

when necessary, specified employees may be detailed for other service when not required for the duty for which they were engaged; and that the several appropriations herein made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, and for various articles provided for by treaty stipulation for the several Indian tribes may be diverted to other uses for the benefit of the said tribes, respectively, within the discretion of the President and with the consent of said tribes, expressed in the usual manner; and that he cause report to be made to Congress, at its next session thereafter, of his action under this provision.

Certain appropriations may be diverted, etc.

SEC. 6. That the President may, in his discretion, consolidate two or more agencies into one, and where Indians are located on reservations created by executive order, he may, with the consent of the tribes to be affected thereby, expressed in the usual manner, consolidate one or more tribes, and abolish such agencies as are thereby rendered unnecessary; and preference shall at all times, as far as practicable, be given to Indians in the employment of clerical, mechanical, and other help on reservations and about agencies.

Consolidation of agencies, etc.

SEC. 7. That whenever, after advertising for bids for supplies in accordance with section three of this act, those received for any article contain conditions detrimental to the interest of the government, they may be rejected and the articles specified in such bids purchased in open market at prices not to exceed those of the lowest bidder, and not to exceed the market price of the same, until such time as satisfactory bids can be obtained, for which immediate advertisement shall be made,

Bids for supplies, etc., may be rejected.

SEC. 8. That any disbursing or other officer of the United States or other person who shall knowingly present, or cause to be presented, any voucher, account, or claim to any officer of the United States for approval or payment, or for the purpose of securing a credit in any account with the United States, relating to any matter pertaining to the Indian service, which shall contain any material misrepresentation of fact in regard to the amount due or paid, the name or character of the article furnished or received, or of the service rendered, or to the date of purchase, delivery, or performance of service, or in any other particular, shall not be entitled to payment or credit for any part of said voucher, account, or claim; and if any such credit shall be given or received, or payment made, the United States may recharge the same to the officer or person receiving the credit or payment, and recover the amount from either or from both, in the same manner as other debts due the United States are collected; *Provided*, That where an account contains more than one voucher the foregoing shall apply only to such vouchers as contain the misrepresentation; *And provided further*, That the officers and persons by and between whom the business is transacted shall be presumed to know the facts in relation to the matter set forth in the voucher, account, or claim: *And provided further*, That the foregoing shall be in addition to the penalties now prescribed by law, and in no way to affect proceedings under existing law for like offenses. That, where practicable, this section shall be printed on the blank forms of vouchers provided for general use,

Misrepresentation as to fact, etc., in any voucher, account, or claim; penalty.

*Proviso.*

Approved, March 1, 1883.

CHAP. 64.—An act to prevent the importation of adulterated and spurious Teas.

Mar. 2, 1883.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act it shall be unlawful for any person or persons or corporation to import or bring into the United States any merchandise for sale as tea, adulterated with spurious leaf or with exhausted leaves, or which contains so great an admixture of chemicals or other deleterious

Prohibition of the importation of adulterated and spurious teas.

substances as to make it unfit for use ; and the importation of all such merchandise is hereby prohibited.

Importer, etc., to give bond.

SEC. 2. That on making entry at the custom house of all tea or merchandise described as tea imported into the United States, the importer or consignee shall give a bond to the collector of the port that such merchandise shall not be removed from warehouse until released by the custom house authorities, who shall examine it with reference to its purity and fitness for consumption ; and that for the purpose of such examination samples of each line in every invoice shall be submitted by the importer or consignee to the examiner, with his written statement that such samples represent the true quality of each and every part of the invoice, and accord with the specification therein contained ; and in case the examiner has reason to believe that such samples do not represent the true quality of the invoice, he shall make such further examination of the tea represented by the invoice, or any part thereof, as shall be necessary ; *Provided*, That such further examination of such tea shall be made within three days after entry thereof has been made at the custom-house ; *And provided further*, That the bond above required shall also be conditioned for the payment of all custom house charges which may attach to such merchandise prior to its being released or destroyed (as the case may be) under the provisions of this act.

Samples to be accompanied by statement, etc., examined as to purity and fitness for consumption.

*Provisos.*

Conditions of bond.

When to be declared free, and permit given for removal ;

When found, on examination, to be simulated teas to be held, etc. ;

*Proviso.*

Dispute between importer and examiner decided by arbitration ; decision final.

Bond conditioned for exporting tea within six months.

Tea to be destroyed if not exported, etc.

Examination and appraisement ; by whom to be made.

Definition of term "exhausted."

Teas exempt.

Secretary of Treasury to make regulations, etc.

SEC. 3. That if, after an examination, as provided in section two, the tea is found by the examiner not to come within the prohibition of this act, a permit shall at once be granted to the importer or consignee declaring the tea free from control of the custom authorities ; but if on examination such tea, or merchandise described as tea, is found, in the opinion of the examiner, to come within the prohibitions of this act, the importer or consignee shall be immediately notified, and the tea, or merchandise described as tea, so returned shall not be released by the custom house, unless on a re-examination called for by the importer or consignee, the return of the examiner shall be found erroneous : *Provided*, That should a portion of the invoice be passed by the examiner, a permit shall be granted for that portion, and the remainder held for further examination, as provided in section four.

SEC. 4. That in case of any dispute between the importer or consignee and the examiner, the matter in dispute shall be referred for arbitration to a committee of three experts, one to be appointed by the collector, one by the importer, and the two to choose a third, and their decision shall be final ; and if upon such final re-examination, the tea shall be found to come within the prohibitions of this act, the importer or consignee shall give a bond, with securities satisfactory to the collector to export said tea, or merchandise described as tea, out of the limits of the United States, within a period of six months after such final re-examination ; but if the same shall not have been exported within the time specified, the collector, at the expiration of that time, shall cause the same to be destroyed.

SEC. 5. That the examination and appraisement herein provided for shall be made by a duly qualified appraiser of the port at which said tea is entered, and when entered at ports where there are no appraisers, such examination and appraisement shall be made by the revenue officers to whom is committed the collection of duties, unless the Secretary of the Treasury shall otherwise direct.

SEC. 6. That leaves to which the term "exhausted" is applied in this act shall mean and include any tea which has been deprived of its proper quality, strength, or virtue by steeping, infusion, decoction, or other means.

SEC. 7. That teas actually on shipboard for shipment to the United States at the time of the passage of this act shall not be subject to the prohibition thereof.

SEC. 8. That the Secretary of the Treasury shall have the power to enforce the provisions of this act by appropriate regulations.

Approved, March 2, 1883.