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Accidental Homicide.

On the evening of the twentieth instant, while the steamer City of Quincy, a St. Louis and New Orleans packet, was about twenty miles below this place a pistol in the hands of Joseph Parker, the steward, accidentally went off, and the ball struck Frank Smith, one of the cabin boys, just behind the ear, penetrating the brain, and from which death ensued in the course of an hour. This was the first landing made by the boat after the death of Smith, and the body was put off here. Parker also got off here to abide the result of the inquest.

This was held on last Wednesday morning, and Mr. Deloney, formerly clerk of the boat, Joseph Edwards, the second steward and William Beene, cabin boy, were the witnesses examined. The jury rendered a verdict of accidental killing, but as it seemed to be the result of some carelessness on the part of Parker, they recommended his arrest, and accordingly he was brought before Hon. C. E. Moss, parish judge, for examination. The same witnesses were examined and additional evidence of previous good and peaceable character was offered by accused, and the fact established that he and the deceased were on terms of more than usual friendship. The steward was proved at the time to be excited, and under the influence of liquor, but the testimony showed that it was the first time he ever was in that condition.

In summing up Judge Moss remarked that while the accused was not free of blame for the carelessness that occasioned the calamity—that the kindly relations between the parties, and the previous good and peaceable character of Mr. Parker, precluded any imputation of criminal intention, that it was a case of homicide by misadventure and he was discharged. The examination of the witnesses was very full, the State being represented by Captain Montgomery, the district attorney. The defense was conducted by Judge DeFrance. The victim of the unfortunate casualty was a Spaniard, a native of Nicaragua, was a widower, and made his home in St. Louis, where his wife's family reside.

Mr. Parker is yet in town waiting for a boat to go to St. Louis, and has favorably impressed our citizens as a quiet and amiable gentleman, while his expressions of deep sorrow at the unfortunate accident have enlisted their sympathy in his favor.—*Lake Republican.*

The Passes of the Mississippi.

[Correspondence of the New York Tribune.]

Mr. Clayton unaccountably objected to the immediate consideration of the bill favorably reported from the Senate Committee on Commerce giving the Secretary of War power to establish regulations for the use of the passes of the Mississippi while the engineer officers are at work dredging out the channel. The government is now spending at the Balize about $200,000, and under the most favorable circumstances, and by the use of the most improved dredges, is only able to keep open a channel twenty feet deep. But the New Orleans Towboat Association, whose profits increase as the depth of water there diminishes is able from the remote position of the passes and the control over pilots and the means of communication with the city, to prevent vessels from using the best channels, or if they do, so to interfere with the work of the engineers as to destroy the work they have at any time accomplished, and prevent further improvement. Within a week or two this association had at the Southwest Pass thirty sailing vessels and one steamer waiting day after day to be dragged through the mud by the inferior towboats of this association, while at Pass-a-l'Outre the water was deep enough to allow them to go out without trouble. Only a few days ago a steamer drawing eighteen feet eleven inches of water went out at the latter pass without detention, after waiting at the former seven days. When the engineers get a channel that is deep enough to allow the passage of large vessels, the agents of the association purposely ground some large vessel upon it at low tide, in order to prevent the dredges from working and to cause the channel to fill up. The bill reported to-day simply gives the Secretary of War, and through him the engineer in charge, the power to make regulations for the use of the passes, to direct vessels which channel to take and at what stage of the tide to pass over the bar. If some bill like this is not passed the engineer bureau will probably recommend that no more appropiations be made for dredging at the mouth of the Mississippi, as, unless the government can protect its work, the money spent there is thrown away. The House Commerce Committee has also agreed to report a similar bill.

Lady Stock Breeders.

The recent commencement exercises of the Iowa State Agricultural College developed another aggression of woman on the sphere of man. Seven young ladies graduated in the class of stock breeding. After a thorough investigation of what they knew about farming, shorthorns, Jerseys, Berkshires, Cotswolds, and horses especially, they were handed over to the interrogation of amateur and practical stock breeders present, who quizzed them with all the problems and intricacies known, but failed to raise a point with which they were not thoroughly conversant.

They are afflicted with a leading statesman in the Minnesota Legislature, by name Ignatius Donnelly. There are indications that the State press does not appreciate his oratorical gifts, for the Minneapolis *Tribune* embalms him in rhyme in this disrespectful way:

There was a debater—Ignatius—
Whose mouth was exceedingly spacious;
He talked all the week,
And no one else could speak;
"Now let us adjourn," said Ignatius.

General B. F. Edmonds, well known in connection with the volunteer militia of Boston, died suddenly last Saturday.

DEBATES IN THE HOUSE.

Fourth Day's Proceedings.

NEW ORLEANS, January 9, 1874.

Mr. Allain, of West Baton Rouge, offered the following resolutions:

Resolved, That we have heard with the deepest sorrow and most unfeigned regret of the demise of our valued fellow member, Hon. John Wiggins, of De Soto parish, and that we hereby tender the heartfelt sympathy of the members of the House of Representatives to his mourning relatives.

Resolved, That in respect for the memory of the deceased member, this House shall stand adjourned until twelve o'clock noon to-morrow; and be it further

Resolved, That a copy of these resolutions be forwarded to his bereaved family, as a mark of our lasting regard for the deceased legislator.

And rose to a privileged question and delivered the following eulogy:

Mr. Speaker and Gentlemen—It is with the deepest and most heartfelt regret that I have to announce to you the sudden demise of our late fellow-laborer, the Hon. John Wiggins, of De Soto parish, whose earthly career has closed since last we met together in this hall.

The honorable gentleman to whom I refer was born a slave, and partook of all the horrors of slavery—that detestable institution, alike demoralizing to the slave owner and the victim. And yet even in that degrading servitude, he possessed the esteem and respect of all who knew him.

His moral life was blameless, and, even while in that sad condition, he was regarded by all who knew him as a most remarkable man for the blameless purity of his life and to say that he possessed but a limited education, is a fact that will be appreciated by many in this House who have themselves suffered from the deprivation of the facilities they now enjoy.

But since the glorious edict of emancipation was promulgated by our renowned chieftain, the martyred Abraham Lincoln, the deceased member spared no pains, no labor, no expense, to improve his mind and to fit himself for the proud position he occupied at the time of his death.

Mr. John Wiggins was elected as Representative of the parish of De Soto, November 4, 1872, and as might well have been expected from his antecedents, exercised a powerful influence among his constituency as a devoted and earnest Republican.

His services in this House need no eulogium; they are known to you all. In every measure that was likely to promote universal good, whether reform in the expenditure of the revenues of the State, or in fixing and defining the wants and requirements of the people, or in his vote advocating the material improvement of our State, his life offers a striking commentary on the reckless and base assertions of those who falsely assert that the colored man is incapable of intellectual culture.

Born a slave, by the exercise of his inherent genius and ability, he raised himself to the dignified and honorable position he held when called to another sphere.

It has been said that "death loves a shining mark." Among those who were accounted the friends of the deceased member the saying had been fully verified, for they showed their regard and their estimate of the man by sending him, above all others, to represent their interests in this House.

Before his death he frequently expressed his utmost faith in the great Republican party, and desired but to live long enough to see the practical operation of the civil rights bill in this State. If the Almighty Father did not comply with his earnest wishes it was because he was destined to be further advanced in a realm beyond the skies, where the color of the skin is deemed no impediment to salvation. Our friend was a sincere Christian, and his conduct, whether in the home circle or in a private or public capacity, was always governed by those rules which have been bequeathed to us in the Holy Scriptures. He died in the Lord, and the Lord "giveth his beloved rest."

Died suddenly, died in the midst of life and in the midst of usefulness, died under circumstances of peculiar distress to his family, friends and constituency.

May he rest in peace.

Speaker Lowel, in addressing this House in behalf of the deceased member, and in behalf of the immortal principles of the grand old Republican party, permit me to say that I thank you, sir, and all staunch Republicans throughout these United States, for their support and advocacy of the abolition of slavery, universal suffrage, and the civil and political rights of the colored people throughout this broad land, that to-day I, who was born a slave in the parish of West Baton Rouge, can appear upon the floor of this House, representing a constituency in the honorable and dignified character of an American citizen.

Mr. Speaker, in offering these resolutions in memory of the deceased member, the Hon. John Wiggins, of DeSoto parish, I hope that the adoption of the same will not be weakened by my weakness, and that however apparent may be my imperfection, I shall not be accused in my eulogy for a want of fairness, not found lacking in conception and candor.

Mr. Page, of Iberville, presented the following resolutions:

WHEREAS, God, in His wisdom, has taken from among us Hon. Charles E. Merrill, Senator from the fourteenth district of this State; and

Whereas, Senator Merrill during his short stay with us, has given abundant evidence of his integrity as a man, his value as a citizen, and his desire faithfully to fill the trust imposed upon him as a member of the upper house of this General Assembly; therefore, be it

Resolved by the House of Representatives of the State of Louisiana, That in the death of Senator Merrill the State is deprived of a man whose career of usefulness has been thus suddenly cut off; be it further

Resolved, That the House of Representatives do now adjourn out of respect and as an evidence of our esteem; be it further

Resolved, That to the family of the deceased we hereby express our deepest sympathy in this their great sorrow, and that a duly attested copy of these resolutions, properly engrossed, be transmitted to them through his excellency the Governor.

On motion of Mr. Gair the address of Mr. Allain was ordered to be spread upon the minutes.

Several notices of bills were given and a large number introduced, read a second time and referred to the appropriate committees.

Mr. Page, of Iberville, offered a series of resolutions, which were adopted, relative to the sudden death of Hon. Charles E. Merrill, Senator from the fourteenth district.

On these resolutions Mr. Hahn, of St. Charles, said:

Mr. Speaker, it is unusual for a member of one house to pass a eulogy on the death of a member of the other. But when a man so honored and respected in all the walks of life is so unexpectedly removed from us, it is impossible that I should allow this resolution to pass without saying a word upon his career.

Mr. Speaker, Mr. Merrill was never a politician merely for the sake of participating in politics. He was a man of high and noble impulses, and his heart was warm in the support of the cause of the Union, and in the struggle for the existence of the constitution of this State. When the war ceased, he raised himself high in the great army of intellect and in the hearts of the great Republican party. Establishing himself in one of the wealthiest and most intelligent parishes of the State, he there and then devoted all his energies and all his mind and all his influence to the furtherance of those glorious principles upon which the new constitution of the State rests. Mr. Merrill was nominated two years ago for a seat in the Senate of this State. But, sir, on account of the noble independence and integrity of his character, he was cheated out of a fair election by the minions of Warmoth, in the persons of Blanchard and others. For two years the good people of the parish of Iberville were misrepresented in the Senate of the State, on account of the fraudulent practices of Warmoth and his subordinates in carrying out the election laws. But during those two years Mr. Merrill did not retire from politics. He kept before the people, and he agitated those measures of reform and patriotism in which every good citizen should be engaged. And at the last election he was returned to the Senate by a large and flattering vote. His career in the Senate, during the short period he sat there, stamped him as one of the worthiest of that body, and as an independent Senator, who never allowed executive patronage or legislative influence to control his vote, or his report, or his sayings, or his doings. In his independent character as Senator he set an example that should be followed all over this country, wherever Legislatures and executives exist. He has gone to his last and final home, leaving a family and a large constituency to mourn his loss, and the Senate of this State will perhaps sit many a day before another man like him will enter that body.

In conclusion, I heartily indorse the resolution that has been read with regard to his death.

At the conclusion of Governor Hahn's remarks the House adjourned to Saturday at 12 M.

Fifth Day's Proceedings.

NEW ORLEANS, January 10, 1874.

Mr. Allain, of West Baton Rouge, as chairman of the Committee on Appropriations, offered their report, bearing the following title:

An act making an appropriation for the payment of the mileage and per diem and contingent expenses of the General Assembly of the State for the regular session of 1874, describing the manner in which the same shall be paid.

The House resolved itself into committee of the whole, when the following discussion took place:

Mr. Hahn, of St. Charles—I want to say a word in passing on this bill. We ought to be very careful. We all recollect last year the Committee on Expenses, or some other committee, recommended a bill, and after the bill passed this House and the other House, it was enjoined by order of court as being unconstitutional, and raised such a consternation among the members here, because they did not carry out that law, and be in accord with its provisions. At any rate, sir, that law, we all know, was pronounced defective, and the money was not paid in the manner and in the amount prescribed by it. This is a lesson for us to proceed by. Now, sir, we all know that for some months past a controversy has been going on between two executive officers of this State—the State Auditor and the State Treasurer. We used to believe that the State Auditor kept the books of the State and issued warrants, and that the State Treasurer held on to the money. We have been lately told by the newspapers and by judgments of the court, and by the Treasurer himself, that this system of things has been changed, and that he no longer controlled the money. Now, sir, if he has not got control of the money, let us not make the mistake of asking the Auditor to draw a warrant on him.

Mr. Gair, of East Feliciana—I hold that this discussion is out of order.

Mr. Hahn—I urge upon the members who need this money—I do not need much of it myself, I am too near the city, I am only twenty-five miles distant—but these gentlemen who come from Red river, and go to the Treasurer and demand their money will receive the answer, "I have not got the money, Mr. Clinton has it." Now, I say, if the money is not in the treasury, we had better find out where it is before we draw on it. I hope this disgraceful squabble between the Auditor and State Treasurer, will cease, and that the Committee on Appropriations has given the matter their attention. In that case I am willing to go into it.

Mr. Gair—I don't see that the old appropriation bill has been referred to the committee. The committee has made a substitute to the bill, and I think the gentleman from St. Charles will do his best about it. He will find that the appropriation bill is, almost verbatim, as it passed the previous session. Now, as far as the money is concerned, it ought to be in the State treasury, and it is the impression that the money is there, and I believe it is there. The gentleman has gone on to discuss the proposition to make the appropriation and draw the warrants on the party that has the money. I think that the money is in the hands of the State Treasurer. I do not see any use of further discussion.

Mr. Mathews, of Tensas—I desire to make a few remarks on the bill, and also refer to the appropriation bill of last session. I am aware that some members of the house blamed me for their not receiving the thirty per cent additional allowed by the appropriation bill, and for the delay. I wish to say to you, gentlemen, that when the bill was reported last session I told you then and there that the thirty per cent clause was unconstitutional, and the money would not be paid. Time has proved that I was correct, and that clause was the cause of the delay in settling with the members. The bill now before the House is an appropriation for the legislative expenses only, and prepared in the only manner that such a bill can be to accomplish what we desire. The bill specifies the manner of disbursing and settling with members in the same manner as already provided for by law.

The committee rose, and the house adjourned after passing the bill.

OFFICIAL.

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

[GENERAL NATURE—No. 69.]

An act to provide for the preparation and presentation to Congress of the Revision of the Laws of the United States, consolidating the laws relating to the post roads, and a code relating to military offenses, and the revision of treaties with the Indian tribes now in force.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a Committee of three of the House of Representatives on the Revision of the Laws, with committee on the part of the Senate, is hereby authorized, by resolution, to be filed in the Department of Justice, to accept, on the part of Congress, the draft on Revision of the Laws of the United States prepared by the commissioners to revise the statutes, so far as the same has been reported by them, and may be hereafter reported by them, at the expiration of the time designated for performing that service, to wit, the fourth day of May, eighteen hundred and seventy-three, and to discharge said commissioners, from and after which all acts and parts of acts declaring the duties, powers, rights, and privileges of said commissioners, are hereby repealed; but nothing herein contained shall be construed as an approval or adoption by Congress of any part of the work of the commissioners.

SEC. 2. That the Committee of the House of Representatives on the Revision of the Laws, together with such committee as the Senate may join, be and they hereby are authorized to contract with some suitable person or persons, learned in the law, to prepare a bill revising and embodying in one act all the laws authorizing post roads in force at the expiration of the present session of Congress, and also to prepare a bill codifying and regulating the laws in regard to military offenses, according to the recommendation made by the President of the United States in his annual message communicated to Congress at the present session, and also to prepare a revision of all the Indian treaties now in force as laws.

SEC. 3. That said committee are also authorized to contract with some suitable person or persons, under the supervision of said committee and such regulations as may be by them prescribed, to prepare the revision of the statutes already reported by the commissioners, or which may be reported before said fourth day of May, in the form of a bill to be presented at the opening of the session of Congress in December next, embodying all the laws so revised and the bills and provisions herein provided for, with proper indexes, so that the same may be in form to be acted upon forthwith by Congress at said session.

SEC. 4. That said committee is further authorized to have such revisions and bills printed by the Congressional Printer from time to time, uniform with the revision already reported, and to distribute them, and also the consolidation and codification of the postal and military laws and treaties herein provided for, to members of Congress and others competent to judge of their merits, in order for their correction by such persons.

SEC. 5. That any moneys appropriated for the payment of the work herein provided for shall be disbursed by the Department of Justice from time to time only so far as that Department shall be satisfied that the work has been well and faithfully performed, and as said Department shall be satisfied that the work will be fully done and completed by the commencement of said session of Congress in December next.

Approved March 3, 1873.

[GENERAL NATURE—No. 110.]

An act to authorize and direct the Secretary of War to distribute arms and military equipments under the act of April twenty-three, eighteen hundred and eight, and the acts amendatory thereof.

Be it amended by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to distribute to such States as did not, from the year eighteen hundred and sixty-two to the year eighteen hundred and sixty-nine, receive the same, their proper quota of arms and military equipments for each year, from eighteen hundred and sixty two to eighteen hundred and sixty-nine, under the act of Congress approved April twenty-third, eighteen hundred and eight, and the several acts amendatory thereof; provided, that in the organization and equipment of military companies and organizations with said arms, no discrimination shall be made between said companies and organizations on account of race, color or former condition of servitude.

Approved March 3, 1873.

[GENERAL NATURE—No. 72.]

An act to amend an act entitled an act to prevent smuggling, and for other purposes, approved July eighteenth, eighteen hundred and sixty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventh section of the act entitled an act to further prevent smuggling, and for other purposes, approved July eighteenth, eighteen hundred and sixty-six, is hereby amended so as to read as follows: That it shall be the duty of the several collectors of customs and of internal revenue to report within ten days to the district attorney of the district in which any fine, penalty, or forfeiture may be incurred for the violation of any law of the United States relating to the revenue, a statement of all the facts and circumstances of the case within their knowledge, together with the names of the witnesses, and which may come to their knowledge from time to time, stating the provisions of the law believed to be violated, and on which a reliance may be has for condemnation or conviction, and such district attorney shall cause the proper proceedings to be commenced and prosecuted without delay for the fines penalties, and forfeitures by law in such case provided, unless, upon inquiry and examination, he shall decide that such proceedings can not probably be sustained, or that the ends of public justice do not require that proceedings should be instituted, in which case he shall report the facts in customs cases to the Secretary of the Treasury, and in internal revenue cases to the Commissioner of Internal Revenue, for their direction; and for the expenses incurred and services rendered in all such cases the district attorney shall receive and be paid from the treasury such sum as the Secretary of the Treasury shall deem just and reasonable upon the certificate of the judge before whom such cases are tried or disposed of; provided, however, that the annual compensation of such district attorney shall not exceed the maximum amount now prescribed by law; and if any collector shall in any case fail to report to the proper district attorney as prescribed in this section, such collector's right to any compensation, benefit, or allowance in such case shall be forfeited to the United States, and the same may, in the discretion of the Secretary of the Treasury, be awarded to such persons as may make complaint and prosecute the same to judgment or conviction.

Approved March 3, 1873.

[GENERAL NATURE—No. 75.]

An act providing for the payment to the government of Japan the sum due on account of rents for lands and buildings occupied by the diplomatic and consular representatives of the United States to Japan, 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 Secretary of State be and he is hereby authorized to pay to the government of Japan, through its resident diplomatic representative in the United States, out of any moneys in the treasury not otherwise appropriated, any sum not exceeding six thousand dollars, which may be found to be due to the government of Japan by that of the United States, on account of rents for lands or buildings occupied for hospital purposes, jail and courthouse, by the United States in Japan.

SEC. 2. That the Secretary of State, through the minister resident at Japan, be, and he is hereby, authorized to rent, furnish, and keep suitable buildings, with grounds appurtenant, in Jeddo, or such other place as he may designate, for a courthouse and jail, at an annual cost not exceeding five thousand dollars; provided, that the period for which the said buildings shall be rented shall be for two years, with renewals for two years as the Secretary of State shall determine.

SEC. 3. That a further sum, not to exceed two thousand five hundred dollars, be, and the same is hereby, also appropriated, out of any moneys in the treasury not otherwise appropriated, for the purchase of a suitable law library for the use of said legation in Japan, the selection of such library to be made by the Secretary of State.

Approved March 3, 1873.

[GENERAL NATURE—No. 108.]

An act for the relief of Howard F. Moffat.

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 to nominate, and by and with the advice and consent of the Senate to appoint, upon the retired list of the navy, with the rank of master, Howard F. Moffat, now a volunteer officer on the active list of the navy.

Approved March 3, 1873.

[RESOLUTION OF GENERAL NATURE—No. 4.

A resolution authorizing the President to invite the International Statistical Congress to hold its next session in the United States.

Whereas, The governments of Belgium, Austria, France, Great Britain, Prussia, Italy, Holland and Russia have heretofore extended invitations to the International Statistical Congress to hold sessions of the said congress at their respective capitals, and eight different sessions of the said congress have been held in accordance with said official invitations, to the great advancement of the science of national and international statistics in its various departments, and to the uniformity of coinage, weights and measures, and commercial regulations and statistical publications between the different nations; and, whereas, the United States of America are favorable to all measures for promoting the advancement of statistical science, and to all efforts for the social advancement and friendly intercourse of the peoples of all countries; and, whereas, also, the President of the United States, in his recent annual message to Congress, has submitted to this Congress the consideration of the propriety of extending an invitation to the International Statistical Congress to hold its next (ninth) meeting in the United States; therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and he is hereby authorized and requested to tender to the organization commission of the last session of the said congress, recently held at Saint Petersburg, a formal and cordial invitation to hold its next session in the United States of America.

SEC. 2. That if the said invitation shall be accepted by the said statistical congress, the President shall be and he is hereby duly authorized to appoint the usual organization commission, and to take the other preliminary and necessary measures for the meeting of the said body and the holding of its ninth session in this country at such time as may be deemed expedient by the said statistical congress.

Approved March 3, 1873.

[GENERAL NATURE—No. 63.]

An act to declare the true intent and meaning of the act approved June eight, eighteen hundred and seventy-two, amendatory of the general bankrupt law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it was the true intent and meaning of an act approved June eighth, eighteen hundred and seventy-two, entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States, approved March second, eighteen hundred and sixty-seven," that the exemptions allowed the bankrupt by the said amendatory act should, and it is hereby enacted that they shall, be the amount allowed by the constitution and laws of each State, respectively, as existing in the year eighteen hundred and seventy one, and that such exemptions be valid against debts contracted before the adoption and passage of such State constitution and laws, as well as those contracted after the same, and against liens by judgment or decree of any State court, any decision of any such court rendered since the adoption and passage of such constitution and laws to the contrary notwithstanding.

Approved March 3, 1873.

[GENERAL NATURE—No. 77.]

An act to provide for the establishment of a military prison, and for its government.

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That there shall be established at Rock Island, in the State of Illinois, a prison for the confinement and reformation of offenders against the rules, regulations and laws for the government of the army of the United States, in which shall be securely confined, and employed at labor, and governed in the manner hereinafter directed, all offenders convicted before any court martial or military commission in the United States, and sentenced according to law to imprisonment therein.

SEC. 2. That the Secretary of War shall organize a board of five members, to consist of three officers of the army and two persons from civil life, who shall adopt a plan for the building of such prison, and who shall frame regulations for the government of the prisoners, in accordance with the provisions of this act. The said commissioners from civil life shall hold their offices for the term of three years, and shall be paid five dollars a day while on duty, and necessary traveling expenses; and the said officers of the army shall, at all times, be subject to removal by the Secretary of War.

SEC. 3. That the Secretary of War shall, with said commissioners, semi-annually, and as much oftener as may be deemed expedient, visit said prison for the purposes of examination, inspection, and correction; and they shall inquire into all abuses or neglects of duty on the part of the officers or other persons in charge of the same, and make such changes in the general discipline of the prison as they may hold to be essential.

SEC. 4. That the officers of the prison shall consist of a commandant and such subordinate officers as may be necessary, a chaplain, a surgeon, and a clerk, who shall be detailed by the Secretary of War from the commissioned officers of the army; and a sufficient number of enlisted men shall be detailed by the Secretary of War to act as turnkeys, guards and assistants in the prison.

SEC. 5. That one of the inspectors of the army shall, at least once in three months, visit the prison for the purpose of examining into the books and all the affairs thereof, and ascertaining whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.

SEC. 6. That before the commandant enters upon the duties of his office he shall give bond, with sufficient sureties, in a sum to be fixed by the Secretary of War, to be approved by him, conditioned that he shall faithfully account for all money placed in his hands for the use of the prison and for the faithful discharge of all his duties as commandant. He shall have command of the prison; shall have the charge and employment of the prisoners, and the custody of all the property of the government connected with the prison. He shall receive and pay out all money used for the prison, and shall cause to be kept, in suitable books, complete accounts of all the property, expenses, income, business and concerns of the prison; and shall make full and regular reports thereof to the Secretary of War; and shall, under the direction and with the approval of the Secretary of War, employ, for the benefit of the United States, the convicts at such labor and in such trades as may be deemed best for their health and reformation. He shall have power to sell and dispose of any articles manufactured by the convicts, and shall regularly account for the proceeds thereof, and shall give bond and security for the faithful keeping and accounting of all moneys and property coming to his hands as such commandant. He shall take note and make record of the good conduct of the convicts, and shall shorten the daily time of hard labor for those who by their obedience, honesty, industry, or general good conduct, earn such favors; and the Secretary of War is authorized and directed to remit, in part, the sentences of such convicts, and to give them an honorable restoration to duty in case the same is merited; and in case any convict shall disobey the lawful orders of the officers of the prison, and refuse to comply with the rules and regulations thereof, he may be placed in solitary confinement, and the commandant shall at once report the case to the Secretary of War, who shall direct the inspector to make full examination and report of the matter at the next inspection; but in no case shall any prisoner be subjected to whipping, branding, or the carrying of weights for the purpose of discipline, or for producing penitence; and every prisoner, upon being discharged from prison, shall be furnished with decent clothing.

SEC. 7. That the use of newspapers and books shall not be denied the convicts at times when not employed; and that unofficial visitors shall be admitted to the prison under such restrictions as the board of commissioners may impose. The prisoners shall not be denied the privilege of communicating with their friends by letter, and from receiving like communications from them, all of which shall be subject to the inspection of the commandant, or such officer as he may assign to that duty.

SEC. 8. That the prisoners shall be supplied with ample and clean bedding, and with wholesome and sufficient food, but when in hospital or under discipline their diet shall be prescribed by the proper authority. The prison shall be suitably ventilated, and each prisoner shall have a weekly bath of cold or tepid water, which shall be applied to the whole surface of the body, unless the surgeon shall direct otherwise for the health of the prisoner.

SEC. 9. That no officer of the prison, or other person connected therewith, shall be concerned or interested, directly or indirectly, in any contract, purchase or sale made on account of the prison.

SEC. 10. That any officer who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape, or in an attempt to escape, shall, upon conviction, be dismissed from the service, and suffer such other punishment as a court martial may inflict.

SEC. 11. That any soldier or other person employed in the prison, who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape, or in an attempt to escape, shall, upon conviction by a court martial, be confined therein not less than one year.

SEC. 12. That all prisoners under confinement in said military prison undergoing sentence of courts martial shall be liable to trial and punishment by courts martial under the rules and articles of war for offences committed during the said confinement.

Approved March 3, 1873.

[GENERAL NATURE—No. 61.]

An act to extend for four years the act establishing the Board of Commissioners of Claims, and the acts relating thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second, third, fourth, fifth and sixth sections of the act entitled "An act making appropriations for the support of the army for the year ending June thirtieth eighteen hundred and seventy-two, and for other purposes," approved March third, eighteen hundred and seventy-one, and the act entitled "An act to authorize the commissioners of claims to appoint special commissioners to take testimony, and for other purposes," approved May eleventh, eighteen hundred and seventy-two, be, and the same are hereby, extended and continued in force for four years from the tenth day of March, anno Domini eighteen hundred and seventy-three.

SEC. 2. That the commissioners of claims shall not receive any petition for the allowance of any claim or claims unless such petition shall be presented to and filed with them on or before the third day of March, eighteen hundred and seventy-three; and all claims not so presented shall be deemed to be barred forever thereafter.

Approved March 3, 1873.

[GENERAL NATURE—No. 73.]

An act to regulate the taking of testimony in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no witness shall be compelled to appear or to testify before any commissioner or officer appointed to take testimony under letters rogatory, issued or to be issued from any court in any foreign country, in any suit or proceeding in which the government of such foreign country shall be a party of record or in interest, except for the purpose of answering specific written interrogatories issued with and accompanying such letters rogatory and addressed to such witness; provided, that when counsel for all the parties attend the examination they may consent that questions in addition to those accompanying the letters rogatory may be put to the witness, unless the letters rogatory exclude such additional interrogatories.

SEC. 2. That no witness shall be required, on such examination, or any other under letters rogatory, to make any disclosure or discovery which shall tend to criminate him either under the laws of the State or Territory within which such examination is had, or any other, or any foreign State.

Approved March 3, 1873.

[GENERAL NATURE—No. 107.]

An act to provide for the sale of lands of the United States containing coal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person above the age of twenty-one years, who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon application to the register of the proper land office, have the right to enter, by legal subdivisions, any quantity of vacant coal lands of the United States not otherwise appropriated or reserved by competent authority, not exceeding one hundred and sixty acres to such individual person, or three hundred and twenty acres to such association, upon payment to the receiver of not less than ten dollars per acre for such lands, where the same shall be situated more than fifteen miles from any completed railroad, and not less than twenty dollars per acre for such lands as shall be within fifteen miles of such road.

SEC. 2. That any person or association of persons severally qualified as above, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry, under the foregoing provisions, of the mines so opened and improved; provided, that when any association of not less than four persons, severally qualified as in section one of this act, shall have expended not less than five thousand dollars in working and improving any such mine or mines, such association may enter not exceeding six hundred and forty acres, including such mining improvements.

SEC. 3. That all claims under section two of this act must be presented to the register of the proper land district within sixty days after the date of actual possession and the commencement of improvements on the land, by the filing of a declaratory statement therefor; provided, that when the township plat is not on file at the date of such improvement, filing must be made within sixty days from the receipt of such plat at the district office; and provided further, that where the improvements shall have been made prior to the expiration of three months from the passage of this act, sixty days from the expiration of said three months shall be allowed for the filing of a declaratory statement, and no sale under the provisions of this act shall be allowed until the expiration of six months from the date hereof.

SEC. 4. That this act shall be held to authorize only one entry by the same person or association of persons under its provisions; and no association of persons any member of which shall have taken the benefit of this act either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions of this act; and no member of any association which shall have taken the benefit of this act shall enter or hold any other lands under its provisions; and all persons claiming under section two hereof shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice, or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

SEC. 5. That in case of conflicting claims upon lands where the improvements shall be hereafter commenced, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made at the date of the passage of this act, division of the land claim may be made by legal subdivisions, to include, as near as may be, the valuable improvements of the respective parties; and Commissioner of the General Land Office shall be and is hereby authorized to issue all needful rules and regulations for carrying into effect the provisions of this act.

SEC. 6. That nothing in this act shall be construed to destroy or impair any rights which may have attached prior to its passage, or to authorize the sale of lands valuable for mines of gold, silver or copper.

Approved March 3, 1873.

[GENERAL NATURE—No. 79.]

An act to create a port of delivery at La Crosse, in Wisconsin, and to provide for a surveyor of customs thereat.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That La Crosse, in the county of La Crosse, and State of Wisconsin, be, and is hereby, constituted a port of delivery within the collection district of New Orleans; and there shall be appointed a surveyor of customs for said port, who shall perform the duties of such office and receive the compensation of not exceeding twelve hundred dollars per annum as salary.

Approved March 3, 1873.

[GENERAL NATURE—No. 80.]

An act to prevent cruelty to animals while in transit by railroad or other means of transportation within the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no railroad company within the United States whose road forms any part of a line of road over which cattle, sheep, swine or other animals shall be conveyed from one State to another, or the owners or masters of steam, sailing or other vessels carrying or transporting cattle, sheep, swine or other animals from one State to another, shall confine the same in cars, boats or vessels of any description, for a longer period than twenty-eight consecutive hours, without unloading the same for rest, water and feeding, for a period of at least five consecutive hours, unless prevented from so unloading by storm or other accidental causes. In estimating such confinement the time during which the animals have been confined without such rest on connecting roads from which they are received shall be included, it being the intent of this act to prohibit their continuous confinement beyond the period of twenty-eight hours, except upon contingencies hereinbefore stated. Animals so unloaded shall be properly fed and watered during such rest by the owner or person having the custody thereof, or in case of his default in so doing then by the railroad company or owners or masters of boats or vessels transporting the same at the expense of said owner or person in custody thereof; and said company, owners, or masters shall in such cases have a lien upon such animals for food, care, and custody furnished, and shall not be liable for any detention of such animals authorized by this act. Any company, owner, or custodian of such animals who shall knowingly and willfully fail to comply with the provisions of this act shall, for each and every such failure to comply with the provisions of this act, be liable for and forfeit and pay a penalty of not less than one hundred nor more than five hundred dollars; provided, however, that when animals shall be carried in cars, boats, or other vessels in which they can and do have proper food, water,