New Orleans Republican.

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THE DAILY REPUBLICAN

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

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What Alexis Thinks of Us.

The St. Petersburg correspondent of the *Baltic Gazette* has seen advanced sheets of the first volume of the Grand Duke Alexis' account of his voyage around the world. This first volume is exclusively devoted to a description of the Grand Duke's adventures in the United States. The above mentioned correspondent writes as follows about it:

This is certainly a very curious work. To judge from what I have read of it—whether his imperial highness wrote it, or whether an able pen did it for him—the book is intensely interesting. The Grand Duke says his reception in New York almost stupefied him. Up to the last moment he had not thought so brilliant a reception would be tendered in republican America to the son of a monarch. He was very weak when he landed in New York, and, during his progress up Broadway, frequently felt like fainting. But everybody was so kind to him that he tried hard to look pleased, as he was in his heart of hearts. Broadway, he says, in his opinion, is the finest thoroughfare in the world, because everything there—houses, shops and the people—look not monotonous, but gay, lively and bright. What amused him perhaps more than anything else was that the bands, upon catching sight of him, struck up, not the regular Russian anthem, but the so-called "Dirge of St. Catharine," which is played in Russia only at the funeral of a member of the Imperial family. The cheers of the people were more deafening than any he had head in Europe, from which he playfully concludes that lung disease can not be prevalent in the New World. As to the soldiery, the variety of uniforms struck him as extremely odd. He says he saw, peacefully side by side, helmeted Prussians and "kapied" Frenchmen, red-coated Englishmen, and Irish troops bearing the banner of the Green Isle.

The Grand Duke can not praise too highly American hotels. American fare, he thinks, however, is too rich. "There is at their tables," he exclaims, naively, "always too much of a good thing. I asked for the peculiar dishes of America, and at the hotel they could not give me any. Their cooks were Italian and French. The landlord shrugged his shoulders when I asked him about it. Out West, however, my desire was at once gratified. I dined one day on baked pork and beans, a very palatable dish, which would certeinly bear transplanting to Russia."

American manners, the Grand Duke thinks, are a little awkward and angular, but decidedly pleasant on account of everybody's frankness. He tells a number of curious anecdotes on his experiences with the aborigines. In Washington he was told that the Irish servant girls at the residence of M. Catacazy were dying to see him. He put on a cap and an old traveling cloak and went unheralded down into the kitchen among them. He was not recognized by the Biddies, and chatted with them for half an hour. He found out that one of them had an idea of where Russia was situated, and one of the girls even asked him if the Czar always wore a crown on his head, adding that she knew the Queen of England always did. Equally amusing is the account of his reception at Omaha, in Nebraska, where a member of the Legislature congratulated him on the successes of his father in the war with France. Another legislator of that State wanted to know if it was always cold in Russia.

These funny episodes in the West, however, were amply made up for by the extreme kindness and consideration with which the army officers there treated the Grand Duke. For General Custer and his subordinate officers the Grand Duke has words of the warmest gratitude. General Custer's photograph is published in the volume, which is most sumptuously printed and profusely illustrated. Only a few hundred copies of the book will be issued.

The Fort St. Philip Canal.

Colonel Marshall J. Smith, commercially connected with both New Orleans and St. Louis, and a gentleman who may be considered as an original mover in the proposition to construct the Fort St. Philip canal, has received the following letter from the Hon. E. O. Stanard on the subject:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 24, 1874.

Colonel Marshall J. Smith, St. Louis:

MY DEAR SIR—Yours of the twenty first at hand and duly noted, and, in reply, would say that I am glad to see the interest you manifest in the substantial improvement of the Mississippi river and its tributaries, and I think it safe to say that no other Congress has ever felt as much interest in this matter as this one. All we are waiting for now is for the report of the government engineers on the feasibility of the Fort St. Philip canal (and we expect it in a few days), and many of our Eastern and Northern friends assure us that they will go with us if that report is favorable, and I have fond hopes of substantial results before Congress adjourns.

Yours very truly,
E. O. STANARD.

The agitation of the question of building the Fort St. Philip canal began in 1868, in July, we believe, since when the subject has continued, with more or less intermission, to vex the public press and congressional ears, and, if we may give full credit to the above letter, the gleam of victory brightens the horizon at last. The *Democrat* has been a constant and energetic advocate of this great commercial measure from the beginning, and will rejoice in common with all all other friends of the measure upon an assurance of its success in Congress.—*St. Louis Democrat.*

A dry goods clerk of Indiana is said to be so slim and his head so sharp that he slipped a rupper tip over his poll and attended a recent masquerade ball as a lead pencil.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 3.

AN ACT

To provide for funding obligations of the State by exchange for bonds; to provide for principal and interest of said bonds; to establish a board of liquidation; to authorize certain judicial proceedings against it; to define and punish violations of this act; to prohibit certain officers diverting funds except as provided by law, and to punish violations therefor; to levy a continuing tax and provide a continuing appropriation for said bonds; to make a contract between the State and holders of said bonds; to prohibit injunctions in certain cases; to limit the indebtedness of the State, and to limit State taxes; to annul certain grants of State aid; to prohibit the modification, novation or extension of any contract heretofore made for State aid; to provide for the receipt of certain warrants for certain taxes, and to repeal all conflicting laws.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That for the purpose of consolidating and reducing the floating and bonded debt of the State, the Governor, Lieutenant Governor, Auditor, Treasurer, Secretary of State, Speaker of the House of Representatives are hereby authorized to cause to be prepared, and to issue bonds, to be known as "consolidated bonds of the State of Louisiana," of the denominations of one hundred, five hundred and one thousand dollars, to the amount of fifteen millions of dollars, or so much thereof as may be necessary, all payable forty years from the first day of January, 1874, and all to be numbered consecutively, and made payable to bearer, and to bear interest at the rate of seven per cent per annum, payable semi-annually, in the city of New York and city of New Orleans, on the first day of July and January of each year, and coupons for such interest shall be annexed thereto; said interest and principal to be payable in lawful money of the United States.

SEC. 2. Be it further enacted, etc., That the parties designated in the foregoing section shall constitute a board of liquidation, and a majority of said board shall elect a fiscal agent for the State, who shall be a member of said board.

SEC. 3. Be it further enacted, etc., That the bonds authorized by the section one shall be signed by the Governor, Auditor and Secretary of State, and the coupons shall be signed by the Auditor and Treasurer; and when so prepared said bonds shall be exchanged by the board of liquidation for all valid outstanding bonds of the State and all valid warrants drawn previous to the passage of this act by the respective Auditors of Public Accounts of the State on the Treasurer thereof, except warrants issued by the Auditor in payment of the constitutional officers of the State, at the rate of sixty cents in consolidated bonds for one dollar in outstanding bonds and all valid warrants; provided, that the holder of any bond or valid warrant rejected by a majority of said board may apply by petition to the proper court for relief, and if final judgment shall be rendered in his favor against said board, it shall be the duty of said board to fund his said claim in bonds at the rate provided by this act; and provided further, that if any member of said board of liquidation shall knowingly audit and fund any illegal claim against the State he shall be deemed guilty of a misdemeanor, and shall, on conviction, be fined not less than five thousand dollars and be imprisoned not less than two years at the discretion of the court. And any person knowingly procuring the same to be done shall be subject to the same penalty.

SEC. 4. Be it further enacted, etc., That the exchange of the bonds or valid warrants authorized by this act shall be effected by said board of liquidation in the cities of New Orleans and New York.

SEC. 5. Be it further enacted, etc., That the consolidated bonds herein authorized shall be held and used by said board of liquidation only for the purpose of exchange as aforesaid; said bonds shall be used for no other purpose or purposes than as authorized by this act, and any member of the board of liquidation using or attempting to use, or attempting to induce any person or persons to use, said bonds or any of them for any other purpose or purposes shall, on conviction thereof, be punished by a fine of not less than five thousand dollars and by imprisonment at hard labor for not less than one year.

SEC. 6. Be it further enacted, etc., That notice of the adoption of this act shall be published by said board in one or more journals of New Orleans, New York, London, Paris and Amsterdam.

SEC. 7. Be it further enacted, etc., That a tax of five and a half mills on the dollar of the assessed value of all real and personal property in the State is hereby annually levied, and shall be collected for the purpose of paying the interest and principle of the consolidated bonds herein authorized, and the revenue derived therefrom is hereby set apart and appropriated to that purpose, and no other. And that it shall be deemed a felony for the Fiscal Agent or any officer of the State or board of liquidators to divert the said fund from its legitimate channel as provided, and upon conviction the said party shall be liable to imprisonment for not more than ten years or less than two, at the discretion of the court. If there shall, during any year, be a surplus arising from said tax after paying all interest falling due in that year, such surplus shall be used for the purchase and retirement of bonds authorized by this act, said purchases to be made by the said board of liquidation, from the lowest offers, after due notice; provided, that the total tax for interest and all other State purposes, except the support of public schools, shall never hereafter exceed twelve and a half mills on the dollar. The interest tax aforesaid shall be a continuing annual tax until the said consolidated bonds shall be paid or redeemed, principal and interest; and the said appropriation shall be a continuing annual appropriation during the same period, and this levy and appropriation shall authorize and make it the duty of the Auditor and Treasurer, and the said board, respectively, to collect said tax annually, and pay said interest and redeem the said bonds until the same shall be fully discharged.

SEC. 8. Be it further enacted, etc., That the bonds and valid warrants outstanding at the time of the passage of this act, shall, as fast as they are received in exchange for consolidated bonds, be canceled and destroyed by the said board of liquidation, and consolidated bonds purchased as provided for in section seven of this act, shall be canceled and destroyed after public notice has been given of the same in the official journal of the State, in the presence of as many citizens as may desire to be present, in like manner, and within ten days after such destruction, in each case, a proces verbal of the same shall be published and a report made to the General Assembly on the first Monday of every year, by said board.

SEC. 9. Be it further enacted, etc., That it shall be the duty of the Auditor in his next annual report to give a detailed account of the proceedings had under this act, including the amount of new bonds issued, the amount of old bonds and valid warrants canceled, the amount of the same outstanding, and the cost of the exchange; and annually thereafter a full and exact statement of the condition of the public debt under the operations of this act.

SEC. 10. Be it further enacted, etc., That any judge, tax collector, or any officer of the State, obstructing the execution of this act, or any part of it, or failing to perform his official duty thereunder, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not exceeding five years, and by fine not exceeding two thousand dollars, at the discretion of the court; provided, that this section shall in no wise prejudice or affect the criminal proceeding under section five of this act.

SEC. 11. Be it further enacted, etc., That each provision of this act shall be, and is hereby declared to be, a contract between the State of Louisiana and each and every holder of the bonds issued under this act.

SEC. 12. Be it further enacted, etc., That all grants of State aid heretofore made, whether of bonds, indorsements, subscriptions of stock, or otherwise, which have become lapsed or forfeited, be and the same are hereby repealed and annulled, nor shall the State hereafter modify, novate, or extend any contract heretofore made for the giving of State aid in any form or under any pretext.

SEC. 13. Be it further enacted, etc., That the entire State debt, prior to the year of our Lord nineteen hundred and fourteen, shall never be increased, directly or indirectly, beyond the sum of fifteen millions of dollars, hereby authorized, it being the intent and object of this act, and of the exchanges to be effected thereunder, to reduce and restrict the whole indebtedness of the State to a sum not exceeding fifteen millions of dollars, and to agree with the holders of the consolidated bonds to be issued hereunder that said indebtedness shall not be increased beyond said sum during said period.

SEC. 14. Be it further enacted, etc., That any tax collector who shall turn over any money or warrants by him collected, to any person except to the State Treasurer, shall be deemed guilty of a misdemeanor, and shall, on conviction, be subject to the penalties prescribed in section ten of this act, and shall, in addition thereto, be liable in damages in double the amount so turned over; and any State officer requiring or demanding that said taxes shall be turned over to him, except the Treasurer of the State, shall be liable, on conviction, to the same penalties as are prescribed in this section.

SEC. 15. Be it further enacted, etc., That from and after the passage of this act until the first day of July, 1874, all valid Auditor's warrants issued for debts due prior to January 1, 1874, shall be received for all back taxes, licenses and interest and penalties thereon due prior to said first of January, 1874, except two mills for school fund, three mills for levee construction and repair fund, and two mills to the interest fund for the purpose of paying any interest in arrears accruing on the bonded debt of the State prior to the passage of this act.

SEC. 16. Be it further enacted, etc., That no court, or judge thereof, shall have power to enjoin the payment of principal or interest of any bond issued under this act, or the collection of the special tax therefor, or to enjoin any officer of State or parish in receiving warrants, as is prescribed in section fifteen of this act.

SEC. 17. Be it further enacted, etc., That all acts or parts of acts in conflict with this act, or any section thereof, are hereby declared to be repealed, and that this act shall 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 24, 1874.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
P. G. DESLONDE,
Secretary of State.

No. 4.

AN ACT

Proposing amendments to the constitution of the State of Louisiana.

Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened (two-thirds of the members of each house agreeing thereto), That the following amendments be proposed and entered upon the respective journals of the Senate and House of Representatives, with the yeas and nays taken thereon, and the Secretary of State shall cause the same to be published three months before the next general election for representatives to the General Assembly in at least one newspaper in every parish of the State in which a newspaper shall be published. And said proposed amendments shall be submitted to the people at said election in such manner and form that the people may vote for or against each amendment separately—i. e., "first proposed amendment, for approval" or "against approval," and in like manner as to the others; and if a majority of the voters at said election shall approve and ratify such amendment or amendments, the same shall be appropriately numbered and become a part of the constitution, and be proclaimed as such by the Governor and Secretary of State.

PROPOSED AMENDMENTS TO THE CONSTITUTION.

No. 1.—The issue of consolidated bonds authorized by the General Assembly of the State, at its regular session in the year 1874, is hereby declared to create a valid contract between the State and each and every holder of said bonds, which the State shall by no means and in no wise impair. The said bonds shall be a valid obligation of the State in favor of any holder thereof, and no court shall enjoin the payment of the principal or interest thereof, or the levy and collection of the tax therefor; to secure such levy, collection and payment, the judicial power shall be exercised when necessary.

The tax required for the payment of the principal and interest of said bonds shall be assessed and collected each and every year until the bonds shall be paid, principal and interest, and the proceeds shall be paid by the Treasurer of the State to the holders of said bonds as the principal and interest of the same shall fall due, and no further legislation or appropriation shall be requisite for the said assessment and collection and for such payment from the treasury.

No. 2.—Whenever the debt of the State shall have been reduced below twenty-five million dollars, the constitutional limit shall remain at the lowest point reached, beyond which the public debt shall not thereafter be increased; and this rule shall continue in operation until the debt is reduced to fifteen million dollars, beyond which it shall not be increased. Nor shall taxation for all State purposes, excepting the support of public schools, ever exceed twelve and a half mills on the dollar of the assessed valuation of the real and personal property in the State, except in case of war or invasion.

No. 3.—The revenue of each year derived from taxation upon real, personal and mixed property, or from licenses, shall be devoted solely to the expenses of the said year for which it shall be raised, excepting any surplus remain, which shall be directed to sinking the public debt. All appropriations and claims in excess of revenue shall be null and void, and the State shall in no manner provide for their payment.

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

Approved January 24, 1874.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
P. G. DESLONDE,
Secretary of State.

No. 5.

AN ACT

For the relief of F. Van Benthuysen and his minor children.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That Francis Van Benthuysen, of New Orleans, be and he is hereby authorized to sell the real estate owned by him in said city on which the mortgage of his minor children rests, on such terms as a family meeting of said minors, duly convoked, may advise; and upon the homologation of of such advice and recommendation by the Second District Court of New Orleans, the proceeds of such sale shall become the property of the children of said Van Benthuysen, and shall be invested as said family meeting may advise, subject to the approval of said court, in bonds of the United States; and when said investment shall be effected, it shall be approved by the said court on the petition of said Van Benthuysen, and the said court shall decree that said bonds are the property of said minors, and shall neither be assigned nor transferred during the existence of the usufruct of said Van Benthuysen of the same.

SEC. 2. Be it further enacted, etc., That the judgment of said court, homologating the proceeding of the family meeting under whose advice said property may, and the sale thereof shall, discharge the mortgage of said minors on the property so sold, and the purchaser of said property shall take the same free from any obligation the part of said purchaser to look to the investment of the price.

SEC. 3. 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) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved January 24, 1874.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
P. G. DESLONDE, Secretary of State.

OFFICIAL.

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

[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 governmenment 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 people 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. 64.]

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 here