New Orleans Republican.
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SUPREME COURT DECISIONS.

The Monroe *Intelligencer* reports the following Supreme Court decisions rendered there during the July term:

BY CHIEF JUSTICE LUDELING.

F. C. Kirk vs. W. M. Folsom, et al., from parish of Caddo; judgment of the lower court avoided and reversed, and that there be judgment in favor of defendants.

City of Shreveport vs. J. H. Reynolds, curator, from parish of Caddo; ordered that this cause be remanded to the court *a quo*, that it may be ascertained if the judgments described in the petition have been revived according to law.

Succession of E. H. Dickson vs. succession of D. F. Dickson, from parish of Bossier; ordered that the judgment of the lower court be affirmed.

Silbernagel & Co. vs. L. D. Baker, administrator, from parish of Morehouse; judgment of the district court avoided and reversed, and that there be judgment in favor of the defendant setting aside the sequestration and rejecting plaintiffs' demand.

Mattie M. Henderson vs. Walmesly & Co., from the parish of De Soto; judgment of the lower court be avoided and reversed; plaintiff have judgment against Walmesly & Co. and W. D. Gooch, in solido, for $1000, with five per cent interest from the seventeenth of May, 1866.

BY JUSTICE TALIAFERRO.

B. M. Howell & Co. vs. George W. Oliver, from the parish of Ouachita; judgment of lower court annulled, avoided and reversed; further ordered that this case be remanded to the lower court, with instructions to grant the order prayed for by defendant; that the plaintiffs answer to the interrogatories propounded to them, and that the case be proceeded with according to law.

Citizens' Bank of Louisiana vs. Isabella A. Fluker, administratrix; L. M. B. Rind and husband, third opponents; from parish of Ouachita; judgment of the district court affirmed.

State of Louisiana vs. Thomas Wilson, from parish of De Soto; Wilson was tried for murder and sentenced to the Penitentiary for life; judgment affirmed.

State of Louisiana vs. James Gibson, from parish of Ouachita; suit for the collection of a bond to appear at court; the crime not having been accurately defined in the bond, the surety, Anderson, was released by the district court and the judgment affirmed.

D. H. Williams vs. Douglass, Sheriff, et als, from parish of Morehouse; judgment of the district court amended so that in addition to the sum of two hundred dollars, awarded to the defendants in injunction, Warren & Crawford, as special damages, they recover from the plaintiff in injunction and his sureties as general damages the further sum of twenty per cent of the amount adjudged against the said D. H. Williams by the original order of seizure and sale; further ordered, that the judgment of the court, thus amended, be affirmed with costs.

Stoner & Patterson vs. John Dickinson et al., from parish of Caddo; judgment of district court affirmed.

W. W. Harper vs. John J. Hope, Sheriff, et al., from parish of Caddo; judgment of district court affirmed.

BY JUSTICE HOWELL.

State of Louisiana ex rel. R. P. Hunter vs. John Clement et al., from parish of Rapides. In this case, the question of the Police Jury for the parish of Rapides, appointed by the Governor, to hold their offices, under act No. 97 of 1871, was in contest. The constitutionality of the act in question was affirmed, the judgment of the lower court was revered, and judgment rendered in favor of defendants (the appointees). Chief Justice Ludeling dissenting, on the question of jurisdiction.

Low & Whitney vs. Thompson Scott, from parish of Claiborne; judgment affirmed.

John M. Thomas & Co. vs. Thompson Scott, from parish of Claiborne; judgment affirmed.

William B. Boykin vs. Allen C. Hill, tutor, from parish of Claiborne. The undertutor of the minor, Jessie E. Jones, instituted this suit for the purpose of removing the defendant from his position of tutor, for failure to have an inventory of the minor's property made, to have his bond as tutor recorded and to file an annual account as tutor. Judgment of lower court, removing defendant from his appointment as tutor, confirmed.

R. A. Phelps, Sheriff, vs. J. C. T. Taylor, M. A. Cleveland, tutor, from parish of Morehouse; judgment be reversed as to R. B. Todd and confirmed in other respects.

Sevarine Girod vs. Martha A. Vines, from parish of Richland; ordered that the verdict of the jury and the judgment appealed from be reversed, and that there be judgment in favor of plaintiff, as testamentary executor of Thomas Williams, deceased, rescinding the sale of land, upon the return of the price to said defendant, and thereupon said land to be the property of the succession of said Williams.

Amanda J. Spires, wife, vs. David S. McKeldy, husband, from the parish of Richland; judgment appealed from be reversed, and the cause be remanded to be proceeded with according to law.

George W. C. Trezevant, administrator, vs. Junius Courtney, from parish of Richland; ordered that the judgment be reversed, and that there be judgment in favor of defendant, quieting him in the possession and title of the land.

Gottlieb King vs. Amanda J. Watts, from parish of Ouachita; judgment affirmed.

BY JUSTICE WYLY.

Byrne, Vance & Co. vs. Isaiah Garrett, executor, from parish of Ouachita; judgment affirmed.

C. H. Morrison vs. A. F. Flournoy & Co., from parish of Ouachita; judgment increased to $485, and as thus amended be affirmed.

McCutchen & Co. vs. B. F. O'Neal, Sheriff, from parish of Bossier; appeal dismissed.

John N. Catlett vs Heffner & Likens, from parish of Caddo; judgment be annulled, and that the suit be dismissed.

Surghnor & Mullen vs. M. E. Nunnallee, from parish of Ouachita; judgment affirmed. Chief Justice Ludeling recused.

S. A. Markham vs. J. J. O'Connor, Sheriff et al., from parish of Caddo; judgment affirmed.

Henry G. Hall vs. M. Mackles and husband et al., from parish of Caddo; judgment affirmed.

Julia Christian, administratrix et al. vs. Alvinia G. Lassiter and husband, from the parish of Morehouse; judgment in favor of Julia Christian and Mary A. E. Wroten affirmed; and as to plaintiff, Morrison, be annulled. Further ordered that C. H. Morrison have judgment against A. C. Lassiter, for eight hundred dollars with interest.

Tutorship of Isabella P. Hewitt; account of tutor and opposition thereto by J. P. Hewitt, from the parish of Morehouse; ordered that the item for board, lodging and clothing of the minor be reduced to one thousand dollars; that all the other items, except the credit of four hundred and twenty dollars, be allowed, and as thus amended, the account be approved and homologated, and the items thereof be the judgment of the court, reserving, however, the rights of both parties in relation to the land which the tutor claims to have sold; also reserving the right of the opponent to the community property of Mrs. Murich.

E. W. Wooly vs. E. K. Russ, Sheriff et al., from parish of Bossier; ordered that the cause be remanded for new trial, that the order of the parish judge setting aside the injunction and all the proceedings thereunder be annulled and avoided, and that the injunction be restored.

BY JUSTICE HOWE.

W. B. Graves vs. J. G. Scott et al., from parish of Caddo; ordered that the judgment appealed from be avoided and reversed, and the demand of plaintiff be dismissed.

M. L. Baker vs. Elstner, Kinsworthy & Co., from parish of Caddo; ordered that the judgment appealed from be reversed, the verdict set aside, and the cause remanded for new trial.

State of Louisiana vs. Alfred Holmes, from parish of Ouachita; judgment affirmed.

Monheim Berwin vs. John L. Gauger, from the parish of Richland; judgment appealed from be reversed, and the demand of defendant dismissed; that plaintiff recover from defendant $357 20, with eight per cent interest from February, 1867.

E. W. Warfield vs. G. W. Oliver, from parish of Ouachita; judgment affirmed.

J. H. Beard vs. G. W. Chapell, T. M. Gatlin, intervenor, from parish of Bossier; judgment affirmed.

Walker & Vaught vs. G. M. Kimbrough, administrator, and Douglas, Sheriff, from parish of Morehouse; judgment be reversed, injunction dissolved and suit dismissed at plaintiffs' costs.

M. D. Tally vs. Gillis & Ferguson, from parish of Franklin; judgment affirmed.

Walsh & Boisseau vs. Finley & Hayes, from parish of Bossier; appeal dismissed.

Catherine B. Dowd vs. Elstner, Kinsworthy & Co., from parish of Caddo; judgment affirmed.

James D. McEnery, tutor, vs. W. H. Letchford & Co. et al, from parish of Ouachita; ordered that the judgment appealed from, so far as it perpetuates the injunction herein, with costs of lower court, be affirmed, and in other respects reversed.

Hodge Rabun vs. William H. Pierson, from parish of Bienville; judgment affirmed.

Tax on Interest Coupons.

The following letter of the Secretary of the Treasury is published for the information and guidance of all internal revenue officers:

TREASURY DEPARTMENT,
Washington, D. C., July 24, 1871.

SIR—I herewith transmit a copy of an opinion of the Solicitor of the Treasury relative to the collection of a tax on coupons, imposed by section fifteen of the act of July 14, 1870, as that section has been construed by the Attorney General.

The question was brought before the solicitor by a reference to him of a letter received from the auditor of the joint railway companies of New Jersey, who inclosed a communication addressed to him by your office. I accept the solicitor's conclusions, and I have to request that you will communicate this decision to officers of internal revenue for their guidance, calling their special attention to the fact, that it applies only to interest on bonds paid previous to the decision of May 13, 1871, and not to dividends on stock. The last decision has not been passed upon by me.

Respectfully yours,
GEORGE S. BOUTWELL,
Secretary of the Treasury.

Hon. Alfred Pleasonton, Commissioner of Internal Revenue.

Let the child have a simple, good name, and let him make it illustrious if he can. Let it be remembered that the great names gave no glory to the great men who bore them. The men made the names glorious, but it is a glory which can not be reflected.

THE NEW ORLEANS REPUBLICAN

Has the largest circulation of any Republican paper in the South. It is devoted to News, Literature Commerce, Agriculture, the Mechanic Arts, and the Dissemination of Republican principles, and gives particular attention to all matters affecting the interests of the South and Southwest. It is the earnest advocate of the poor man's rights, as well as a guide to the young politician. Its character as an earnest Republican Journal, should commend it to the support of every Union man and industrious citizen in the country; and not only should they subscribe for it themselves, but urge others to do so, thereby assisting us in its circulation, and thus contribute to secure the proper results of governmental and material reconstruction.

It is the medium by which the State and National Governments make known their laws to the people of Louisiana. It has been selected by law for the publication of all judicial and other Government advertisements, State, Federal and municipal, and non are valid or of any legal force unless published in this paper. We publish, also, officially, the proceedings of both Houses of the General Assembly, and of the Common Council, Sheriff's sales and monitions, all advertisements relating to successions of deceased persons; all cases in admiralty arising in the United States District Court; Bankruptcy notices and sales; all ordinances of the Common Council, and all advertisements of the Government calling for proposals to furnish supplies or perferm work.

No other paper in New Orleans embraces within its columns so wide a range of interests. Our regular telegraphic dispatches are the same as those furnished the New Orleans Associated Press. Special dispatches from Washington and elsewhere are obtained from the best sources and are always full of interest. Our views upon questions of State, national and municipal polity are freely and concisely stated, always with an object to promote the public welfare. In making selections from our exchanges and various correspondents, care is taken to use such as relate to matters in which our people have a vital interest. Literary and miscellaneous selections are taken from the best writers in the Northern and European publications, while we are not unmindful of native talent.

The REPUBLICAN is at all times open to discussion from the people, ready to answer inquiries and to discuss topics of interest. Nothing of sufficient importance to find its way into a first class newspaper escapes our notice. Honest officials, who discharge their duties with fidelity, can rely upon finding a staunch defender in the REPUBLICAN; while no amount of personal or business influence will shield the dishonest official from exposure.

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THE NEW ORLEANS REPUBLICAN,
No. 94 Camp street,
New Orleans, La.

LAWS OF THE UNITED STATES.

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

AN ACT to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its Road, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John C. Fremont, James L. Alcorn, G. M. Dodge, O. C. French, John D. Caldwell, J. J. Noah, A. C. Osborne, Timothy Hurley, C. C. Pool, Silas N. Martin, John M. Corse, George E. Wentworth, Philip H. Morgan, J. D. Cameron, Marshal O. Roberts, James L. Hodges, John Ray, W. Vermilye, Enoch L. Faucher, Charles F. Livermore, Joseph H. Oglesby, John Whytock, Daniel Drew, F. S. Davis, W. Orton, A. C. Babcock, Thomas A. Scott, Samuel D. Hoffman, H. Ramsdale, William H. Jackson, R. C. Parsons, Delos W. Emmons, M. A. Southworth, John H. Hall, G. C. Kinzey, W. P. Clark, James Dart, H. Jacobs, L. T. Smith, W. P. Dole, C. A. Weed, A. P. K. Safford, H. McCullough, Charles Jackson, Elisha Dyer, Alfred Anthony, James Hoy, M. W. Benjamin, H. D. Cooke, Joseph R. West, W. S. Huntington, J. M. Tebbetts, C. C. Leondridge, D. D. Porter, M. Woodhull, Hiram Price, M. C. Hunter, W. T. Walters, J. B. Brownlow, T. A. Morris, Owen Tuller, J. H. Ledlie, R. M. Bishop, Samuel Craighead, D. N. Stanton, Augustus H. Whiting, G. L. Johnston, J. W. Goodland, Powell Clayton, Samuel Tate, W. Bolton, H. Robinson, George Maney, O. H. Bynum, M. Burns, J. C. Goodloe, E. G. Barney, Cyrus Bussey, J. W. Forney, J. Lockwood, E. M. Davis, N. Patton, W. Flanegan, G. O'Brien, G. P. Buel, G. H. Gidding, J. J. Newell, E. W. Rice, R. M. Shoemaker, Samuel Sloan, S. W. Morton, J. B. Bowman, L. M. Flournoy, J. J. Hinds, G. R. Weeks, J. T. Ludeling, B. C. Gilbert, B. D. Williams, Thomas Olcott, G. A. Fosdick, Harry Hays, P. S. Forbes, John T. Sprague, L. R. Marsh, A. W. Beckwith, J. C. Stanton, Cyrus H. Baldwin, A. J. Hamilton, Rush R. Sloan, Silas C. Colgrove, Samuel D. Jones, N. H. Decker, William N. Leet, F. E. Allen, J. B. Chaves, Augustus Kountze, John N. Goodwin, William S. Rosecrans, Michael Hahn, H. C. Warmoth, J. S. Williams, G. M. Spencer, L. J. Higby, W. C. Kimball, and all such persons as shall or may be associated with them, and their successors, are hereby created a body politic and corporate in fact and in law, by the name, style, and title of the Texas Pacific Railroad Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and use a common seal; and the said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph line, with the appurtenances from a point at or near Marshall, county of Harrison, State of Texas; thence by the most direct and eligible route, to be determined by said company, near the thirty-second parallel of north latitude, to a point at or near El Paso; thence by the most direct and eligible route, to be selected by said company, through New Mexico and Arizona, to a point on the Rio Colorado, at or near the southeastern boundary of the State of California; thence by the most direct and eligible route to San Diego, California, to ship's channel, in the bay of San Diego, in the State of California, pursuing in the location thereof, as near as may be, the thirty-second parallel of north latitude, and is hereby vested with all the powers, privileges and immunities necessary to carry into effect the pur [po] ses of this act.

SEC. 2. That the persons named in the first section of this act shall constitute a board of commissioners (twenty of whom shall constitute a quorum for the transaction of business), to be known as the Texas Pacific Railroad Commissioners, who shall meet in the city of New York within ninety days after the passage of this act, at a time to be designated in a notice to be signed by the person first named in the list of corporators and six of his associates, and to be published for two weeks in, at least, one daily paper in New York, New Orleans and Washington; and, when so met, they may cause books to be opened for the subscription of the capital stock of said company, and when twenty thousand shares, amounting to two millions of dollars, shall have been subscribed, and ten per centum actually paid thereon, in money, to the treasurer, to be elected by said commissioners, who shall give bond for its safe keeping and payment to the treasurer of the company when organized, then it shall be lawful for such subscribers or stockholders, or a majority thereof, to organize said company in accordance with the provisions of this act, and to elect not less than seven, nor more than seventeen directors, a majority of whom shall be necessary to the transaction of business, and who shall hold their offices for one year and until their successors shall be elected and qualfied; and the said directors shall immediately proceed to elect a president, vice president, secretary and treasurer; the president and vice president shall be directors. At all elections for directors each share of stock shall be entitled to one vote, which may be given by the holders in person, or by proxy, who shall also be a shareholder. The directors shall hold their offices for any term not exceeding three years, as may be provided in the by-laws; and the annual meetings of stockholders shall take place as provided for in said by-laws.

SEC. 3. That the capital stock of the Texas Pacific Railroad Company shall be fixed by the board of directors at a sum not exceeding fifty millions of dollars, in shares of one hundred dollars; and when the amount is so fixed, it shall never be increased except by consent of Congress. Assessments upon said stock shall only be made by a majority vote of the whole number of directors at a regular meeting, which said assessments shall be paid at the expiration of thirty days after a notice given in one newspaper in each of the cities of Washington, Philadelphia, New York and New Orleans.

SEC. 4. That the said Texas Pacific Railroad Company shall have power and lawful authority to purchase the stock, land grants, franchises and appurtenances of, and consolidate on such terms as may be agreed upon between the parties, with any railroad company or companies heretofore chartered by congressional, State or territorial authority, on the route prescribed in the first section of this act; but no such consolidation shall be with any competing through line of railroads to the Pacific Ocean.

SEC. 5. That the said company shall have power and authority to make running arrangements with any railroad company or companies heretofore chartered, or that may hereafter be chartered by congressional, State or territorial authority; also to purchase lands, or to accept donations, or grants of lands, or other property, from State or individuals, for the purpose of aiding in carrying out the object of this company.

SEC. 6. That the rights, land, land grants, franchises, privileges and appurtenances and property of every description belonging to each of the consolidated or purchased railroad company or companies, as herein provided, shall vest in and become absolutely the property of the Texas Pacific Railroad Company; provided, that in all contracts made and entered into by said company with any and all other railroad company or companies, to perfect such aforesaid consolidation or purchase, the indebtedness of other legal obligations of said company or companies shall be assumed by the said Texas Pacific Railroad Company as may be agreed upon, and no such consolidation or purchase shall impair any lien which may exist on any of the railroads so consolidated or purchased; but said company shall not assume the debts or obligations of any company with which it may consolidate or purchase as aforesaid, to an amount greater than the cash value of the assets received from the same.

SEC. 7. That the said Texas Pacific Railroad Company shall have power to make and enforce rules and by-laws for the election of its officers and the government and management of the business of the company, and to do and perform all needful and proper things to be done and performed to promote the objects of the company hereby incorporated, not inconsistent with the laws of the United States and the provisions of this charter.

SEC. 8. That the right of way through the public lands be, and the same is hereby, granted to the said company for the construction of the said railroad and telegraph line, and the right, power and authority is hereby given to said company to take, from the public lands adjacent to the line of said road, earth, stone, timber and other materials for the construction thereof. Said right of way is granted to said company to the extent of two hundred feet in width on each side of said railroad where it may pass over the public lands; and there is also hereby granted to said company grounds for stations, buildings, workshops, wharves, switches, side-tracks, turn-tables, water stations, and such other structures as may be necessary for said railroad, not exceeding forty acres of land at any one point.

SEC. 9. That for the purpose of aiding in the construction of the railroad and telegraph line herein provided for, there is hereby granted to the said Texas Pacific Railroad Company, its successors and assigns, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as such line may be adopted by said company, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad in California, where the same shall not have *not have* been sold, reserved, or otherwise disposed of by the United States, and to which a pre-emption or homestead claim may not have attached at the time the line of said road is definitely fixed. In case any of said lands shall have been sold, reserved, occupied, or pre-empted, or otherwise disposed of, other lands shall be selected in lieu thereof by said company, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections first above named, and not including the reserved numbers. If, in the too near approach of the said railroad line to the boundary of Mexico, the number of sections of land to which the company is entitled can not be selected immediately on the line of said railroad, or in lieu of mineral lands excluded from this grant, a like quantity of unoccupied and unappropriated agricultural lands, in odd numbered sections nearest the line of said railroad may be selected as above provided; and the word "mineral," where it occurs in this act, shall not be held to include iron or coal: Provided, however, That no public lands are hereby granted within the State of California further than twenty miles on each side of said road, except to make up deficiencies as aforesaid, and then not to exceed twenty miles from the lands originally granted. The term "ship's channel," as used in this bill, shall not be construed as conveying any greater right to said company to the water front at San Diego bay than it may acquire by gift, grant, purchase or otherwise, except the right of way, as herein granted; and provided further, that all such lands, so granted by this section to said company, which shall not be sold or otherwise disposed of, as provided in this act, within three years after the completion of the entire road, shall be subject to settlement and pre-emption like other lands, at a price to be fixed by and paid to said company, not exceeding an average of two dollars and fifty cents per acre for all the lands herein granted.

SEC. 10. That when the route of said railroad and telegraph line shall pass through the lands of private persons, or where it may be necessary for said railroad company to take any lands belonging to private persons for any of the purposes herein mentioned necessary to said road, such right of way through or title to such lands shall be secured in accordance with the laws of the State or Territory in which they may be situated.

SEC. 11. That the Texas Pacific Railroad Company shall have power and authority to issue two kinds of bonds, secured by mortgage, namely: first, construction bonds; second, land bonds. Construction bonds shall be secured by mortgage, first, on all or any portion of the franchises, road-bed or track of said railroad, and all the appurtenances thereto belonging, when constructed or in the course of construction, from a point at or near Marshall, to ship's channel, in the bay of San Diego, in the State of California, as aforesaid. Land bonds shall be secured by mortgage, first, on all or any portion of the lands hereby granted in aid of the construction of said railroad as is provided for in this act; second, on lands acquired by any arrangement or purchase or terms of consolidation with any railroad company or companies to whom grants of lands may have been made or may hereafter be made by any congressional, State or territorial authority, or who may have purchased the same previous to any such arrangement or consolidation; provided, that all the mortgages made and executed by said railroad company shall be filed and recorded in the Department of the Interior, which shall be a sufficient evidence of their legal execution, and shall confer all the rights and property of said company as therein expressed; and provided also, that the proceeds of the sales of the aforesaid construction and land bonds shall be applied only in the construction, operation, and equipment of the contemplated railroad line; And provided further, That said mortgage shall in no wise impair or affect any lien existing on the property of said company or companies at or before the time of such consolidation.

SEC. 12. That whenever the said company shall complete the first and each succeeding section of twenty consecutive miles of said railroad and put it in running order as a first-class road in all its appointments, it shall be the duty of the Secretary of the Interior to cause patents to be issued conveying to said company the number of sections of land opposite to and coterminous with said completed road to which it shall be entitled for each section so completed. Said company, within two years after the passage of this act, shall designate the general route of its said road, as near as may be, and shall file a map of the same in the Department of the Interior; and when the map is so filed, the Secretary of the Interior, immediately thereafter, shall cause the lands within forty miles on each side of said designated route within the Territories, and twenty miles within the State of California, to be withdrawn from pre-emption, private entry, and sale; Provided, however, That the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An Act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, and the amendments thereto, shall be, and the same are hereby, extended to all other lands of the United States on the line of said road when surveyed, except those hereby granted to said company.

SEC. 13. That the president of the company shall annually, by the first day of July, make a report and file it with the Secretary of the Interior, which report shall be under oath, exhibiting the financial situation of the company, the amount of money received and expended, and the number of miles of road constructed each year; and further, the names and residences of the stockholders, of the directors, and of all other officers of the company, the amount of stock subscribed, and the amount thereof actually paid in, a description of the lines of road surveyed and fixed upon for construction, the amount received from passengers and for freight, respectively, on the road, a statement of the expenses of said road and its fixtures, and a true statement of the indebtedness of said company and the various kinds thereof.

SEC. 14. That the certificate of the capital stock must be signed by the president and secretary, and attested by the seal of the company, and shall contain an extract from the proceedings of the board of directors fixing the amount thereof, as well as from this act, authorizing such issue. All the bonds and mortgages issued by said company must be signed by the president and secretary, and attested by the seal of said company, and shall contain an extract from the law authorizing them to be issued. The face value of said bonds shall be one thousand dollars in gold, and shall be redeemable at such times, and to bear such rate of interest, payable semi-annually in gold, as may be determined by the directors. The total value of the construction bonds to be issued shall not exceed thirty thousand dollars per mile of said railroad, and the total face value of the land bonds shall not exceed two dollars and fifty cents per acre for all lands mortgaged; the total amount of each to be determined by the board of directors.

SEC. 15. That all railroads constructed, or that may be hereafter constructed, to intersect said Texas Pacific railroad, shall have a right to connect with that line; that no discrimination as regards charges for freight or passengers, or in any other matter, shall be made by said Texas Pacific Railroad Company against any of the said connecting roads; but that the same charges per mile as to passengers, and per ton per mile as to freight, passing from the said Texas Pacific railroad over any of said connecting roads, or passing from any of said connecting roads over any part of said Texas Pacific railroad, shall be made by said company as they make for freight and passengers over their own road; Provided, also, That said connecting roads shall reciprocate said right of connection and equality of charges with said Texas Pacific railroad; And provided further, That the rates charged for carrying passengers and freight, per mile, shall not exceed the prices which may be fixed by Congress for carrying passengers and freight on the Union Pacific and Central Pacific railroads.

SEC. 16. That said road shall be constructed of iron or steel rails manufactured from American ore, except such as may have heretofore been contracted for by any railroad company which may be purchased or consolidated with by the company hereby incorporated, as provided by this act.

SEC. 17. That the said Texas Pacific Railroad Company shall commence the construction of its road simultaneously at San Diego, in the State of California, and from a point at or near Marshall, Texas, as hereinbefore described, and so prosecute the same as to have at least fifty consecutive miles of railroad from each of said points complete and in running order within two years after the passage of this act; and to so continue to construct each year thereafter a sufficient number of miles to secure the completion of the whole line from the aforesaid point on the eastern boundary of the State of Texas to the bay of San Diego, in the State of California, as aforesaid, within ten years after the passage of this act; and upon failure to so complete it, Congress may adopt such measures as it may deem necessary and proper to secure its speedy completion.

SEC. 18. That the President of the United States, upon the completion of the first section of twenty miles, shall appoint one commissioner, whose duty it shall be to examine the various sections of twenty miles as they shall be completed, and report thereon to him in writing; and if, from such report, he be satisfied that said company has fully completed each section of its road, as in this act provided, he shall direct the Secretary of the Interior to issue patents to said company for the lands it is entitled to under this act, as fast as each section of said road is completed.

SEC. 19. That the Texas Pacific Railroad Company shall be, and it is hereby, declared to be a military and post road; and for the purpose of insuring the carrying the mails, troops, munitions of war, supplies and stores of the United States, no act of the company nor any law of any State or Territory shall impede, delay or prevent the said company from performing its obligations to the United States in that regard; provided, that said road shall be subject to the use of the United States for postal, military and all other governmental services at fair and reasonable rates of compensation, not to exceed the price paid by private parties for the same kind of service, and the government shall at all times have the preference in the use of the same for the purpose aforesaid.

SEC. 20. That it shall not be lawful for any of the directors, either in their individual capacity, or as members of an incorporated or joint stock company, to make any contracts or agreements with the said Texas Pacific Railroad Company for the construction, equipment or running of its road, or to have any interest therein; and all such contracts or agreements are hereby declared null and void, and all money or property received under such contracts or agreements may be recovered back for the benefit of the company by any stockholder.

SEC. 21. That any railroad company whose route lies across the route of the Texas Pacific railroad may cross the same, and for the purpose of crossing shall have the right to acquire at the double minimum price all lands, whether of the United States or granted by this act, which shall be needed for a right of way two hundred feet wide through said lands, and for depots, stations, side-tracks, and other needful purposes, not exceeding for such purposes forty acres at any one station.

SEC. 22. That the New Orleans, Baton Rouge and Vicksburg Railroad Company, chartered by the State of Louisiana, shall have the right to connect by the most eligible route to be selected by said company with the said Texas Pacific railroad at its eastern terminus, and shall have the right of way through the public land to the same extent granted hereby to the said Texas Pacific Railroad Company; and in aid of its construction from New Orleans to Baton Rouge, thence by the way of Alexandria, in said State, to connect with the said Texas Pacific Railroad Company at its eastern terminus, there is hereby granted to said company, its successors and assigns, the same number of alternate sections of public lands per mile, in the State of Louisiana, as are by this act granted in the State of California, to said Texas Pacific Railroad Company; and said lands shall be withdrawn from market, selected, and patents issued therefor, and opened for settlement and pre-emption, upon the same terms and in the same manner and time as is provided for and required from said Texas Pacific Railroad Company, within said State of California: Provided, That said company shall complete the whole of said road within five years from the passage of this act.

SEC. 23. That for the purpose of connecting the Texas Pacific railroad with the city of San Francisco, the Southern Pacific Railroad Company of California is hereby authorized (subject to the laws of California) to construct a line of railroad from a point at or near Tehachapa Pass, by way of Los Angeles, to the Texas Pacific railroad at or near the Colorado river, with the same rights, grants and privileges, and subject to the same limitations, restrictions, and conditions as were granted to said Southern Pacific Railroad Company of California, by the act of July twenty-seven, eighteen hundred and sixty-six: Provided, however, That this section shall in no way affect or impair the rights, present or prospective of the Atlantic and Pacific Railroad Company or any other railroad company.

Approved March 3, 1871.

[GENERAL NATURE—No. 53.]

An act making appropriations for the service of the Postoffice Department for the 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 service of the Postoffice Department for the year ending June thirty, eighteen hundred and seventy-two, out of any moneys in the treasury arising from the revenues of said department, in conformity to the act of July two, eighteen hundred and thirty-six:

For inland mail transportation, twelve million three hundred and twenty-nine dollars.

For pay of mail messengers, five hundred and six thousand two hundred and fourteen dollars.

For pay of route agents, seven hundred and eighty-six thousand five hundred and sixty-nine dollars.

For pay of mail route messengers, fifty-nine thousand four hundred and four dollars.

For pay of local agents, forty-nine thousand and forty-four dollars.

For pay of railway postoffice clerks, five hundred and eighty-five thousand three hundred and thirty-eight dollars.

For pay of baggage masters in charge of through mails, five thousand dollars.

For foreign mail transportation, four hundred thousand dollars.

For ship, steamboat, and way letters, ten thousand dollars.

For pay of postmasters, five million one hundred thousand dollars.

For pay of clerks in postoffices, two million six hundred thousand dollars.

For pay of letter carriers, one million four hundred thousand dollars.

For wrapping paper, thirty-five thousand dollars.

For twine, thirty-five thousand dollars.

For letter balances, two thousand five hundred dollars.

For pay of blank agents, ten thousand dollars.

For office furniture, two thousand five hundred dollars.

For advertising, fifty thousand dollars; Provided, That no part of this sum shall be paid to any paper published in the District of Columbia for advertising mail routes other than those in Virginia and Maryland.

For manufacture of adhesive postage stamps, one hundred and fifty-nine thousand dollars.

For manufacture of postage-stamped envelopes and newspaper wrappers, four hundred and fourteen thousand two hundred dollars; Provided, That no envelope as furnished by the government shall contain any lithographing or engraving, and no printing except a printed request to return the letter to the writer.

For salary of distributing agents and assistants, and incidental expenses of agency, six thousand eight hundred dollars.

For mail depredations and special agents, one hundred and twenty-five thousand dollars.

For mail-bags and mail-bag catchers, one hundred and eighty thousand dollars.

For mail locks and keys, forty thousand dollars.

For post-marking and canceling stamps for postoffices, twelve thousand five hundred dollars.

For balances due foreign countries, two hundred thousand dollars.

For preparing and publishing post-route maps, twenty thousand dollars.

For rent of postoffices, two hundred thousand dollars.

For fuel for postoffices, one hundred thousand dollars.

For lights for postoffices, one hundred and ten thousand dollars.

For stationery and miscellaneous items for postoffices, forty thousand dollars.

For registered package envelopes, fifteen thousand dollars.

For official envelopes for use of postmasters, thirty thousand dollars.

For envelopes for return of dead letters to writers, four thousand dollars.

For fees to United States attorneys, clerks of courts, and United States marshals, ten thousand dollars.

For engraving, printing, and binding drafts and warrants, three thousand five hundred dollars.

For miscellaneous items, one thousand dollars.

That no money appropriated by this act shall be applied to the payment of the alleged claim against the United States in favor of George Chorpenning, now pending before the Sixth Auditor of the Treasury, or any part thereof.

SEC. 2. That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirty, eighteen hundred and seventy-two, out of any money in the treasury not otherwise appropriated, namely:

For steamship service between San Francisco, Japan, and China, five hundred thousand dollars.

For steamship service between the United States and Brazil, one hundred and fifty thousand dollars.

For steamship service between San Francisco and the Sandwich Islands, seventy-five thousand dollars.

SEC. 3. That if the revenues of the Postoffice Department shall be insufficient to meet the appropriations made by this act, then the sum of three million nine hundred and sixty-nine thousand three hundred and eighty-three dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to supply deficiencies in the revenue of the Postoffice Department for the year ending June thirty, eighteen hundred and seventy-two.

SEC. 4. That all bidders, upon every mail route, for the transportation of mails upon the same, shall hereafter accompany their bids (where they exceed five thousand dollars) with a certified check or draft, payable to the order of the Postmaster General, of some reliable banking house or banking institution, which check or draft shall not be less than five per centum on the amount that they would receive in any one year under such bid. In case any bidder, on being awarded any such contract, shall fail to enter into good and sufficient bonds to faithfully carry out such contract, such bidder or bidders shall forfeit the amount so deposited to the United States, for the use of the Postoffice Department; otherwise, such draft or check, so deposited, shall be returned to the bidder to whom it belongs.

SEC. 5. That it shall be unlawful for the Newport and Cincinnati Bridge Company, or any other company, or person, to proceed in the erection of the bridge now being constructed over the Ohio river from the city of Cincinnati, Ohio, to the city of Newport, Kentucky, and the approaches thereto, unless the said bridge shall be so constructed that the channel span of four hundred feet, as now located, shall have under said span a clear headway, at low water, of one hundred feet below any point of said channel span, and in such case no draw shall be required in said bridge; all the other spans of said bridge, which cover the Ohio river, to low water mark, shall have a clear headway of not less than seventy feet above low water mark, and the other spans of the said bridge, extending to each shore, may be made of lesss elevation than seventy feet above low water mark, to accommodate a regular grade for the approaches to said bridge. And when the foregoing requirements shall have been complied with by the said Newport and Cincinnati Bridge Company, the location of said bridge, its structures and approaches, shall thereupon be deemed to be legalized, and declared to be lawful structures, and shall be recognized and known as a post route. The plans for changes in such bridge, made necessary by this act, shall be submitted by said company to the Secretary of War for his approval. And, in the event of the Bridge Company making the changes provided for in this act, it shall be lawful for the said company, after they shall have made the changes in said bridge, and the approaches thereto, as herein provided, to file their bill in equity against the United States in the circuit court of the United States for the southern district of Ohio, and full jurisdiction is hereby conferred upon said court to determine: first, whether the bridge, according to the plans on which it has progressed at the passage of this act, has been constructed so as substantially to comply with the provisions of law relating thereto; and, second, the liability of the United States, if any there be, to the said company by reason of the changes by this act required to be made; and if the said court shall determine that the United States is so liable, and that said bridge was so being built, then the said court shall further ascertain and determine the amount of the actual and necessary cost and expenditures reasonably required to be incurred in making the changes in the said bridge and its approaches, as hereby authorized or required, in excess of the cost of building said bridge and approaches, according to the plan proposed, before the changes required by this act to be made. And the said court is hereby further authorized and required to proceed therein to final decree as in other cases in equity. And it shall be lawful for either party to the said suit to appeal from the final decree of the said circuit court to the Supreme Court of the United States, as in other cases, and the Supreme Court shall thereupon proceed to hear and determine the said case and make a final decree therein, and thereupon, if such decree shall be in favor of said company, the Secretary of the Treasury of the United States shall, out of any moneys in the treasury not otherwise appropriated, pay to the said company such sum of money as shall by the said Sup