New Orleans Republican.

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THE DAILY REPUBLICAN

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THE WEEKLY REPUBLICAN

is published every Saturday morning, and contains the news by telegraph, miscellaneous reading, editorials, local matters of general public interest, commercial and monetary reports, and everything that appears in the Daily, except such items as are of little or no public moment. The WEEKLY REPUBLICAN is an excellent family paper, valuable as well for instruction and amusement as information on the current topics of the day.

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THE COURTS.

United States Circuit Court.

The case of Adolphe Henry Stewart and Anthony Parker Kep, owners of the steamer A. G. Brown, against the steamship Teutonia, was decided yesterday on appeal in the dismissal of the libel against the steamship. It is a collision case, the owners of the Brown claiming that by the unskillful management of the Teutonia, whereby she collided with their vessel, December 30, 1868, in the Mississippi, near Woodlawn plantation, parish of Plaquemines, they were damaged to the amount of $12,000, for which they brought suit. The Teutonia answered, through her proctor, E. W. Huntington, that on this day, while the steamship was ascending the river at eleven o'clock at night, three whistles of a steamer were heard, whereupon her engines were stopped, and she blew one whistle as a signal for starboard shore, but no answer being returned, she blew three attention whistles, meaning to say, "Look out for yourself," and this being unanswered, she blew one long whistle, repeating it two or three times without receiving any answer. Discerning the lights of a steamer two points on the port bow of the Teutonia, coming toward her, the pilot ordered her helm hard-a-port, which order was executed. Notwithstanding these warnings and precautions, the steamer, which turned out to be the A. G. Brown, kept on her course and ran with great force foul of the steamship, striking her on the port side 115 feet from the stern. No signals were given by the Brown. This case was appealed from the United States District Court in admiralty, and reached decision yesterday, conforming to the prayer of the defendants, E. W. Huntington, proctor, that the libel be dismissed.

The following suits by the government have recently been filed in this court:

United States vs. John Halberle, suit on a warehouse bond of $23,750. The defendant, "says the information," having, on the fourth of December, 1867, deposited in bonded warehouse No. 10, class O, 151 barrels of whisky containing 5938 gallons, on which the revenue tax amounted to $11,877, signed, sealed and delivered a bond in favor of the United States in the penal sum of $23,750 (double the duty), and that afterward on the first of February, 1868, the defendant transferred the whisky and deposited it in bonded warehouse No. 9. The defendant having failed to comply with the bond and pay the duties, but withdrew thewhisky, the bond is forfeit.

United States vs. 9850 cigars.—Released on bond. Information for violation of the revenue laws. The cigars seized as forfeit to the United States belonged to Jake Loang, and there were also seized 4000 cigarettes and eighty pounds tobacco fillings, "because," the information says, "these goods, on which revenue taxes were imposed, were found in the claimant's possession for the purpose of being sold in fraud of these laws of the United States, with design to avoid the payment of internal revenue taxes. The fillings and the 375 pounds of leaf tobacco were raw material intending to be used in the manufacture of cigars having no stamps on the boxes."

Ovide C. Blandin has entered suit against S. A. Stockdale, Collector of Internal Revenue, who applied for and obtained a writ of certiorari transferring the case to the United States Circuit Court from the Fourth District Court. It appears the plaintiff sued the collector to recover $424 25, which, the government officer claimed as a basis for the writ, was "collected in his official capacity.

United States District Court.

E. E. Norton, assignee in the bankruptcy matter of Joseph Miller, Jr., is to show cause, on the fourth of June, why he shall not pay W. B. Woods $315 for rent; also, to show cause, in the matter of Gretzner, Winehill & Co., why he shall not pay Wentworth $440 50 and costs.

William H. Jackson vs. ship E. Sherman; George Smith vs. steamer La Belle. Discontinued on payment of costs.

Claimants in the suit of J. M. Curran against steamer Cherokee are to show cause, on the fifth of June, why a new trial should not be granted.

J. R. Barremore vs. Steamer Pioneer.—Proceeds of the steamer to be distributed as follows: 1. Law charges; 2. J. R. Barrimore, $30; Jerome Henley, first mortgage, $125; W. H. Seymour, second mortgage, balance of proceeds. Gallagher's claims dismissed.

Sixth District Court.

In the case of the New Orleans National Banking Association vs. the city, claiming $56,000 damages for violation of contract, in removing the Fiscal Agency, the Louisiana Savings Bank has filed a demand in reconvention, praying to be made a party to the suit, and asking for judgment decreeing it to be the Fiscal Agent of the city, and to have control of all matters appertaining thereto, by virtue of an ordinance made and provided by the City Council.

In answer to the large number of suits against the city, praying for the recovery of moneys paid for taxes during the years 1867, 1868 and 1869, the city has filed in each case the following, which will be found of interest:

And now before the court comes the city of New Orleans, and for answer to the petition herein filed, she denies each and every allegation in said petition contained, except such as may be hereinafter admitted, and upon trial of this cause, will require strict and legal proof of such averments.

The respondent admits that the said plaintiff, at the time or times set forth in the statement hereto annexed, and made a part hereof, paid to this respondent, for license tax, for the year or years set forth in this statement, the amount or amounts therein particularly stated and set forth.

Further says that the sum or sums of money received by this respondent, as aforesaid, were truly and justly due and owing to the city of New Orleans, and were not illegally, unconstitutionally, or under coercion, but voluntarily paid by said plaintiff; that such money was necessary for the purpose of defraying the expenses of the city government; that it was faithfully appropriated to that purpose, and the plaintiff has received his proportionate share of the benefit claimed therefrom in the protection of his interests and property.

Further, this respondent says that if the plaintiff is not bound to pay a license tax to the city of New Orleans, as set forth in the petition, he was, at least, under a natural obligation to contribute his quota to the support of the municipal government from which he derived protection; and that, under such circumstances, an action will not lie to recover the amount or amounts alleged to have been paid, or any part thereof, even though such payments were made under protest or agreement.

Moreover, any order, judgment or decree of the court, requiring the return of the money claimed, would divest a vested right, impair and destroy the obligation of a contract, and violate section ten, article one, of the constitution of the United States, section one, fourteenth amendment to the constitution of the United States, section twenty, article six, constitution of Louisiana, and adopted in 1812, article 109 constitution of said State, adopted in 1845, article 105, constitution of said State, adopted in 1864, article 110, constitution of said State, adopted in 1868.

This respondent further and specially denies that said plaintiff, by protest, pretended agreement, or otherwise, has had reserved to him the legal or equitable right to recover back any portion of the money admitted or shown to have been paid, and specially and particularly denies the existence of any protest or agreement made by the authorization, or with the consent of said city, or in any way or manner binding upon her.

And this respondent further says that if plaintiff ever had any right to recover from defendant the license taxes referred to in the petition or any portion therof, which, however, is denied, that such right has been sold, assigned, transferred and conveyed to another, unknown to respondent, and under circumstances to render the pretended claims set forth in plaintiff's petition, under article 2447, Civil Code, void and without any force or effect.

Wherefore respondent prays for a trial by jury; that plaintiff's petition may be dismissed, and that judgment may be rendered in favor of defendant and against plaintiff, with costs and general relief in the premises.

Seventh District Court.

Joseph Hoy & Co. vs. George D. Hite, et al.—Joseph Hoy & Co. sued George D. Hite and the late commercial firm of Moran & Noble, for $1916; representing that they (plaintiffs) were on the fifth of May, 1870, creditors of the steamboat Bart Able and owners in the said sum of $1916, and the said debt was contracted while W. C. Harrison was captain of said steamboat on December 23, 1869, and January 22, 1870, for two drafts, one for $2067 55, at sixty days date; the other for $1920 at ninety days date, paid at said dates for the accommodation of, and at the request of J. C. Douty, the drawer, and W. C. Harrison, captain of said steamboat, and also at the request of the owners of said steamboat, said drafts having been drawn by said J. C. Douty to pay for boilers for said boat, and were so drawn by arrangement between said Douty, Harrison and plaintiffs. That on May 5, 1870, George D. Hite and Moran & Noble, entered into a written agreement, whereby they jointly bound themselves to protect and pay all debts and claims of whatsoever nature and kind due by the said steamboat Bart Able, during the captaincy of said Harrison, by virtue of which agreement the said defendants are bound for the said sum of $1916.

The court, in passing on the case, says:

The agreement sued on is not in fact "a stipulation *pour autrui;*" it has on its face no clearly defined sense; it is ambiguous, and its purport or terms would not by themselves authorize the judge to say with certainty that it comprises the debt due the plaintiffs, or was given to indemnify them. The evidence, however, shows exactly what the contract was. It was a guarantee or warranty in favor of a purchaser of a steamboat, to indemnify him, not the plaintiffs, against debts and claims affecting the thing he was purchasing, and which might be the cause of his possession being disturbed, or which he might be obliged to pay. It was not given to plaintiffs, or intended for their benefit. If in anything it related to them, it was a warranty against their demand.

The plaintiffs have not accounted for their possession of the document, which certainly does not belong to them. It belongs to another, who is not a party to this suit, and whose consent to its being used by plaintiffs is not shown. Indeed, even if such a consent had been given and proved, it would not avail the plaintiffs, since they did not succeed to the obligee's title, which the warranty was made and given to protect.

Judgment for defendants.

Widow and heirs of Eugene Hacker vs. Robert Walker and F. Hagan.—Petitioners represented that the late Eugene Hacker furnished and delivered to Robert Walker, to be used and employed in building a house and appurtenances for the said F. Hagan, to the amount of $246; that defendant, when applied to, refused to pay the same; wherefore plaintiffs brought suit, and claimed a privilege and lien on the building of Hagan.

The court, in its opinion, says: The existence of the sub-contractor's preference on the fund due by the owner to the contractor, and of the contractor's and sub-contractor's privileges *in rem* on the building depend in some particulars on different conditions, and to that extent are separable, and the preference may exist without the privilege; but they both depend upon the principal condition, that some amount must be due by the owner to the contractor at the moment of service of attested account or of suit. The privilege on the thing may be lost, while the preference on the fund may still subsist, but if privilege exists the preference also exists, and this for the reason that the privilege can not exist unless there is something due by the owner to the contractor. 4 An., 122; 6 An., 480.

In this case the privilege on the building did not exist, because the contract between the owner and principal contractor was for more than $500, and there was no evidence of it having been recorded.

Neither has the plaintiff secured a right to be paid out of the amount the owner promised to pay for the work, for his attested account was served too late. The building had been finished, and the owner had paid all he contracted to pay the builder before the plaintiff's attested account was served. Civil Code, 2772. Plaintiff's demand against Hagan dismissed.

Treasure Trove.

Here is a sensation from the Madison *Journal:*

Our friends, the sovereigns of De Soto, were much excited last Friday by the discovery of some silver by boys who were dragging a skiff, which they had repaired, over the bank. And now De Soto represents somewhat the appearance of California in its early days, spades being trumps, and everyone engaged in the work of money hunting by digging up all the old building sites, De Soto being considered at this time by its inhabitants a second El Dorado. There were some laughable scenes exhibited in the scramble consequent on its discovery.

The money is supposed to have been buried by one Patrick Guilfoy, who died about 1869, and consisted of dollars, halves and quarters. There was about twelve dollars found.

American Unitarian Society.

BOSTON, May 28.—The annual meeting of the American Unitarian Society was held here to-day. Henry Chapin presided.

The treasurer's report was very encouraging. Among the events especially noted has been the erection of a building in North Carolina by Mrs. Augustus Hemenway, of Boston, at an expense of $30,000, for the use of schools in the South. The report speaks of the generous outpourings of practical sympathy for Chicago, there having been contributed $60,000 for Dr. Collyer's church in money and pledges, and $50,000 for general missionary purposes, with liberal contributions for other Christian work.

The Monroe *Intelligencer* says:

In addition to the mail routes mentioned by us a short time ago as having been incorporated into the House bill, on this subject, through the efforts of Hon. Frank Morey, he has succeeded in adding a route from Monroe, via Cheniere, Brooklyn and Winfield to Alexandria.

OFFICIAL.

Laws of the United States Passed at the Second Session of the Forty-First Congress.

[GENERAL NATURE—No. 1.]

An act relating to the limitation of steam pressure on towing and freight boats on the Mississippi river and its tributaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of an act entitled "An act to provide for the better security of life on vessels propelled in whole or in part by steam," etc., approved February twenty-eighth, eighteen hundred and seventy-one, so far as they relate to the limitation of steam pressure of steamboats used exclusively for towing and carrying freight on the Mississippi river and its tributaries, are hereby so far modified as to substitute for such boats one hundred and fifty pounds of steam pressure in place of one hundred and ten pounds, as provided in said act for the standard pressure upon standard boilers of forty-two inches diameter, and of plates of one-quarter of an inch in thickness; and such boats may, on the written permit of the supervising inspector of the district in which such boats shall carry on their business, for a period of six months from and after the passage of this joint resolution, be permitted to carry steam above the standard pressure of one hundred and ten pounds, but not exceeding the standard pressure of one hundred and fifty pounds to the square inch.

J. G. BLAINE,
Speaker of the House of Representatives.

SCHUYLER COLFAX,
Vice President of the United States and President of the Senate.

Approved, December 20, 1871.

U. S. GRANT.

[GENERAL NATURE—No. 2.]

An act to establish post-roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post-roads:

ALABAMA.

From Gordon, via Sellers, to Campbellton, in Florida.

From Cross Plains, via Collinsville, Gidleys, Thompsonville and Huff's Gap, to Brock's.

From Jasper to Elyton.

From Fulton to Bexar.

From Chepultepec to Springville.

From Columbia to Fort Gaines, in Georgia.

ARKANSAS.

From Binkley to Jacksonport.

DAKOTAH.

From Bon Homme to Springfield.

FLORIDA.

From Deadman's Bay, via Spring Warrior, Hampton Springs, Perry Courthouse, Lovett's Mills, St. Augustine Crossroads, McCall's Academy, to Quitman, in Georgia.

From Mellonville, via Appopka and Oakland, to Orlando.

GEORGIA.

From Washington to Lincolnton.

INDIANA.

From Huntingburg, via Bretzville and St. Anthony to Schnelleville.

From Bennett's Switch to Waupecong.

From Hillsborough to Jacksonville.

From Liberty to Fairhaven.

IOWA.

From Fontanelle to Custom.

From Spencer, via Sibley and Rock Rapids to Sioux Falls, in Dakotah.

From Eldora to Waterloo.

From Lemars to Orange.

From Lemars to Beloit.

From Carroll to Winterset.

From Yatton to Columbus City.

From Stuart, via Arbor Hill, to Creston.

ILLINOIS.

From Colchester to Fandon.

IDAHO.

From Rock Creek to Six Islands.

KENTUCKY.

From Frankfort, via Peak's Mills, to Owenton.

LOUISIANA.

From New Orleans to St. Bernard.

MICHIGAN.

From Lapeer to North Branch.

From North Branch to Doyle's Mills.

From North Branch, via Clifford, in Michigan, to Newberry.

From Lapeer to Hadley.

From Milford to Holly.

MAINE.

From Waldoboro, via North Waldoboro, to Washington.

From Washington to Liberty Village.

MISSOURI.

From Wheeling to Lindley.

From Schell City to Stockton.

From Appleton City to Rosco.

From Osceola to Stockton.

From Tuscumbia to Rocky Mount.

From O'Fallon, via Cottleville and Dalhoff, to O'Fallon.

From St. Charles to Alton, in Illinois.

From Altona to Lucas.

From State Line, via Jonesville and Brosley, to Burdett.

From Hermitage to Nevada City.

From Barnumtown to Roney.

From Newark to Locust Hill.

MINNESOTA.

From Carver to Henderson.

MISSISSIPPI.

From Brookville to Pickensville.

MASSACHUSETTS.

From New Bedford to Rochester.

NEW YORK.

From Cuyler, via New Boston, to Tayler.

From Haskinville to Cohocton.

From Carthage to Copenhagen.

From Romulusville to Fayette.

From Hale's Eddy, via New Baltimore and Danville, in Pennsylvania, to Gulf Summit.

NORTH CAROLINA.

From Burnsville to Pensacola.

From Ridgeway to Hilliard's Store.

From Boone to Bowling Rock.

OHIO.

From Liberty, via Goodwin, to Fair Haven.

From Van Wert, via Wolfcate's Mills and Blakie's Store, to Decatur.

From Massillon to Wilmot.

From Canton to Hartville.

OREGON.

From Pendleton to Dalles.

NEBRASKA.

From Grand Island, in Hall county, via St. Paul and the north fork of the Loup river, to Helena, Montana.

From Norfolk, in Madison county, to Fort Laramie, in Wyoming.

From Red Cloud to Denver, in Colorado.

From Niobrara to Fort Laramie, in Wyoming.

TENNESSEE.

From Dover to Erin.

From Dover to Murray, in Kentucky.

From Johnson City to Marion, in North Carolina.

From Dyersburg, via Roaller's, Pearce's and Fisher's, to Trenton.

From Trenton, via Eaton and Friendship, to Dyersburg.

From Kenton, via Mason's Hall, to Deavenport.

WEST VIRGINIA.

From Buckannon to Bealington.

From Valley Head, via Webster C. H., to Summerville.

VIRGINIA.

From Gladeville to Grundy.

From Elk Creek to Carsonville.

From Pattonsville, via Cedar Point, to Sueydsville.

From King George, via Shiloh, Payne's Store, and Leedstown, to Foneswood.

From Heathsville to Burgess' Store.

WISCONSIN.

From New London to Weyauwega.

From Pensaukee, via Brookside, to West Pensaukee.

Approved, January 16, 1872.

[GENERAL NATURE—No. 3.]

An act to establish post-roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post-roads:

PENNSYLVANIA.

From Lebanon. via Fontana, Colebrook, Mastersonville, Old Line and Sporting Hill, to Manheim.

From Annville, via Bellview and Water Works, to Jonestown.

Approved, January 16, 1872.

[GENERAL NATURE—No. 4.]

An act to change the times for holding circuit and district courts of the United States for the western district of Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times now fixed by law, the circuit and district courts of the United States for the western district of Virginia shall hereafter be held as follows: At Danville, on the Tuesday after the fourth Monday of February and August; at Lynchburg, on the Tuesday after the third Monday of March and September; at Harrisonburg, on the Tuesday after the second Monday of April and October; and at Abingdon, on the Tuesday after the fourth Monday of May and October. And all recognizances, indictments, or other proceedings, civil or criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried according to the times of holding said court as herein provided.

Approved, February 1, 1872.

[GENERAL NATURE—No. 5.]

An act for the apportionment of Representatives to Congress among the several States according to the ninth census.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of March, eighteen hundred and seventy-three, the House of Representatives shall be composed of two hundred and eighty three members, to be apportioned among the several States in accordance with the provisions of this act; that is to say: To the State of Maine, five; to the State of New Hampshire, two; to the State of Vermont, two; to the State of Massachusetts, eleven; to the State of Rhode Island, two; to the State of Connecticut, four; to the State of New York, thirty-two; to the State of New Jersey, seven; to the State of Pennsylvania, twenty-six; to the State of Delaware, one; to the State of Maryland, six; to the State of Virginia, nine; to the State of North Carolina, eight; to the State of South Carolina, five; to the State of Georgia, nine; to the State of Alabama, seven; to the State of Mississippi, six; to the State of Louisiana, five; to the State of Ohio, twenty; to the State of Kentucky, ten; to the State of Tennessee, nine; to the State of Indiana, twelve; to the State of Illinois, nineteen; to the State of Missouri, thirteen; to the State of Arkansas, four; to the State of Michigan, nine; to the State of Florida, one; to the State of Texas, six; to the State of Iowa, nine; to the State of Wisconsin, eight; to the State of California, four; to the State of Minnesota, three; to the State of Oregon, one; to the State of Kansas, three; to the State of West Virginia, three; to the State of Nevada, one; to the State of Nebraska, one; Provided, That if, after such apportionment shall have been made, any new State shall be admitted into the Union, the Representative or Representatives of such new State shall be additional to the number of two hundred and eighty-three herein limited.

SEC. 2. That in each State entitled under this law to more than one Representative, the number to which said States may be entitled in the Forty-third, and each subsequent Congress, shall be elected by districts composed of contiguous territory, and containing as nearly as practicable an equal number of inhabitants, and equal in number to the number of Representatives to which said States may be entitled in Congress, no one district electing more than one Representative; Provided, That in the election of Representatives to the Forty-third Congress in any State which by this law is given an increased number of Representatives, the additional Representative or Representatives allowed to such State may be elected by the State at large, and the other Representatives to which the State is entitled by the districts as now prescribed by law in said State, unless the legislature of said State shall otherwise provide before the time fixed by law for the election of Representatives therein.

SEC. 3. That the Tuesday next after the first Monday in November, in the year eighteen hundred and seventy-six, is hereby fixed and established as the day, in each of the States and Territories of the United States, for the election of Representatives and Delegates to the Forty-fifth Congress; and the Tuesday next after the first Monday in November, in every second year thereafter, is hereby fixed and established as the day for the election, in each of said States and Territories, of representatives and delegates to the Congress commencing on the fourth of March next thereafter.

SEC. 4. That if, upon trial, there shall be a failure to elect a Representative or Delegate in Congress in any State, District or Territory, upon the day hereby fixed and established for such election, or if, after any such election, a vacancy shall occur in any such State, District or Territory, from death, resignation or otherwise, an election shall be held to fill any vacancy caused by such failure, resignation, death or otherwise, at such time as is or may be provided by law for filling vacancies in the State or Territory in which the same may occur.

SEC. 5. That no State shall be hereafter admitted to the Union without having the necessary population to entitle it to at least one Representative according to the ratio of representation fixed by this bill.

SEC. 6. That should any State, after the passage of this act, deny or abridge the right of any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, to vote at any election named in the amendments to the constitution, article fourteen, section two, except for participation in the rebellion or other crime, the number of Representatives apportioned in this act to such State shall be reduced in the proportion which the number of such male citizens shall have to the whole number of male citizens twenty-one years of age in such State.

Approved, February 2, 1872.

[GENERAL NATURE—No. 6.]

An act to authorize the payment of duplicate checks of disbursing officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in place of original checks, when lost, stolen or destroyed, disbursing officers and agents of the United States are hereby authorized, after the expiration of six months from the date of such checks, and within three years from such date, to issue duplicate checks, and the Treasurer, assistant treasurers, and designated depositaries of the United States are directed to pay such checks, drawn in pursuance of law by such officers or agents, upon notice and proof of the loss of the original check or checks, under such regulation in regard to their issue and payment, and upon the execution of such bonds, with sureties, to indemnify the United States, as the Secretary of the Treasury shall prescribe: Provided, that this act shall not apply to any check exceeding in amount the sum of one thousand dollars.

SEC. 2. That in case the disbursing officer or agent by whom such lost, destroyed, or stolen original check was issued, be dead, or no longer in the service of the United States, it shall be the duty of the proper accounting officer, under such regulations as the Secretary of the Treasury shall prescribe, to state an account in favor of the owner of such original check for the amount thereof, and to charge such amount to the account of such officer or agent.

Approved. February 2, 1872.

[GENERAL NATURE—No. 7.]

An act to admit certain machinery imported from foreign countries free of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Calcasieu Sulphur and Mining Company of New Orleans be and is hereby permitted to import, free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe, certain machinery and accompanying implements for the purpose of and to be used only in making a series of experiments in mining for sulphur in the parish of Calcasieu, in the State of Louisiana; provided, that the value of such importation shall not exceed the sum of seventy-five thousand dollars, and that said machinery and implements be imported within one year from and after the passage of this act.

Approved, February 2, 1872.

[GENERAL NATURE—No. 8.]

An act to establish certain post-routes in the State of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be, and the same are hereby, established as post-routes in the State of Iowa:

From Franklin, in Winnesheik county, State of Iowa, to Washington Prairie, in the same county; also,

From Waukon, in Allamakee county, State of Iowa, via Rud's, Dorchester, Wilmington, to Caledonia, in the State of Minnesota.

Approved, February 2, 1872.

[GENERAL NATURE—No. 9.]

An act to exempt the iron steam ice-boats constructed by the city of Philadelphia from the inspection required by the act of February twenty-eight, eighteen hundred and seventy-one, entitled "An act to provide for the better security of life on board of vessels propelled in whole or in part by steam, 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 iron steam ice-boats, constructed by the city of Philadelphia for the purpose of keeping open the navigation of the rivers Delaware and Schuylkill during the winter months, be and they are hereby exempt from the inspection required by the act approved twenty-eighth of February, eighteen hundred and seventy-one, entitled "An act to provide for the better security of life on board of vessels propelled in whole or in part by steam, and for other purposes;" provided, that this act will expire at the end of six months from and after its passage.

Approved, February 6, 1872.

[GENERAL NATURE—No. 11.]

An act for the relief of Alexander Smith and Halcyon Skinner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Patents be, and he is hereby, directed to grant a rehearing of the application of Alexander Smith and Halcyon Skinner, for the extension of letters-patent granted to them on the fourth day of November, eighteen hundred and fifty-six, for improvement in power looms; and he is hereby authorized to to revive and extend the said letters-patent for the further term of seven years from and after the fourth day of November, eighteen hundred and seventy, notwithstanding the original term for which letters-patent was granted has expired, and the said patentees had patented the said invention in foreign countries, and such foreign patents had expired before the fourth day of November, eighteen hundred and seventy, if in his judgment the said patentees were the original and first inventors of the invention described in the said letters-patent, and the invention is useful, and the patentees have failed, without neglect or fault on their part, to obtain from the use and sale of the said invention a reasonable remuneration for the time, ingenuity, labor, and expense bestowed upon the same and the introduction thereof into use. And the said letter-patent, when so revived and extended, shall have the same effect in law as if it had been originally granted for the term of twenty-one years; provided, that all persons who at the time of the passage of this act had constructed, or caused to be constructed, or used looms on the plan of the said invention, shall be at liberty, during such extended term, to use and vend to others to use said looms so constructed or used.

Approved February 20, 1872.

[GENERAL NATURE—No. 13.]

An act making appropriations for the payment of invalid and other pensions of the United States for the year ending June thirty, eighteen hundred and seventy-three.

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, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and seventy-three, viz:

For army pensions to invalids, widows, and dependent relatives, revolutionary pensions, and pensions to soldiers of the war of eighteen hundred and twelve, and for furnishing artificial limbs, or apparatus for resection, with transportation or commutation therefor; also, for compensation to pension agents, and the expenses of the several agencies, and for fees for preparing vouchers and administering oaths, as provided for by the acts of April twenty-fourth, eighteen hundred and sixteen; July fourth, eighteen hundred and thirty-six; May thirteenth, eighteen hundred and forty-six; February twentieth, eighteen hundred and forty-seven; February second, eighteen hundred and forty-eight; July twenty-first, eighteen hundred and forty-eight, July twenty-ninth, eighteen hundred and forty-eight; February third, eighteen hundred and fifty-three; June third, eighteen hundred and fifty-eight; July fourteenth and seventeenth, eighteen hundred and sixty-two; June thirtieth, eighteen hundred and sixty-four; June sixth and July twenty-fifth, eighteen hundred and sixty-six; July twenty-seventh, eighteen hundred and sixty-eight; June seventeenth and July eighth and eleventh, eighteen hundred and seventy; and February fourteenth, eighteen hundred and seventy-one; and all other pensions provided by law, thirty million dollars.

For navy pensions to invalids, widows, and dependent relatives, and pensions to sailors of the war of eighteen hundred and twelve, and for furnishing artificial limbs or aparatus for resection, with transportation or commutation therefor, compensation to pension agents, expenses of agencies, and fees for preparing vouchers and administering oaths as provided by the acts of April twenty-third, eighteen hundred; February twentieth, eighteen hundred and forty-seven; August eleventh, eighteen hundred and forty-eight; July fourteenth and seventeenth, eighteen hundred and sixty-two; June thirtieth, eighteen hundred and sixty-four; June sixth and July twenty-fifth, eighteen hundred and sixty-six; March second, eighteen hundred and sixty-seven; July twenty-seventh, eighteen hundred and sixty-eight; June seventeenth, and July eighth and eleventh, eighteen hundred and seventy, and all other pensions provided by law, four hundred and eighty thousand dollars; provided, that the appropriation aforesaid for navy pensions, and the other expenditures under that head, shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose.

Approved February 20, 1972.

[GENERAL NATURE—No. 14.]

An act to amend an act entitled "An act to provide a national currency secured by pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June third, eighteen hundred and sixty-four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section thirty-one of said act be amended by striking out the word "Leavenworth" when it occurs in said section.

Approved March 1, 1872.

[GENERAL NATURE—No. 16.]

An act to set apart a certain tract of land lying near the head-waters of the Yellowstone river as a public park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in the Territories of Montana and Wyoming, lying near the head-waters of the Yellowstone river, and described as follows, to wit: Commencing at the junction of Gardiner's river with the Yellowstone river, and running east to the meridian passing ten miles to the eastward of the most eastern point of the Yellowstone lake, thence south along said meridian to the parallel of latitude passing ten miles south of the most southern point of Yellowstone lake; thence west along said parallel to the meridian passing fifteen miles west of the most western point of Madison lake; thence north along said meridian to the latitude of the junction of the Yellowstone and Gardiner's rivers; thence east to the place of beginning, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as public park or pleasuring-ground for the benefit and enjoyment of the people and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers, and removed therefrom.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years, of small parcels of ground, at such places in said park as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases, and all other revenues that may be derived from any source connected with said park, to be expended under his direction in the management of the same, and the construction of roads and bridle-paths therein. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage or this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

Approved March 1, 1872.

[GENERAL NATURE—No. 18.]

An act to authorize the construction of a bridge across the Missouri river at or near St. Joseph, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for "The St. Joseph Bridge Building Company," a corporation organized for that purpose under the general corporation laws of the State of Missouri, to construct a bridge across the Missouri river at or near Saint Joseph, Missouri, and to lay on and over said bridge railway tracks for the more perfect connection of any and all railways that are now, or which may hereafter be, constructed to the Missouri river at or near Saint Joseph, or to the river on the opposite side of the same, near Saint Joseph; and build, erect, and lay on and over said bridge ways for wagons, vehicles of all kinds, and for the transit of animals, and to provide ways for foot passengers, and to keep up, maintain, and operate said bridge for the purposes aforesaid; and that when said bridge is constructed, all trains of all railroads terminating at said river, and on the opposite side thereof, at or near Saint Joseph, Missouri, shall be allowed to cross said bridge for reasonable compensation, to be made to the owners of the same, under the limitations and conditions hereafter named. The owners of said bridge may also charge and receive reasonable compensation or tolls for the transit over the said bridge of all wagons, carriages, vehicles, animals, and foot passengers.

SEC. 2. That any bridge built under the provisions of this act may, at the option of person, or persons, or corporation building the same, be built as a drawbridge, with a pivot or other form of draw, or with unbroken or continuous spans; provided, that if the same shall be made of unbroken continuous spans it shall not be of less elevation in any case than fifty feet above extreme high water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than three hundred and fifty feet in length, and the piers of said bridge shall be parallel with the current of the river, and the main span shall be over the main channel of the river and not less than three hundred feet in length; and provided also, that if a bridge shall be built under this act as a drawbridge the same shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than one hundred and sixty feet in length in the clear on each side of the central or pivot pier of the draw, and the next adjoining spans to the draw shall not be less than two hundred and fifty feet; and said spans shall not be less than thirty feet above low-water mark, and not less than ten feet above extreme high-water mark, measuring to the bottom chord of the bridge, and the piers of said bridge shall be parallel with the current of the river, and provided also, that said draw shall be opened promptly, upon reasonable signal, for the passage of boats whose construction shall not be such as to admit of their passage under the permanent spans of said bridge, except when trains are passing over the same, but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains: And provided further, That the corporation building said bridge may, if not unauthorized by the provisions of its charter of incorporation, enter upon the banks of said river, either above or below the point of the location of said bridge, for a distance of seven miles, and erect and maintain breakwaters or use such other means as may be necessary to make a channel for said river, and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said object, but shall not impede or obstruct the navigation of the said river; and all plans for such works or erections upon the banks of the river shall first be submitted to the Secretary of War for his approval.

SEC. 3. That any bridge built under this act, and according to its limitations, shall be a lawful structure, and shall be recognized and known as a post-route, upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

SEC. 4. That in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of the Missouri river, at or near the crossing of said said bridge, and caused or alleged to be caused thereby, the cause shall be commenced and tried in the district courts of either judicial districts of Missouri or Kansas in which the said bridge, or any portion of such obstruction touches; and the right to alter or amend this act so as to prevent or remove all material obstructions to the navigation of said river by the construction of said bridge is hereby expressly reserved, and all such alterations, when required by law, shall be made at the expense of said bridge company; and the plan on which such bridge is intended to be built; and shall be built, shall be first submitted to and approved by the Secretary of War.

SEC. 5. That the Saint Joseph Bridge Building Company, after the passage of this act, shall not have the right to assign the charter which said company now holds by assignment from the Saint Joseph and Denver City Railroad Company, and which was granted to said last named company by virtue of an act of Congress, approved July fourteenth, eighteen hundred and seventy, to any other company, person, or persons; nor shall said bridge building company be permitted, under the said charter so obtained as aforesaid from the Saint Joseph and Denver City Railroad Company, to construct any other bridge than the one now being constructed at Saint Joseph, Missouri.

Approved March 5, 1872.

[GENERAL NATURE—No. 19.]

An act to provide for the admission of paintings, statuary, and photographs for exhibition free of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all paintings, statuary, and photographic pictures imported into the United States for exhibition by any association duly authorized under the laws of the United States or any State for the promotion and encouragement of science, art, or industry, and not intended for sale, shall be admitted free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe; provided, that bon shall be given for the payment to the United States of such duties as are now imposed by law upon any and all of such articles as shall not be re-exported within six months after such importation.

Approved March 5, 1872.

[GENERAL NATURE—No. 20.]

An act transferring certain powers and duties to the Department of Justice, and providing a seal therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all and singular the powers conferred and duties enjoined by existing laws upon the Secretary of the Interior relating to the imprisonment or discharge of convicted offenders against the laws of the United States, or to the reform school and jail in the District of Columbia, be, and the same are hereby, transferred to the Department of Justice.

SEC. 2. That the seal heretofore provided for the office of the Attorney General, shall be the seal of the Department of Justice, with such change in the device as the President of the United States shall approve, and all books, papers, documents, and records in said Department of Justice may be copied and certified under seal in the same manner as those in the State Department, and with the same force and effect.

Approved, March 5, 1872.

[GENERAL NATURE—No. 21.]

An act supplementary to the act entitled "An act to prevent the extermination of fur bearing animals in Alaska."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to appoint one agent and three assistant agents, who shall be charged with the management of the seal fisheries in Alaska, and the performance of such other duties as may be assigned to them by the Secretary of the Treasury; and the said agent shall receive the sum of ten dollars each day, one assistant agent the sum of eight dollars each day and two assistant agents the sum of six dollars each day while so employed; and they shall also be allowed their necessary traveling expenses in going to and returning from Alaska, for which expenses vouchers shall be presented to the proper accounting officers of the treasury, and such expenses shall not exceed in the aggregate six hundred dollars each in any one year; provided, that such agents shall never be interested, directly or indirectly, in any lease of the right to take seals, nor in any proceeds nor profits thereof, neither as owner, agent, partner or otherwise.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized to erect a dwelling-house upon each of the islands of St. Paul and St. George, for the use of said agents, the cost of both not to exceed six thousand dollars.

SEC. 3. That the said agents be, and they are hereby, empowered to administer oaths in all cases relating to the service of the United States, and to take testimony in Alaska for the use of the government in any matter concerning the public revenues.

Approved March 5, 1872.

[GENERAL NATURE—No. 22.]

An act amending the act approved July twenty-seventh, eighteen hundred and sixty-eight, entitled "An act relating to pensions."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the act of Congress approved July twenty-seventh, eighteen hundred and sixty-eight, entitled "An act relating to pensions," be amended by inserting after the word "commission," in said section, the words "or was at some naval station."

Approved March 5, 1872.

[GENERAL NATURE—No. 23.]

An act to repeal the paragraphs of Schedule C of the internal revenue acts imposing taxes on canned meats, fish, and certain other articles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act so much of Schedule C of the internal revenue acts as imposes a tax on any "can, bottle, or other single package containing meats, fish, shell-fish, fruits, vegetables, sauces, sirups, prepared mustard, jams, or jellies," be, and the same is hereby, repealed.

Approved March 5, 1872.

[GENERAL NATURE—No. 28.]

An act authorizing the President of the United States to re-establish the Monroe land district in the State of Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, if in his judgment the public interests would be subserved thereby, to re establish the Monroe land district in the State of Louisiana, with the same boundaries that existed before the consolidation of said land district with the land district at New Orleans.

Approved March 16, 1872.

[GENERAL NATURE—No. 25.]

An act for the relief of George W. Morse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Patents be, and he hereby is, authorized to entertain and exercise jurisdiction over petitions of George W. Morse for the extension of two letters-patent granted to him on the twenty eighth day of October, eighteen hundred and fifty six, for a further term of seven years from the day on which such extensions may be granted, and to hear the testimony of the applicant and determine upon the said petitions in the same manner and with the same effect as if the original terms of said patents or of any foreign patents covering the same inventions, had not expired, and to grant or refuse such extensions upon the same principles, otherwise, that govern his decisions upon such applications when made under the law of July eight, eighteen hundred and seventy; provided, that no person shall be held liable for the infringement of said patents, if extended, for making use of said inventions since the expiration of the original terms of said patents, and prior to the date of their extension: And provided further, That any person, firm, or corporation now engaged in the manufacture of fire-arms, and using said invention, shall be entitled to use the machinery made or constructed by them for manufacturing the same since the expiration of the original terms of said patents, without liability during the term of said extension.

Approved March 11, 1872.

[GENERAL NATURE—No. 15.]

An act extending the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan ship canal, in the State of Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan ship canal be, and the same is hereby extended to the tenth day of April, anno Domini eighteen hundred and seventy-four.

Approved March 1, 1872.

[GENERAL NATURE—No. 24.]

An act to amend section thirty-five of an act entitled "An act to reduce internal taxes, 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 privileges of the act entitled "An act to reduce internal taxes, and for other purposes," approved July fourteen, eighteen hundred and seventy, be, and are hereby, extended to the port of Toledo, in the State of Ohio.

Approved March 5, 1872.

[GENERAL NATURE—No. 17.]

An act to constitute Shreveport, in the State of Louisiana, a port of delivery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Shreveport, in the State of Louisiana, shall