New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE COURTS.

Supreme Court.

This court met yesterday morning; present, Chief Justice Ludeling and Associate Justices Taliaferro, Howard and Kennard.

William H. Hunt presented a motion to fix the case of the State of Louisiana ex rel. P. H. Morgan vs. John Kennard for trial to-day.

Thomas J. Semmes, on behalf of the defendant, suggested that the case be fixed for Monday next, that day suiting the convenience of counsel for appellant.

The Chief Justice stated that when the motion was presented Thursday, the counsel for appellant had made the same request. Counsel for appellee had the power to cause the fixing of the case for Saturday, and might accommodate counsel on the opposite side, and the court would fix the case for any day they might agree upon.

Mr. Hunt stated that he was not present Thursday, and that this was the first intimation he had received of the request; but as he always tried to accommodate his brothers at the bar when it was within his power, he should move that the case be fixed on the day suggested by Mr. Semmes.

The court accordingly ordered this case, involving the right to the office of Associate Justice of the Supreme Court, to be fixed for Monday next.

After passing upon other motions presented for its consideration, and disposing of the cases fixed on the docket of the day, the court adjourned until to-day at eleven o'clock.

Superior District Court.

Dave C. Johnson, owner of a share of the capital stock in La Variete Association, has filed suit in this court against that association, claiming that he is entitled to admission to the club-room and stockholders' seats, and has been refused admittance therein.

He avers that he is a stockholder of that association to the amount of $1500, and is deprived of his rights as such. He prays that the injunction issue to the president of the association, T. M. Simmons, forbidding and restraining the association and its officers from impeding or preventing him from enjoying or exercising all his rights as a stockholder, and specially from refusing him admission into the club-room, the stockholders' seats, and all the passages leading thereto.

George W. Carter, Esq., was admitted to practice at the bar, on presentation of a certificate from the minutes of the Supreme Court of the State of Texas.

E. North Cullom vs. Charles Leaumont.—This case involving the right to salary as Judge of the Fifth District Court for the twenty-one days from the time Judge Cullom presided by authority of a commission from Governor Warmoth, until he was commissioned by Governor Pinchback, and which had been paid to Judge Beaumont, was discontinued on motion of plaintiff.

State ex rel. E. Bouny vs. Frank Pace, Jr.—In this case a motion to continue, on the part of relator, was overruled, whereupon the suit was withdrawn by plaintiff.

Second District Court.

In the case of Jean Baptiste, curator, vs. succession of Cyprien Dufour, plaintiff was met with the exception that the court has no jurisdiction of the cause, for the reason that the heirs of C. Dufour have been put in possession, and the maintenance of the exception and the dismissal of the case was prayed for by defendant. These proceedings are directed against the succession of Dufour through Mrs. Donnel as legal tutrix of the minors Dufour and Elmore Pierre and George Jean Dufour, as heirs of Cyprien Dufour.

Judge Tissot, after disposing of the questions presented, decided that there being minors interested in this case the plaintiff can proceed in no other court but this, and ordered that the exception be dismissed.

The succession of Simon Lachs has been opened in this court.

Fourth District Court.

In the case of Sorre & Negrey and Gueble & Nippert vs. T. Vaillant the rule taken by intervenor and third opponent for obtaining a new trial was dismissed.

Judge Cullom informed the members of the bar that hereafter no gentleman would be allowed to come inside the railing to speak to the chair while the court was in session. Any remarks would be listened to offered in open court.

The Claiborne Parish Outrage—Capture and Punishment of the Murderer.

The Claiborne *Advocate* learns from Mr. Peter Demetz, who was present at the time of the capture of the murderer of Mrs. Kidd, the following facts:

The news of the outrage on Mrs. Kidd had after the discovery of her body been circulated through the whole country and everybody still kept on the lookout. At two o'clock on Wednesday afternoon the negro, Henry Moore, went to the house of Richard Green, colored, and having been informed by a negro girl that no inquiry had been made for him, he then went in. As soon as he entered Green and his son-in-law immediately captured him and sent word of the fact to John Coleman. Coleman thereupon coming to the scene, bound his prisoner securely to his horse's tail and carried him off. He was accompanied by Demetz.

When near the residence of the deceased lady, near Tulip, he made several statements implicating some other colored man, but finally admitted that he was alone when he first met Mrs. Kidd. He confessed to stopping her on the road and taking her off the horse and to having outraged her.

He kept her with him from Monday evening until three o'clock Tuesday, compelling her to walk many miles through the woods, the unhappy lady meanwhile begging for her life, and which he promised to spare. Once in passing some children he made her stoop down to keep from being seen. He finally murdered her by striking his victim back of the neck with a pine knot, while she was walking in front, close to Mr. Langston's place.

While Messrs. Coleman and Demetz were thus taking him to deliver him to the authorities, which was some time after midnight, the prisoner was forcibly taken away from them by a very large crowd of black and white. We have no further positive knowledge of what transpired, but a bright flame which shortly after broke out left but little doubt that he was burned to the first pine tree that his captors encountered.

Pacification in Cuba.

We copy the following from the New York *Commercial Advertiser*:

Two years ago Valmaseda, then high in command in Cuba, made the official declaration that the Cuban insurrection was suppressed. And in June, 1869, the Spanish Cortes voted a resolution of thanks to the Captain General "for the pacification of the island." Since the date of that premature declaration Spain has sent more troops to Cuba than Great Britain sent to this country in all the war of our revolution, and to-day the telegraph informs us that reinforcements have sailed for Havana. Cuba is a perfect pest-house for the Spanish army. The soldiers die there by the thousands. To one shot in battle a score succumb to disease. The area of insurrection is some fifty miles by five hundred, 25,000 square miles in all, about half the size of New York State. Not less than 200,000 Spaniards and volunteers have been employed in trying to penetrate and overrun the region. Yet all is in vain. The insurgents hold the territory. They constantly add to its dimensions. The Spaniards vainly attempt to drive them away. Now, too, the good news comes of the successful landing of a cargo of arms, etc., for the patriot force. A vessel from some American port has reached the island, with men and arms and clothes and food. This vessel, the Edgar Stuart, has landed two cargoes during the year past. Last May she was able only to land a portion of her load, but now the munitions of war given to the Cubans will prove a stimulus to the rebellion, and will much further postpone the day of reconciliation. We may expect to hear of more fighting at once, and of fresh Cuban successes.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 13.

AN ACT

To amend and re-enact an act entitled an act reorganizing the police juries of the State, prescribing the number thereof and the mode of election, and fixing their duties and compensation, approved April 27, 1871.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the words "and Jefferson" in the eighth line of the first section in act No. 97, approved April 27, 1871, be and the same is hereby stricken out.

SEC. 2. Be it further enacted, etc., That the parish of Jefferson shall have one police jury for the left bank of the Mississippi river, and one for the right bank of the Mississippi river.

SEC. 3. Be it further enacted, etc., That in all other respects the powers, duties and emoluments of said police jurors shall be the same as prescribed for police juries in act No. 97, approved April 27, 1871.

SEC. 4. Be it further enacted, etc., That all laws or parts of laws in conflict with this act are hereby repealed.

SEC. 5. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
President of the Senate and Acting Lieutenant Governor.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

Received at the office of the Secretary of State January 22, 1873.

The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the House of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

WILLIAM WEEKS,
Assistant Secretary of State.

No. 14.

JOINT RESOLUTION

Requesting the Senators and members of the House of Representatives of the State of Louisiana to urge the passage of a civil rights bill, insuring the civil rights of all American citizens, through Congress.

Be it resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the members of the House of Representatives and Senators of the State of Louisiana in Congress be requested to urge the passage through Congress of a civil rights bill that will insure all classes of citizens throughout the entire land.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved January 22, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

No. 16.

JOINT RESOLUTION

Requesting the Senators and Representatives in Congress to obtain a United States judicial district in North Louisiana.

WHEREAS, That part of the State of Louisiana situated north of the mouth of Red river is upon an average five hundred miles from the city of New Orleans, where the United States District and Circuit Courts are held for the entire State, which makes it exceedingly expensive to those who have business in those courts who reside in North Louisiana, and operates as a virtual abandonment of the enforcement of the laws of the United States, civil or criminal, in that portion of the State; therefore, be it

Resolved, That our Senators and Representatives in Congress of the United States be requested to use their best efforts to obtain the creation of a United States judicial district in North Louisiana as a matter of great public interest to the United States and the citizens residing in that part of the State.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved January 22, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

No. 13.

AN ACT

To amend an act making an appropriation to pay the mileage and per diem of the members, salaries of officers and employes and the contingent expenses of the extra session convened and commenced December 9, 1872, of the Third General Assembly of the State of Louisiana, by appropriating and providing for the sale of seventy-five thousand dollars of legislative warrants, and declaring the manner of disbursing the amount realized by the sale of said warrants or for their redemption, approved January 10, 1873.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the term of ten days within which the Auditor of Public Accounts and the State Treasurer are to invite sealed proposals for the purchase of warrants issued under said act be extended to twenty days from the passage of said act, and that this act take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved January 20, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

No. 3.

JOINT RESOLUTION

Extending the time of the extraordinary session of the General Assembly.

WHEREAS, The proclamation of his excellency the Governor of Louisiana, convening the General Assembly in extraordinary session December 9, 1872, limits the term thereof to the period of ten days; and

Whereas, Subjects referred to the General Assembly by the respective messages of Acting Governor P. B. S. Pinchback demand immediate attention and action, and for this and other necessary purposes arising from the revolutionary action of H. C. Warmoth and his abettors at Lyceum Hall, make an extension of the session beyond ten days necessary; therefore, be it

Resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the present session of the General Assembly be and is, according to the provisions of the law by which the same is convened, thereby extended to and including the first Monday in January, 1873, at twelve o'clock M., unless the business on hand being finished, said General Assembly should adjourn at an earlier day; and that this joint resolution shall take effect from and after the approval of the Governor.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) A. B. HARRIS,
Lieutenant Governor and President of the Senate.

Approved December 18, 1872.
(Signed) P. B. S. PINCHBACK,
Acting Governor of the State of Louisiana.

A true copy:
E. B. MINTE,
Assistant Secretary of State.

Uncle Sam's real estate in the District of Columbia, exclusive of public buildings, parks and squares, lots up over $10,000,000.

Maud, daughter of General Banks, is regarded as one of the most beautiful and *distingue* appearing young ladies in Washington.

OFFICIAL.

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

[GENERAL NATURE—No. 132.]

An act making appropriations for the repair, preservation and completion of certain public works on rivers and harbors 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 of money be and are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, for the repair, preservation and completion of the following public works hereinafter named:

For the improvement of Du Luth harbor, Minnesota, fifty thousand dollars; provided, that no part of said sum shall be expended so as to injure the harbor of Superior city, Wisconsin.

For the improvement of Superior City harbor, Wisconsin, fifty thousand dollars.

For the improvement of Marquette harbor, Michigan, fifty thousand dollars.

For the improvement of Menomonee harbor, Michigan and Wisconsin, twenty-five thousand dollars.

For the improvement of Absapee harbor, Wisconsin, twenty five thousand dollars.

For the improvement of Two Rivers harbor, Wisconsin, twenty-five thousand dollars.

For the improvement of Oak Orchard harbor, New York, two thousand five hundred dollars.

For the improvement of the Monongahela river between Morgantown and New Geneva, in accordance with the plan submitted by General A. A. Humphreys in his report to the House of Representatives dated February fourteenth, eighteen hundred and seventy two, twenty-five thousand dollars.

For the improvement of the Ohio river, and the harbors thereof, including the repair of the Cumberland dam, two hundred thousand dollars.

For the improvement of the Osage river, Missouri, twenty-five thousand dollars.

For the improvement of Currant river, Missouri, five thousand dollars.

For the continuing the work on the canal at the falls of the Ohio river, three hundred thousand dollars. And the Secretary of War is hereby directed to report to Congress, at its next session, or sooner, if practicable, the condition of said canal, and the provisions necessary to relieve the same from incumbrance, with a view to such legislation as will render the same free to commerce at the earliest practicable period, subject only to such tolls as may be necessary for the superintendence and repair thereof, which shall not, after the passage of this act, exceed five cents per ton.

For the improvement of Sheboygan harbor, Wisconsin, eighteen thousand dollars.

For the improvement of Port Washington harbor, Wisconsin, fifteen thousand dollars.

For the improvement of Kenosha harbor, Wisconsin, ten thousand dollars.

For the improvement of Chicago harbor, Illinois, ninety thousand dollars.

For the improvement of Calumet harbor, Illinois, forty thousand dollars.

For the improvement of Michigan City harbor, Indiana, fifty thousand dollars.

For the improvement of New Buffalo harbor, Michigan, five thousand dollars.

For payment to the Green Bay and Mississippi Canal Company, for so much of all and singular its property and rights of property in and to the line of water communication between the Wisconsin river and the mouth of the Fox river, including its locks, dams, canals, and franchises, as were under the act of Congress for the improvement of water communication between the Mississippi river and Lake Michigan by the Wisconsin and Fox rivers, approved July seventh, eighteen hundred and seventy, reported by the Secretary of War to be needed, in his communication to the House of Representatives dated March eighth, eighteen hundred and seventy-two, one hundred and forty-five thousand dollars.

For the improvement of Frankfort harbor, Michigan, ten thousand dollars.

For the improvement of Manistee harbor, Michigan, ten thousand dollars.

For the improvement of Pere Marquette harbor, Michigan, ten thousand dollars.

For the improvement of Pentwater harbor, Michigan, thirty thousand dollars.

For the improvement of White River harbor, Michigan, ten thousand dollars.

For the improvement of Muskegon harbor, Michigan, ten thousand dollars.

For the improvement of Grand Haven harbor, Michigan, fifteen thousand dollars.

For the improvement of Black Lake harbor, Michigan, ten thousand dollars.

For the improvement of Saugatuck harbor, fifteen thousand dollars.

For the improvement of South Haven harbor, Michigan, twelve thousand dollars.

For the improvement of Saint Joseph harbor, Michigan, three thousand dollars.

For the improvement of Saint Mary's river and Saint Mary's Falls canal, Michigan, three hundred thousand dollars, of which sum fifteen thousand dollars may be applied to secure the right of way.

For the improvement of Charlevoygan harbor, Michigan, fifteen thousand dollars.

For the improvement of Au Sable river, Michigan, ten thousand dollars.

For the improvement of Harbor of Refuge, on Lake Huron, one hundred thousand dollars.

For the improvement of the mouth of Black river, in Saint Clair river, Michigan, fifteen thousand dollars.

For the improvement of Saint Clair flats, Michigan, four thousand dollars.

For the improvement of Toledo harbor, Ohio, fifteen thousand dollars.

For the improvement of Dunkirk harbor, New York, twenty five thousand dollars.

For the improvement of Port Clinton harbor, Ohio, eight thousand dollars.

For the improvement of Rocky river harbor, Ohio, ten thousand dollars.

For the improvement of Maumee river above Toledo, Ohio, seven thousand dollars.

For the improvement of Monroe harbor, Michigan, ten thousand dollars.

For the improvement of Buffalo harbor, New York, seventy-five thousand dollars; and the unexpended balance heretofore appropriated for building sea-wall at Buffalo.

For the improvement of Olcott harbor, New York, ten thousand dollars.

For the improvement of Pultneyville harbor, New York, ten thousand dollars.

For the improvement of Little Sodus harbor, New York, fifteen thousand dollars.

For the improvement of Big Sodus harbor, New York, fifteen thousand dollars.

For the improvement of Oswego harbor, New York, one hundred thousand dollars.

For the improvement of Ogdensburgh harbor, New York, ten thousand dollars.

For the improvement of Plattsburgh harbor, New York, ten thousand dollars.

For the improvement of Burlington harbor, Vermont, thirty thousand dollars.

For the improvement of Otter creek, Vermont, from Vergennes to its outlet on Lake Champlain, ten thousand dollars.

For dredge and snag boats on the upper Mississippi river, forty-two thousand dollars.

For the improvement of the Minnesota river, Minnesota, ten thousand dollars.

For the improvement of the Des Moines rapids, Mississippi river, four hundred thousand dollars.

For the improvement of the Rock Island rapids, Mississippi river, fifty thousand dollars.

For the preservation of the falls of Saint Anthony, Minnesota, and the navigation of the Mississippi river above the same, fifty thousand dollars.

For improvement of the Mississippi, Missouri and Arkansas rivers, ninety thousand dollars; for improvement of the little Missouri river, ten thousand dollars; for improvement of the Minnesota river, in Minnesota, sixty thousand dollars; and further improvement of the Ouachita river, in Louisiana, forty thousand dollars.

For the improvement of the Mississippi river between the mouth of the Illinois river and the mouth of the Missouri river, twenty-five thousand dollars.

For the improvement of the Mississippi river between the mouth of the Missouri river and the mouth of the Merrimac river, one hundred thousand dollars.

For the improvement of the Wabash river, Indiana, commencing at its mouth, fifty thousand dollars.

For the continuation of the work now in progress on the Tennessee river, below Chattanooga, including the Muscle shoals, fifty thousand dollars.

For the improvement of the Tennessee river, between Knoxville and Chattanooga, twenty-five thousand dollars.

For the improvement of Cumberland river, in Tennessee, twenty thousand dollars.

For the improvement of the mouth of the Mississippi river, Louisiana, one hundred and fifty-five thousand dollars.

For the improvement of Tonco bayou, Louisiana, twenty thousand dollars.

For the improvement of Calcasieu pass, in the State of Louisiana, fifteen thousand dollars.

For the improvement of bar in Galveston bay, ten thousand dollars, and for improvement of the harbor of Galveston, Texas, thirty-one thousand dollars.

For the improvement of Cypress bayou, near Jefferson, Texas, ten thousand dollars.

For the improvement of the Tangipahoa river, Louisiana, two thousand five hundred dollars.

For removing the raft in Red river, Louisiana, one hundred and fifty thousand dollars.

For removing the wreck of the gunboat Oregon in the Chifunete river, Louisiana, six thousand dollars.

For dredging the bar at the mouth of the harbor of Cedar Keys, Florida, seven thousand five hundred dollars.

For dredging the bar at the mouth of Saint John's river, Florida, ten thousand dollars.

For the improvement of Mobile harbor and bay, Alabama, seventy-five thousand dollars.

For the improvement of the ship channel in Charleston harbor, South Carolina, thirty-eight thousand seven hundred dollars.

For removing obstructions in Ashepoo river, South Carolina, one thousand three hundred dollars; and the amount of the appropriation made by act of Congress approved July eleventh, eighteen hundred and seventy, for removing obstructions in Town creek, near Charleston, South Carolina, which remains unexpended, is hereby appropriated to remove wrecks obstructing navigation in Stono river, South Carolina, near Church flats.

For the improvement of Savannah harbor and river, Georgia, fifty thousand dollars.

For the improvement of the entrance to the harbor of Baltimore, in Patapsco river, and Chesapeake bay, one hundred thousand dollars.

For the improvement of the Rappahannock river, below Fredericksburg, Virginia, fifteen thousand dollars.

For the improvement of the James river, Virginia, fifty thousand dollars.

For the improvement of the Appomattox river below Petersburg, Virginia, forty thousand dollars.

For the improvement of Aquia creek, Virginia, one thousand five hundred dollars.

For the improvement of Accotink creek, Virginia, five thousand dollars.

For the improvement of the Roanoke river below Weldon, North Carolina, ten thousand dollars.

For the improvement of Cape Fear river, below Wilmington, North Carolina, one hundred thousand dollars.

For the improvement of Queenstown harbor, Maryland, six thousand dollars.

For the improvement of Worton harbor, Maryland, twelve thousand dollars.

For the improvement of Cambridge harbor, Maryland, ten thousand dollars.

For removal of rocks at New Haven harbor, Connecticut, fifteen thousand dollars.

For the improvement of Northeast river, Maryland, ten thousand dollars.

For the improvement of Wicomico river, Maryland, five thousand dollars.

For clearing and improving the channel of the Schuylkill river from its mouth to the Chestnut street bridge, Philadelphia, Pennsylvania, forty thousand dollars, of which sum sufficient is to be used for removing the rock between Locust street and the said bridge.

For the improvement of Wilmington harbor, Delaware, ten thousand dollars.

For the repair of pier of the ice harbor at New Castle, Delaware, and for building a new pier at said harbor, twenty-seven thousand dollars.

For the improvement of Delaware river, between Trenton and Bordentown, New Jersey, ten thousand dollars.

For improvement of Cocheco river within the town of Dover, New Hampshire, ten thousand dollars.

For improvement of Black River harbor, Ohio, twenty thousand dollars.

For surveys and examinations, with a view to the improvement of rivers and harbors, one hundred and fifty thousand dollars.

SEC. 2. That the Secretary of War is hereby directed to cause examinations or surveys, or both, to be made at the following points, namely: At Keyport harbor, New Jersey; channel between Staten Island and New Jersey; at Cohansey creek, New Jersey; at Bear creek, Lake Ontario, New York; at Waddington harbor, New York; for a breakwater at Rouse's point, on Lake Champlain, New York; at Port Austin and Port Crescent, Michigan; at the mouth of Pensaukee river, Wisconsin; at Waukegan harbor, Illinois; the Machias river, Maine; at Wickford harbor and Newport harbor, Rhode Island; the east side of Providence river, between Field's point and Fox point, Rhode Island; at Port Orford, Oregon; at Estero bay, San Louis, Obispo county, California; the mouths of Nomoni creek and Occoquan river, Virginia; the bay or sound from Delaware line through Worcester county to Chincoteague inlet, Virginia, with a view to an inlet at or near a place called the Hommocks; for a ship canal between the waters of Galveston bay and Sabine lake, Texas; Chester river at Kent island narrows, Maryland; St. Francis river, from Greenville down, Missouri; Gasconade river, Missouri; Tombigbee river, between Fulton and Columbus, Mississippi; harbor of Cedar Keys and channel to same, Florida; Niantic river, Connecticut; the bars at the outlet of Sabine pass, Texas; the Mississippi river, between the mouth of the Missouri river and the mouth of the Ohio river; west end of the pass at and near Bio Buck point, Texas; the bar at the mouth of Sabine river, in Sabine lake, and to extend up the main channel of said river to the town of Beizora; at the mouth of the Nuches river, in Sabine lake, and to extend up the main channel of said river to the town of Boonville, at the point where the Angelica river falls into the Nuches river, and to extend up the main channel of said river to the town of Pattonia, Texas; at the mouth of the Trinity river, in Galveston bay, and to extend up the main channel of said river to the town of Magnolia, Texas; Washington harbor, North Carolina, Edenton harbor, North Carolina; mouth of Mackey's creek, North Carolina; Chippewa river, up to Chippewa falls, Wisconsin; harbor at Swanton, Vermont; harbor at Galveston, Texas; at Apalachicola river, from Chattahoochee, Florida, to Apalachicola; at Chattahoochee river, from Columbus, Georgia, to Chattahoochee, Florida; at Flint river, from Albany, Georgia, to Chattahoochee, Florida; for survey of breakwater at Milford, Connecticut; mouth of Pine river, Michigan; the harbor of San Diego, California; mouth of Grand Calumet river, Indiana; Great Kanawha river, from the great falls to its mouth, West Virginia, to complete the survey of the James river and Kanawha canal; for survey of Camden harbor, Maine; for a sea wall or breakwater at Trinidad harbor, California; on the channel and bank at entrance of Salem harbor, on Merrimack river, Massachusetts, from Haverhill to Newburyport, including Buck Hole and Cutter shoals; the New river from the mouth of Greenbrier, in West Virginia, to the lead mines, in Wythe county, Virginia; at St. Helens bar, in the Columbia river, Oregon; for survey for the removal of wrecks of gunboats, steamers and other obstructions placed in Yazoo river during the war, and for the reservoir of Savannah harbor, the Delaware river between Trenton and Easton, for the survey of the river St. Marys, in Ohio and Indiana; for the survey of the Minnesota river above the mouth of the Yellow Medicine, Minnesota.

SEC. 3. That in the examinations or surveys of all points mentioned in the foregoing section, the Secretary of War be directed to ascertain, as far as practicable the amount of tonnage of commercial business during the previous year at each point together with such other facts as bear upon the question of the contemplated improvement, and that he communicate the same together with his report of the examination or survey of such point, to Congress; provided, that so much of the amount herein appropriated for the survey of rivers and harbors as is requisite for contingencies may be used for said purposes.

Approved June 10, 1872.

OFFICIAL.

TREATIES AND PROCLAMATIONS.

Postal Convention between the United States of America and the Republic of Ecuador.

The undersigned, John A. J. Creswell, Postmaster General of the United States of America, in virtue of the powers vested in him by law, and Antonio Flores, minister of the Republic of Ecuador at Washington, in the name of his government, and by virtue of the powers which he has formally presented to this effect, have agreed upon the following articles, to wit:

ARTICLE I.

An exchange of mails shall hereafter take place between the United States of America and the Republic of Ecuador, by the ordinary means of communication via the Isthmus of Panama, the government of the United States to be at the expense of the transportation thereof between New York and Panama, San Francisco and Panama, so long as direct service by United States steamers, including the Isthmus transit, is maintained under existing conditions; and the government of Ecuador to be at the expense of the transportation thereof between Panama and Ecuador so long as the present or other similar arrangement for the ocean mail service between Panama and Ecuador is continued. The correspondence so exchanged shall comprise:

1. Letters and manuscripts subject by the laws of either country to letter rate of postage.

2. Newspapers and prints of all kinds, in sheets, in pamphlets, and in books, sheets of music, engravings, lithographs, photographs, drawings, maps and plans, and such correspondence may be exchanged, whether originating in either of said countries and destined for the other, or originating in or destined for foreign countries to which they may respectively serve as intermediaries.

ARTICLE II.

New York and San Francisco shall be the offices of exchange on the side of the United States, and Guayaquil and Manta shall be the offices of exchange on the side of Ecuador, for all mails transmitted between the two countries under this arrangement; and all mail matter transmitted in either direction between the respective offices of exchange shall be forwarded in closed bags or pouches, under seal, addressed to the corresponding exchange office, and the mails so dispatched from either country to the other shall be forwarded to the United States consul and resident mail agent at Panama, who is hereby designated as the agent of the two governments for receiving the bags or pouches at that port from either direction, and for dispatching the same to their respective ultimate destinations.

The two Post Departments may, at any time, discontinue either of said offices of exchange or establish others.

ARTICLE III.

The standard weight for the single rate of postage and rule of progression shall be:

1. For letters, or manuscripts subject by law to letter rate of postage, one-half ounce (avoirdupois).

2. For all other correspondence mentioned in the second paragraph of the first article, that which each country shall adopt for the mails which it dispatches to the other, adapted to the convenience and habits of its interior administration; but each country shall give notice to the other of the standard weight it adopts, and of any subsequent change thereof. The weight stated by the dispatching exchange office shall always be accepted, except in cases of manifest error.

ARTICLE IV.

No accounts shall be kept between the Postoffice Departments of the two countries on the international correspondence, written or printed, exchanged between them; but each country shall levy, collect and retain to its own use the following postal charges, viz:

1. The postage to be charged and collected in the United States on each letter, or manuscript, subject to letter postage, mailed in the United States, and addressed to any place in the Republic of Ecuador, shall be twenty cents, United States currency, per each weight of half an ounce or fraction of half an ounce; and the postage to be charged and collected in Ecuador on each letter, or manuscript subject to letter postage, mailed in Ecuador and addressed to any place in the United States of America, shall be two reals, or the fifth part of a dollar (hard), Ecuador currency, the same to be in each case in full of all charges whatever to the place of destination in either country. Either country, however, is at liberty to reduce this charge, but not to increase it without the previous assent of the other.

2. On all other correspondence mentioned in the second paragraph of the first article the Post Departments of the United States and Ecuador may respectively levy, collect, and retain to their separate and exclusive use such rates of postage adapted to their interior administration and to the cost of sea transportation as they shall deem advisable. But each office shall give notice to the other of the rates it adopts, and of any subsequent change thereof.

Newspapers and other correspondence of the class referred to in the preceding paragraph shall be sent in narrow bands or covers, open at the sides or ends, so that that they may be easily examined; and packages of such correspondence shall be subject to the laws and regulations of each country in regard to their liability to pay customs duty, if containing dutiable goods, or to be rated with letter postage when containing written matter, or for any other cause specified in said laws and regulations.

ARTICLE V.

Letters, and other communications in manuscript, which, from any cause, can not be delivered to their address, after the expiration of a proper period to effect their delivery, shall be reciprocally returned every month, unopened and without charge, to the Postoffice Department of the dispatching country; but newspapers, and all other articles of printed matter, shall not be returned, but remain at the disposal of the receiving office.

Letters erroneously transmitted, or wrongly addressed, shall be promptly returned to the dispatching office without charge.

ARTICLE VI.

The Post Department of the United States shall establish, in conformity with the arrangements in force at the time, the conditions upon which the Post Department of Ecuador may exchange, in open mails, the correspondence originating in Ecuador and destined for countries to which the United States may serve as an intermediary, but such correspondence shall only be charged with the international postage established by this convention, augmented by the postage rates in force between the United States and the country of destination, and any other tax for exterior service.

The Post Department of the United States shall furnish the Post Department of Ecuador with a list stating the foreign countries to which the foreign postage and the amounts thereof must be absolutely prepaid, or can be left unpaid, and shall modify such list from time to time, as the exigencies of its foreign postal service may require.

In conformity to the requirements of the preceding paragraph, a table marked A is hereunto annexed, enumerating the countries with which, and specifying the terms and conditions on which, Ecuador may exchange correspondence by way of the United States.

Correspondence of this class must be accompanied by a letter bill from the dispatching exchange office of Ecuador, specifying the amount due thereon to the United States, and the receiving exchange office of the United States shall return by next post to such dispatching exchange office an acknowledgment of receipt and verification thereof, which letter bills and acknowledgments of receipt shall be in conformity to the models B and C, hereunto annexed, and shall serve as vouchers in the settlement of the accounts.

The accounts to be kept between the two Post Departments upon this class of correspondence shall be stated quarterly, transmitted and verified as expeditiously as practicable; and the balance found due shall be paid promptly to the United States office, under such regulations as the respective Post Departments may from time to time prescribe. Such quarterly statement shall be prepared by the United States office, and shall follow the form D, hereunto annexed.

ARTICLE VII.

Letters originating in foreign countries and addressed to the United States or Ecuador, respectively, on which the foreign and international postal charges are fully prepaid, shall, when forwarded in the mails of either country to the other, be delivered in the country of destination free of charge.

ARTICLE VIII.

The official correspondence between the two governments, that of each government with its legation near the other, and of each legation with its government, shall be conveyed to its destination free of postage and with all the precautions which the two governments may find necessary for its inviolability and security.

ARTICLE IX.

When in one of the two countries there is no legation of the other, the franking privilege of the vacant legation shall be transferred, in the terms stipulated in the preceding article, to the respective consulate or vice consulate at New York or Guayaquil.

ARTICLE X.

Neither Post Department shall be required to deliver any article received in the mails the circulation of which shall be prohibited by the laws in force in the country of destination; and any article subject by the laws of either country to customs duty or to confiscation shall, when received in the mails from the other, be treated in accordance with the laws of the receiving country.

ARTICLE XI.

The two Post Departments may, by mutual agreement, provide for the transmission of registered articles in the mails exchanged between the two countries.

The register fee of each article shall be ten cents in the United States and one real in Ecuador.

ARTICLE XII.

The two Post Departments shall settle, by agreement between them, all measures of detail and arrangement required to carry this convention into execution and may modify the same in like manner, from time to time, as the exigencies of the service may require. Articles may also, by mutual consent, be amended, added, or suppressed, according to the requirements of the service, without rescinding or otherwise altering or impairing any other of the articles of this convention.

ARTICLE XIII.

This convention shall take effect from the date of the exchange of ratifications, and shall continue in force until annulled by mutual consent, or until one year from the date of notice given by one of the two departments to the other of its desire to terminate the same.

ARTICLE XIV.

Done in duplicate, at the city of Washington, this ninth day of May, in the year of our Lord one thousand eight hundred and seventy-one.

JOHN A. J. CRESWELL,
Postmaster General of the United States.
ANTONIO FLORES.

I hereby approve the aforegoing convention, and in testimony thereof I have caused the seal of the United States to be affixed.

U. S. GRANT.

By the President:
HAMILTON FISH,
Secretary of State.
WASHINGTON, May 9, 1871.

A PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Convention between the United States and the German Empire respecting Consuls and trade-marks, signed December 11, 1871; exchanged April 29, 1872; proclaimed June 4, 1872.

WHEREAS, A convention between the United States of America and the German Empire, relating to the rights, privileges, immunities and duties of Consuls, and to the protection of trade-marks, was signed at Berlin on the eleventh day of December, in the year of our Lord one thousand eight hundred and seventy-one, by their respective plenipotentiaries;

And whereas a protocol thereto was signed by the said plenipotentiaries on the twenty-ninth day of April last; which convention and protocol, in the English and German languages are, word for word, as follows:

The President of the United States of America, and his majesty the Emperor of Germany, King of Prussia, in the name of the German Empire, led by the wish to define the rights, privileges, immunities and duties of the respective consular agents, have agreed upon the conclusion of a consular convention, and for that purpose have appointed their plenipotentiaries, namely:

The President of the United States of America, George Bancroft, Envoy Extraordinary and Minister Plenipotentiary from the said States, near his majesty the Emperor of Germany; his majesty the Emperor of Germany, King of Prussia, Bernard Konig, his Privy Councilor of Legation, who have agreed to and signed the following articles:

ARTICLE I.

Each of the contracting parties agrees to receive from the other Consuls General, Consuls, Vice Consuls and Consular Agents, in all its ports, cities and places, except those where it may not be convenient to recognize such officers. This reservation, however, shall not apply to one of the contracting parties without also applying to every other power.

ARTICLE II.

The Consuls General, Consuls, Vice Consuls, or Consular Agents shall be reciprocally received and recognized, on the presentation of their commissions, in the forms established in their respective countries. The necessary exequatur for the exercise of their functions shall be furnished to them free of charge, and, on the exhibition of this instrument, they shall be admitted at once, and without difficulty, by the territorial authorities, federal, State or communal, judicial or executive, of the ports, cities, and places of their residence and district, to the enjoyment of the prerogatives reciprocally granted. The government that furnishes the exequatur reserves the right to withdraw the same on a statement of the reasons for which it has thought proper to do so.

ARTICLE III.

The respective Consuls General, Consuls, Vice-Consuls, or Consular Agents, as well as their chancellors and secretaries, shall enjoy in the two countries all privileges, exemptions and immunities which have been granted, or may in future be granted, to the agents of the same rank of the most favored nation. Consular officers, not being citizens of the country where they are accredited, shall enjoy, in the country of their residence, personal immunity from arrest or imprisonment, except in the case of crimes, exemption from military billetings and contributions, from military service of every sort, and other public duties, and from all direct or personal or sumptuary taxes, duties and contributions, whether Federal, State, or municipal. If, however, the said consular officers are or become owners of property in the country in which they reside, or engage in commerce, they shall be subject to the same taxes and imposts, and to the same jurisdiction, as citizens of the country, property holders, or merchants. But under no circumstances shall their official income be subject to any tax. Consular officers who engage in commerce shall not plead their consular privileges to avoid their commercial liabilities. Consular officers of either character shall not in any event be interfered with in the exercise of their official functions, further than is indispensable for the administration of the laws of the country.

ARTICLE IV.

Consuls General, Consuls, Vice Consuls and Consular Agents may place over the outer door of their offices or of their dwellings the arms of their nation, with the proper inscription indicative of the office. And they may also hoist the flag of their country on their consular edifice, except in place where a legation of their country is established.

They may also hoist their flag on board any vessel employed by them in port for the discharge of their duty.

ARTICLE V.

The consular archives shall be at all times inviolable, and under no pretence whatever shall the local authorities be allowed to examine or seize the papers forming part of them. When, however, a consular officer is engaged in other business, the papers relating to the consulate shall be kept in a separate enclosure.

The offices and dwellings of Consules mis