

or canals, of any sort, shall be opened through the property of said corporation exclusively appropriated and used for the purposes of a cemetery: *Provided*, That nothing herein contained shall be so construed as to authorize said corporation to obstruct any public road, or street, or lane, or alley now actually opened and used as such.

Streets, &c., not to be opened through cemetery.

SEC. 6. *And be it further enacted*, That any person who shall wilfully destroy, mutilate or deface, injure or remove any tomb, monument, gravestone, or other structure or work placed in said cemetery, or any fence, railing, or work for protection or ornament of said cemetery, or any tomb, monument, gravestone, or other structure or work thereon, or shall wilfully destroy, cut, break, or remove any tree, shrub, or plant, within the limits of said cemetery, shall be considered guilty of a misdemeanor, and, on conviction thereof before any magistrate or justice of the peace, shall be punished by fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars.

Penalty for defacing or destroying gravestones, monuments, fences, shrubs, &c.

SEC. 7. *And be it further enacted*, That the said corporation shall provide for the return, from time to time, to the Corporation of Washington, of reports of all interments made in said cemetery, of persons who may have died within the limits of the city of Washington, in such manner as may be prescribed from time to time by said Corporation of Washington.

Reports of interments to be made.

SEC. 8. *And be it further enacted*, That nothing in this act shall be so construed as to authorize said corporation to issue any note, token, device, scrip, or other evidence of debt, to be used as a currency; and each of the corporators in said corporation shall be held liable, in his individual capacity, for all the debts and liabilities of said corporation, however contracted or incurred, to be recovered by suit as other debts or liabilities before the court or tribunal having jurisdiction of the case.

Corporation not to issue notes as currency.

Corporators individually liable.

SEC. 9. *And be it further enacted*, That it shall be lawful for Congress, at any time hereafter, to alter, amend, or repeal the foregoing act.

Act may be altered or repealed.

APPROVED, June 10, 1862.

CHAP. CL.—*An Act to protect the Property of Indians who have adopted the Habits of civilized Life.*

June 14, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any Indian, being a member of any band or tribe with whom the Government has or shall have entered into treaty stipulations, being desirous to adopt the habits of civilized life, shall have had a portion of the lands belonging to his tribe allotted to him in severalty, in pursuance of such treaty stipulations, it shall be the duty of the agent and superintendent of such tribe to provide that such Indian shall be protected in the peaceful and quiet occupation and enjoyment of the lands so allotted to him.

Certain Indians to be protected in their allotments of land.

SEC. 2. *And be it further enacted*, That whenever any person of Indian blood belonging to a band or tribe who receive, or are entitled to receive, annuities from the Government of the United States, and who has not adopted the habits and customs of civilized life, and received his lands in severalty by allotment, as mentioned in the foregoing section of this act, shall commit any trespass upon the lands or premises of any Indian who has received his lands by allotment, as aforesaid, it shall be the duty of the superintendent and agent of such band or tribe to ascertain the damages resulting from such trespass; and the sum so ascertained shall be withheld from the payment next thereafter to be made, either to the band or tribe to which the party committing such trespass shall belong, as in the discretion of the superintendent he shall deem proper, and the sum so retained shall be paid over by the said agent or superintendent to the party injured, with the approval of the Secretary of the Interior.

Damage for trespass thereon, to be assessed on the band or tribe of the trespasser, if, &c.

Amount to be withheld, &c.,

and paid to person injured

SEC. 3. *And be it further enacted*, That in case the trespasser shall be

If trespasser is a chief, he may be suspended, in addition.

the chief or headman of a band or tribe, in addition to the penalties above provided for, it shall be the duty of the superintendent of Indian affairs in his district to suspend the said trespasser from his office for three months, and during that time to deprive him of all the benefits and emoluments connected therewith: *Provided*, That the said chief or headman may be sooner restored to his former standing if the superintendent shall so direct.

APPROVED, June 14, 1862.

June 16, 1862.

CHAP. CII. — *An Act providing for the Selection of Jurors to serve in the several Courts in the District of Columbia.*

List of persons best qualified to serve as jurors to be made,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the Register of Washington city, and of the respective clerks of the city of Georgetown and the Levy Court of Washington county, in the District of Columbia, within one month after the passage of this act, and on or before the first day of February in each year thereafter, to make a list of such of the white male citizens, tax-payers, residing within their respective jurisdictions, as they shall judge best qualified to serve as jurors in the courts of the said District, in which lists may be included, in the discretion of the officer making the same, the names of such qualified persons as were on the list of the previous year but did not serve as jurors, and the lists thus made by the register and clerks aforesaid shall be kept by them, respectively, and be delivered over to their successors in office.

where to be kept.

Names to be selected from the list.

SEC. 2. *And be it further enacted*, That the officers aforesaid shall select from the list of the register of Washington city the names of four hundred persons, from that of the clerk of Georgetown eighty persons, and from that of the clerk of the levy court forty persons, which proportion, after the year eighteen hundred and sixty-three, may be varied from year to year according to the increase or decrease of population in the respective jurisdictions, by order of the judges of the circuit court of Washington county.

Who shall be exempt from jury duty.

SEC. 3. *And be it further enacted*, That the Mayors of the cities of Washington and Georgetown, all judicial officers, salaried officers of the Government of the United States, commissioners of police, and those connected with the police or fire department, counsellors and attorneys at law, ministers of the gospel and priests of every denomination, practising physicians and surgeons, keepers of hospitals, asylums, almshouses, or other charitable institutions created by or under the laws relating to the District of Columbia, captains and masters and other persons employed on vessels navigating the waters of said District, and keepers of public ferries, shall be exempt from jury duty, and their names shall not be placed in the list aforesaid.

Their names not to be placed on the list.

Names, how placed in jury box.

SEC. 4. *And be it further enacted*, That the names selected from said lists shall be written on separate and similar pieces of paper, which shall be so folded or rolled up that the names cannot be seen, and placed in a box, to be provided by the register and clerks aforesaid, which box shall be sealed, and after being thoroughly shaken, shall be delivered to the clerk of the circuit court of Washington county for safe-keeping.

Box to be sealed and where kept.

Drawing of grand and petit jurors.

SEC. 5. *And be it further enacted*, That the said register and clerks, and the clerk of the circuit court, shall, at least ten days before the commencement of each term of the circuit or of the criminal court, meet at the City Hall in Washington city, and then and there the clerk of the circuit court shall publicly break the seal of said box and proceed to draw therefrom the names of so many persons as are required; and if the jury about to be drawn is intended for service in the criminal court, the twenty-three persons whose names shall be first drawn shall constitute the grand jury; and the twenty-six persons whose names shall next be drawn shall

Criminal court.