

scribed in the preceding section are not attending the public schools, as they shall deem best for the purpose of enforcing the attendance of such children upon said schools, under the provisions of such section and for enforcing the penalty therein prescribed.

Trustees, &c., to enforce attendance.

SEC. 22. *And be it further enacted*, That this act be, and the same is hereby, declared public and remedial, and shall be construed by all courts of justice according to the equity thereof; and no proceedings of the inhabitants or of the trustees of any school-district, or of the commissioners of primary schools, or of any other officer created under the provisions of this act, shall be set aside or adjudged to be void for defect of form, or for any irregularity therein, so that the requisitions of the said act are substantially complied with.

This act a public act, &c.

Proceedings of trustees, &c., not to be void for defects in form.

SEC. 23. *And be it further enacted*, That the act of congress entitled "An act to provide for the public instruction of youth in primary schools throughout the County of Washington, in the District of Columbia, without the limits of Washington, and Georgetown," except the first and third sections, approved May twenty, eighteen hundred and sixty-two be, and the same is hereby, repealed.

Act of 1862, ch. 77, except, &c., repealed. Vol. xii. p. 394.

APPROVED, June 25, 1864.

CHAP. CLVII. — *An Act to amend an Act entitled "An Act to define the Powers and Duties of the Levy Court of the County of Washington, District of Columbia."*

June 25, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first clause of the third section of the act of congress entitled "An act to define the powers and duties of the levy court of the County of Washington, District of Columbia, in regard to roads and for other purposes," be, and the same is hereby, amended so as to read as follows: "That the said court shall have the care and charge of, and the exclusive jurisdiction over, all the public roads and bridges in said county, except such roads and bridges as belong to and are under the care of the United States, and except such roads and bridges as shall have been or may hereafter be specially provided for by congress. And the said court shall have power and it shall be their duty."

1863, ch. 106. Vol. xii. p. 799.

Levy court to have care of public roads and bridges, except, &c.

SEC. 2. *And be it further enacted*, That the tenth section of the said act be, and the same is hereby, amended by striking out the words "thirty-first," and inserting the word "thirtieth."

1862, ch. 157, § 10, amended. Vol. xii. p. 803.

SEC. 3. *And be it further enacted*, That all cemeteries in the District of Columbia, outside of the cities of Washington and Georgetown, the owners of which sell lots or burial-rights therein indiscriminately to those applying therefor, shall be assessed and taxed as other property in the same parts of the said district: *Provided, however*, That all lots in said cemeteries, when actually sold for burial purposes, and any cemetery held and owned by a religious society, having a regular and known place of worship, shall be exempt from taxation.

Certain cemeteries to be taxed.

Proviso.

SEC. 4. *And be it further enacted*, That hereafter the said court shall have power, and it shall be their duty, to appoint the county surveyor of said County of Washington, to define his duties, from time to time, to fix his compensation, and to remove him whenever they shall deem it proper so to do.

Levy court to appoint county surveyor.

SEC. 5. *And be it further enacted*, That it shall be the duty of the collector of taxes for said county, whenever the owner or keeper of any dog or dogs shall neglect or refuse to pay the tax thereon, to kill, or cause to be killed, every and all such dogs.

Dogs to be killed if tax not paid.

SEC. 6. *And be it further enacted*, That the time specified by the act of February twenty-one, eighteen hundred and sixty-three, within which certain roads in said county shall be surveyed, platted, and recorded, is

Time of construction of certain roads extended.

1863, ch. 51. hereby extended to three years from the first day of July, eighteen hundred and sixty-five.
Vol. xii. p. 658.

Court may issue, &c., licenses. SEC. 7. *And be it further enacted*, That the said court shall have power to issue, classify, and tax licenses for taverns, hotels, and restaurants, and for retailing goods, wares, and merchandise in said county, in proportion to the amount of business the person applying for a license is likely to do. The maximum sum to be charged for any one license not to exceed two hundred and fifty dollars, and the minimum to be so charged not to be less than two dollars.

Maximum charge. SEC. 8. *And be it further enacted*, That the notice required to be given by the eighth section of the act of which this is an amendment, need not be given when all the parties interested are agreed; and all roads laid out under such agreement, without such notice being given, are hereby declared lawful highways.

Certain notices need not be given. Vol. xii. p. 801. SEC. 9. *And be it further enacted*, That all laws and parts of laws inconsistent with this act are hereby repealed.

Repealing clause. APPROVED, June 25, 1864.

June 25, 1864. CHAP. CLVIII. — *An Act to authorize the Bailiff of the Orphans' Court, in the County of Washington and District of Columbia, to serve Processes issued by said Court, and for other Purposes.*

Bailiff of Orphans' court may serve process. Fees for recording wills, &c. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the bailiff of the Orphans' court, in the County of Washington, and District of Columbia, or such person as may be deputed by the register of wills in said county, shall have authority to serve all processes issued by said court, and shall be entitled to a fee of fifty cents for serving citations, and a fee of one dollar for serving attachments and making returns of the same to the court. And there shall be paid to the register of wills for said county, for recording wills and other instruments, fifteen cents per folio of one hundred words.

APPROVED, June 25, 1864.

June 25, 1864. CHAP. CLIX. — *An Act amendatory of an Act to amend an Act entitled "An Act to promote the Progress of the Useful Arts," approved March three, eighteen hundred and sixty-three.*

Final fees for patents not paid may be paid within six months. Proviso. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person having an interest in an invention, whether as the inventor or assignee, for which a patent was ordered to issue upon the payment of the final fee as provided in section three of an act approved March three, eighteen hundred and sixty-three, but who has failed to make payment of the final fee as provided by said act, shall have the right to make the payment of such fee, and receive the patent withheld on account of the non-payment of said fee, provided such payment be made within six months from the date of the passage of this act: *Provided*, That nothing herein shall be so construed as to hold responsible in damages any persons who have manufactured or used any article or thing for which a patent, as aforesaid, was ordered to be issued.

APPROVED, June 25, 1864.

June 25, 1864. CHAP. CLX. — *An Act to grant to the State of California certain Lands for State Prison Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of the United States to the lands comprising that portion of the promontory or point known