit or district courts of the United States, or Court of Claims; and that the Attorney General make report to Congress at the end of the fiscal year of the manner of the appropriation of this fund, and to whom and for what purposes paid.

For this sum, or so much thereof as may be necessary, to be expended under the direction of the Attorney General in the detection and prosecution of crimes against the United States, fifty thousand dollars.

For expenses to be incurred in the prosecution and collection of claims due the United States, to be disbursed under the direction of the Attorney General, twenty-five thousand dollars.

For continuing the collection of statistics of mines and mining, to be laid before Congress, to be expended under the direction of the Secretary of the Treasury, ten thousand dollars.

For compensation of clerks and for additional compensation to same in the office of the Secretary of the Treasury, twenty-two thousand five hundred dellars.

For facilitating communication between the Atlantic and Pacific States by electric telegraph, forty thousand dollars; Provided, That no part of this amount shall be paid to any company which shall refuse or neglect to perform telegraphic service for the government of the United States in accordance with the provisions of an act entitled "An act to aid in the construction of telegraph lines, and to secure the government the use of the same for postal, military, and other purposes," approved July twenty-four, eighteen hundred and sixty-six.

For construction of revenue vessels in accordance with recommendation of the special commission, approved by the Secretary of the Treasury, two hundred thousand dollars.

For furniture and repairs of furniture for public buildings under the control of the Treasury Department, one hundred and fifty thousand dollars.

For fuel, lights, and water for public buildings under the control of the Treasury Department, two hundred and twenty-five thousand dollars.

For heating apparatus for public buildings under the control of the Treasury Department, fifty thousand dollars.

For vaults, safes, and locks for public buildings under the control of the Treasury Department, one hundred thousand dollars.

For photographing, engraving and printing plans of public buildings under control of the Treasury Department, ten thousand dollars.

For pay of custodians and janitors for the public buildings under the control of the Treasury Department, two hundred thousand dollars.

For repairs and preservation of all public buildings under the control of the Treasury Department, two hundred thousand dollars.

To enable the Secretary of the Treasury to pay for repairs of government buildings in San Francisco, used by the assessors' department of internal revenue service in the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven, the same being in lieu of rent authorized to be paid for offices of assistant assessors, and not so paid during the occupancy of said building, seven hundred and eighty-one dollars and eighty-eight cents.

To pay for incidental printing for the Territory of Montana, the amount due to Messrs. Wilkinson and Ronan, six hundred and forty-one dollars.

For rent, fuel, lights, postage stamps, stationery, printing and incidental expenses of the secretary's office of Idaho Territory for the fiscal year ending June thirty, eighteen hundred and seventy-two, three thousand dollars.

To pay T. L. McElroy balance due for printing journal of house and council of Washington Territory, session of eighteen hundred and sixty-five and sixty-six, of legislature thereof, eight hundred and seventy-five dollars and sixty-one cents.

To pay the United States marshal of Wyoming Territory the sum of five hundred dollars for superintending taking of the census of that Territory in the year eighteen hundred and sixty-nine, pursuant to the organic act.

For amount to pay Charles Prosch for printing for legislative assembly, Washington Territory, session of eighteen hundred and sixty-seven and sixty-eight, nine hundred and seventy-four dollars and forty-five cents.

To pay for incidental printing for the Territory of Idaho the amount found due to Frank Kenyon, four thousand eight hundred and one dollars and thirty-eight cents.

For necessary expenses in the erection, furnishing machinery and putting up the same, outbuildings, fencing grounds and superintendence of the branch mint at Carson city, thirty thousand three hundred and twenty-six dollars.

UNITED STATES COURTS.

For defraying the expenses of the Supreme Court and circuit and district courts of the United States, including the District of Columbia; and also for jurors and witnesses, and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecuting offenses committed against the United States, and for the safe-keeping of prisoners, two million dollars.

For the support and maintenance of convicts transferred from the District of Columbia, ten thousand dollars.

To pay expenses incurred in arresting William Kelly, under the direction of the territorial authorities of Wyoming, six hundred and one dollars and twenty cents, or so much thereof as may be necessary.

DEPARTMENT OF THE INTERIOR.

PUBLIC LANDS.

For rent of office of surveyor general of Louisiana, fuel, books, stationery, and other incidental expenses, two thousand five hundred dollars.

For rent of office of surveyor general of Florida, fuel, books, stationery, and other incidental expenses, one thousand five hundred dollars.

For rent of office of surveyor general of Minnesota, fuel, books, stationery, and other incidental expenses, two thousand two hundred dollars.

For rent of office of surveyor general of Dakota, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of Kansas, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of Colorado, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of New Mexico, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of California, fuel, books, stationery, and other incidental expenses, seven thousand dollars.

For rent of office of surveyor general of Idaho, fuel, books, stationery and other incidental expenses, two thousand five hundred dollars.

For rent of office of surveyor general of Nevada, fuel, books, stationery, and other incidental expenses, three thousand seven hundred dollars.

For rent of office of surveyor general of Oregon, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of Nebraska and Iowa, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of Montana Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For rent of office of surveyor general of the Territory of Utah, fuel, books, stationery, and other incidental expenses, one thousand eight hundred dollars.

For rent of office of surveyor general of the Territory of Wyoming, fuel, books, stationery, and other incidental expenses, two thousand five hundred dollars.

For rent of office of surveyor general of the Territory of Arizona, fuel, books, stationery and other incidental expenses, including the necessary furniture to establish his office, three thousand dollars.

To enable the Secretary of the Interior to pay the account for services of the superintendent of construction of the penitentiary in the Territory of Montana, the sum of sixteen hundred dollars, or so much thereof as may be necessary.

EXPENSES OF THE COLLECTION OF REVENUE FROM SALES OF PUBLIC LANDS.

For salaries and commissions of registers of land offices and receivers of public moneys at eighty-one land offices, three hundred and ninety-one thousand two hundred dollars.

For incidental expenses of the land offices, thirty-nine thousand two hundred and seventy-five dollars.

For expenses of depositing moneys received from sales of public lands, ten thousand dollars.

METROPOLITAN POLICE.

For salaries and other necessary expenses of the Metropolitan Police for the District of Columbia, two hundred and seven thousand eight hundred and seventy dollars; provided, that a further sum, amounting to one hundred and three thousand nine hundred and thirty-five dollars, shall be paid to defray the expenses of the said Metropolitan Police force by the cities of Washington and Georgetown, and the county of Washington (beyond the limits of said cities), in the District of Columbia, in the proportion corresponding to the number of privates allotted severally to said precincts; and the corporate authorities of said cities, and proper authorities of the District of Columbia, are hereby authorized and required to levy a special tax, not exceeding one-third of one per centum, which shall be specially deposited once in each week, as such collections are made, to be expended for said purpose only, for the service of the fiscal year ending June thirty, eighteen hundred and seventy-two.

GOVERNMENT HOSPITAL FOR THE INSANE.

For the support, clothing, medical, and moral treatment of the insane of the army and navy, revenue cutter and volunteer service, who may have become insane since their entry into the service of the United States, and of the indigent insane of the District of Columbia, in the Government Hospital for the Insane, including five hundred dollars for books, stationery, and incidental expenses, one hundred and twenty-five thousand dollars.

For repairs and improvements of the west wing of the hospital edifice, fifteen thousand dollars.

For completing the inclosure and building the wall along the river front, ten thousand dollars.

For inclosing the tract of land known as the "Shepperd Farm," three thousand dollars.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

For the supply of the institution, including salaries and incidental expenses, the maintenance of the beneficiaries of the United States, and five hundred dollars for books and illustrative apparatus, forty thousand five hundred dollars.

For continuing the work on the inclosure and improving and grading the grounds of the institution, six thousand dollars.

For necessary expenses in the erection, furnishing and fitting up of the buildings of the institution, in accordance with plans heretofore submitted to Congress, eighteen thousand dollars.

COLUMBIA HOSPITAL FOR WOMEN AND LYING-IN ASYLUM, AND OTHER CHARITIES.

For the support of the Columbia Hospital for Women and Lying-in Asylum, over and above the probable amount which will be received from pay patients, fifteen thousand dollars.

For rent of building, three thousand dollars.

For purchase of surgical instruments, five hundred dollars.

For the National Soldiers and Sailors' Orphans' Home of the city of Washington, District of Columbia, fifteen thousand dollars, to be disbursed under direction of the Secretary of the Interior.

For care, support and medical treatment of sixty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution, twelve thousand dollars, or so much thereof as may be necessary, under the direction of the Secretary of War.

SMITHSONIAN INSTITUTION.

For preservation of the collections of the surveying and exploring expeditions of the government, ten thousand dollars.

For the completion of the hall required for the government collections, ten thousand dollars.

BOTANIC GARDEN.

For concreting and paving walks around the buildings of the Botanic Garden; for general repairs to the buildings, and for improving the large basin with brick or stone wall, and with white marble coping, six thousand dollars.

For the completion of the paving of the main walks through the Botanic Garden with Seneca brown stone flagging, and taking up and removing the blue stone flagging now in the main walk, and relaying the same in Maryland avenue, along the south side of the Botanic Garden, nine thousand eight hundred and forty dollars.

For two additional laborers at Botanical Garden, eight hundred and fifty dollars.

PUBLIC BUILDINGS.

For compensation of librarian of the Senate library, in the office of the Secretary of the Senate, two thousand two hundred and twenty dollars.

Under the direction of the Architect of the Capitol extension:

For improving the heating and ventilating of the Senate, under the direction of the Architect of the Capitol extension, three thousand dollars.

For furnishing and repairing the work on the Capitol extension, and for curbing and flagging upper terraces, sixty five thousand dollars.

For enlarging air-shaft, plastering ceiling of corridors, readjustment of flues under the floor, new registers, and for new floor in the hall of the House of Representatives; for additional fans for the exhaustion of vitiated air from the hall, and for engines to operate them, and for additional ventilators in the roof of the hall, and for necessary alterations in the lighting, heating and ventilating apparatus, twenty thousand dollars, or so much thereof as may be necessary.

For widening the passage-ways between the Senate and House wings of the Capitol, ten thousand dollars, or so much thereof as may be necessary, if the Architect shall deem the same safe and practicable; and any expenditure on a plan that shall cost a greater sum to complete it, shall be unlawful.

For annual repairs of the old portion of the Capitol building, painting, glazing, keeping roofs in order, water-pipes, pavements and approaches to the building, ten thousand dollars.

For finishing and repairing the work on the new dome of the Capitol, five thousand dollars.

For continuing the work of grading and filling the grounds around the Capitol, twenty thousand dollars.

For completing the north front of the Patent Office building, and grading and paving G street, from Seventh to Ninth streets, and to replace amount returned to the treasury under the fifth section of the act approved July twelve, eighteen hundred and seventy, two thousand five hundred dollars.

For the extension of the Government Printing Office building, upon the plans prepared by the Architect of the Capitol extension, including the cost of hoisting works, said appropriation to be available during the present fiscal year, forty-five thousand dollars; and any expenditure on a plan that shall cost a greater sum to complete it shall be deemed unlawful.

SURVEYING THE PUBLIC LANDS.

For surveying the public lands in Louisiana, at rates not exceeding ten dollars per lineal mile for township and eight dollars for section lines, twelve thousand two hundred and forty dollars.

For surveying the public lands in Florida, at rates not exceeding ten dollars per lineal mile for standard, seven dollars for township and six for section lines, twelve thousand five hundred dollars.

For surveying the public lands in Minnesota, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township and ten dollars for section lines, forty thousand dollars.

For surveying the public lands in Dakota Territory, at rates not exceeding ten dollars per mile for standard lines, seven dollars for township, and six dollars for section lines, twenty thousand dollars: Provided, that not less than ten thousand dollars of this amount shall be expended within the limits of the Pembina land district in said Territory.

For surveying the public lands in Montana Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, forty thousand dollars.

For surveying the public lands in Nebraska, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, forty thousand dollars.

For surveying the public lands in Kansas, at rates not exceeding ten dollars per lineal mile for standard lines, six dollars for township, and five dollars for section lines, forty thousand dollars.

For surveying the public lands in Colorado, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, forty thousand dollars.

For the survey of the public lands within the limits of the land grant to Kansas Pacific Railroad Company in the Territory of Colorado, thirty thousand dollars; provided, that the foregoing appropriations for surveys of public lands within the limits of the above railroad land grants shall be conditional upon the compliance of said companies or parties in interest with the requirements of the twenty-first section of the act of July second, eighteen hundred and sixty-four, entitled "an act to amend an act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military and other purposes," approved July first, eighteen hundred and sixty-two, Statutes volume thirteen, page three hundred and sixty-five.

For surveying the public lands in Idaho, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township and ten for section lines, thirty thousand dollars.

For surveying the public lands in New Mexico, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township and ten dollars for section lines, ten thousand dollars.

For surveying the public lands in Arizona, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, twenty thousand dollars.

For surveying the public lands in California, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, seventy thousand dollars: Provided, That the Commissioner of the General Land Office, in his discretion, may hereafter authorize public lands in said State, and also in Oregon and Washington Territory, densely covered with forests or thick undergrowth, to be surveyed at augmented rates, not exceeding eighteen dollars per mile for standard parallels, fifteen dollars for township, and twelve dollars for section lines.

For surveying the public lands in Oregon, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, thirty-five thousand dollars.

For surveying the public lands in Washington Territory, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, forty thousand dollars.

For surveying the public lands in Oregon situated west of the Cascade mountains, densely covered with forests or thick undergrowth, at the rates of not exceeding sixteen dollars for township and section lines, fifteen thousand dollars.

For surveying the public lands in Utah Territory, at rates not exceeding fifteen dollars per mile for standard lines, twelve dollars for township, and ten dollars for section lines, fifteen thousand dollars.

For surveying the public lands in Nevada, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township, and ten dollars for section lines, forty-five thousand dollars.

For surveying the public lands in the Territory of Wyoming, at rates not exceeding fifteen dollars per lineal mile for standard, twelve dollars for township, and ten dollars for section lines, forty thousand dollars.

MISCELLANEOUS.

To mark and define the boundary lines between the Territory of Utah on the north and of Idaho on the south, six thousand four hundred and eighty dollars.

To enable the Secretary of the Interior to pay the expense of the survey of the diminished reservation of the Great and Little Osage Indians, in the State of Kansas, seventy-five thousand dollars, or so much thereof as may be necessary; provided, that the amount so paid for said survey shall be refunded to the treasury from the proceeds of sale of said reservation; and provided further, that the compensation for making survey shall not exceed the respective prices per mile allowed by this act for surveying public lands in Nebraska and Kansas.

For continuing the geological survey of the Territories of the United States, by Professor Hayden, under the direction of the Secretary of the Interior, forty thousand dollars.

For continuing the completion of the survey of the Colorado of the West and its tributaries, by Professor Powell, under the direction of the Smithsonian Institution, twelve thousand dollars.

For expenses of prosecuting the inquiry authorized by law into the causes of the decrease of the food fishes of the coast and the lakes, five thousand dollars, to be expended under the direction of the Secretary of the Treasury.

For additional compensation to Henry Douglass, in the employ of the Doorkeeper of the House of Representatives, for the present fiscal year, one hundred dollars; and his regular annual compensation is hereby increased that amount, a sum sufficient to pay which for the next fiscal year is hereby appropriated, and hereafter his compensation shall be eight hundred and twenty dollars per annum.

And Godfrey Weitzel, of the corps of engineers, United States army, and in charge of the improvement of the Louisville canal, is hereby empowered and directed, subject to the approval of the Chief of said corps of engineers, to adjust and pay, out of any money appropriated for the improvement of said canal, to John B. Brown, any legal or equitable claim he may have against the United States arising out of his contract by him to perform work on said improvement of said canal, in eighteen hundred and seventy: Provided, That there shall not be paid to him in any event over eight thousand two hundred dollars, nor more under that sum than, together with any sums already paid him on account of said contract and work, shall be equal to the fair and reasonable value to the government of the work done by him for the government under such contract.

To pay Vinnie Ream, for making the marble statue of Abraham Lincoln, ten thousand dollars, which, in addition to the sum of five thousand dollars already paid, shall be in full of all claims for said work.

To reimburse S. Wolf, recorder of deeds for the District of Columbia, for certain books of record and indexes purchased by him for the use of his office, one thousand two hundred and forty-eight dollars.

To Mary B. Walker, widow of Robert J. Walker, for money expended by him when territorial governor of Kansas, thirteen thousand and three dollars and seventy-five cents, or so much thereof as may be necessary, to be paid on vouchers to be submitted to the proper accounting officers of the treasury.

For detraying the expenses of taking the ninth census of the United States, one million two hundred and fifty thousand dollars.

For the payment of pensions under the "Act granting pensions to certain soldiers and sailors of the war of eighteen hundred and twelve, and the widows of deceased soldiers," approved February fourteen eighteen hundred and seventy-one, four million five hundred thousand dollars.

WAR DEPARTMENT.

BUILDINGS AND GROUNDS IN AND AROUND WASHINGTON.

For repairs, care, and improvement of public buildings, grounds, and works in the District of Columbia, under the direction of the Chief Engineer of the army, namely:

For casual repairs of the Navy Yard and Upper bridges, five thousand dollars.

For repair of government water-pipes and fire-plugs on Pennsylvania avenue, five thousand dollars.

For care and improvement of reservations on New York, Massachus