

fine, and imprisonment.

Penalty upon revenue officers or agents for gross neglect of duty, for conspiring, or making opportunity to defraud, for signing false certificates, and failing to report frauds.

than five thousand dollars, and be imprisoned not less than six months, nor more than three years.

SEC. 6. *And be it further enacted*, That if any officer or agent appointed and acting under the authority of any revenue law of the United States shall be guilty of gross neglect in the discharge of any of the duties of his office, or shall conspire or collude with any other person to defraud the United States, or shall make opportunity for any person to defraud the United States, or shall do, or omit to do, any act with intent to enable any other person to defraud the United States, or shall make or sign any false certificate or return in any case where he is by law or regulation required to make a certificate or return, or having knowledge or information of the violation of any revenue law by any person, or of fraud committed by any person against the United States under any revenue law of the United States, shall fail to report, in writing, such knowledge or information to his next superior officer, and to the commissioner of internal revenue, he shall, on conviction, be fined not less than one thousand dollars, nor more than five thousand dollars, and shall be imprisoned not less than six months, nor more than three years.

Fine and imprisonment.

Prosecutions not to be discontinued, &c. without, &c.

SEC. 7. *And be it further enacted*, That no compromise, or discontinuance, or *nolle prosequi* of any prosecution under this act shall be allowed without the permission in writing of the Secretary of the Treasury and the Attorney-General.

APPROVED, March 31, 1868.

May 19, 1868.

CHAP. XLIII. — *An Act making Appropriations for the Expenses of the Trial of the Impeachment of Andrew Johnson and other contingent Expenses of the Senate for the Year ending June thirty, eighteen hundred and sixty-eight, and for other Purposes.*

Appropriations for expenses of impeachment trial, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated out of any money in the treasury not otherwise appropriated for the payment of the expenses of the trial of the impeachment of Andrew Johnson, and other contingent expenses of the Senate of the United States for the year ending June thirty, eighteen hundred and sixty-eight :

For expenses of the trial of the impeachment of Andrew Johnson, President of the United States, ten thousand dollars.

Miscellaneous.

For miscellaneous items, forty thousand dollars.

Capitol police.

For deficiency in the appropriation for the payment of the Capitol police, and for additional policemen and incidental expenses thereof, seventeen thousand dollars.

Additional Messengers.

For deficiency in the appropriation for the payment of additional messengers, fifteen thousand dollars.

APPROVED, May 19, 1868.

May 20, 1868.

CHAP. XLVI. — *An Act to grant the Right of Way to the Whitehall and Plattsburgh Railroad Company.*

Whitehall and Plattsburgh R. R. Co. to have certain right of way.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Whitehall and Plattsburgh Railroad Company be, and is hereby, authorized to locate, construct, and operate its railroad across the land belonging to the United States at Plattsburgh, in the State of New York, upon a line commencing in the highway leading from Plattsburgh to Peru, at a point one hundred feet north from the north line of the enclosure surrounding the government buildings, running thence in a northeasterly direction about sixteen hundred feet to the bank of Lake Champlain, thence northwardly along the bank of said lake to the north line of the land belonging to the United States, such line of said road being designated on a map of survey of the same, made by James P. Campbell, and now on file in the office of the Secretary of War: *Provided*, that the right of way herein granted shall

Proviso.

be subject to such restrictions as the Secretary of War may think necessary to protect the interests of the United States: *And provided further*, That no more than four rods in width of the government land shall be occupied under the provisions of this act.

Limit of grant.

APPROVED, May 20, 1868.

CHAP. XLVIII.—*An Act to extend the Charter of Washington City, also to regulate the Selection of Officers, and for other Purposes.*

May 28, 1868.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an act entitled "An act to continue, alter, and amend the charter of the city of Washington," approved May seventeenth, eighteen hundred and forty-eight, and the several amendments thereof now in force, are hereby continued in force for the term of one year from the date hereof, or until Congress shall by law determine otherwise.

Repealed, except §§ 1 and 6. Vol. xvi. p. 8. Act of 1848, ch. 42, Vol. ix. p. 223, continued in force one year, or, &c. See vol. xvi. p. 8.

SEC. 2. *And be it further enacted*, That it shall be the duty of the mayor of the city of Washington, District of Columbia, the board of aldermen, and the board of common council thereof, to assemble in joint convention at the city hall in said city on the first Tuesday of July, eighteen hundred and sixty-eight, and proceed to select by ballot all officers whose appointments, upon the nomination of the mayor, are now authorized by the charter, or by any law of the United States, or act or ordinance of said city, or which may hereafter be authorized thereby, who shall hold their offices respectively for one year, and until a successor is appointed; and on the same day of the month in each year thereafter the joint convention shall proceed to a new selection: *Provided*, That no person shall be regarded as incompetent to hold any of said offices, or be disqualified therefor, who is a qualified elector in said District.

Mayor, aldermen, and council to meet in convention, and elect certain officers by ballot.

Time of meeting; term of office. Future elections. Qualifications for such offices.

SEC. 3. *And be it further enacted*, That in all meetings of the mayor of the city of Washington and of the boards of aldermen and common council for the purposes mentioned in the second section of this act, the mayor or the president of either of said boards shall preside, and the secretaries of said boards shall act as tellers, and keep a record of the proceedings, and the mayor, or any member of either of said boards may nominate one or more persons for the offices required to be filled, and the person having the highest number of votes shall be publicly declared selected, and a certificate of his election shall within five days be made out and be signed by the presiding officer and secretaries, and be transmitted to the person selected, who shall within ten days thereafter enter on the discharge of the duties of his office, which shall be immediately vacated by any person then holding the same.

Proceedings while in convention.

Certificates of election. Persons elected, when to enter on office.

SEC. 4. *And be it further enacted*, That all questions arising in the joint convention authorized by this act shall be determined by a majority of the votes of the members thereof present at any of its meetings, and it shall have power to adjourn from time to time until all the duties imposed upon it shall be completed, and to require of the persons selected for any office such security as may be deemed necessary. And in the event of any vacancy from disability, death, or resignation, it shall be the duty of the mayor to call a meeting of the joint convention to select a successor for the unexpired term of service.

Questions arising in the convention to be determined by a majority vote. Adjournments. Vacancies.

SEC. 5. *And be it further enacted*, That when the mayor, the board of aldermen, and the common council shall be assembled in joint convention, as provided for in this act, they shall, by a majority vote, designate a bank in which the various moneys of the city of Washington shall be deposited, and they shall make such regulations in relation to the mode in which such funds shall be kept and paid out as shall be deemed advisable for the interests of the city; and within five days after such designation a certificate of the bank selected shall be made out and placed in the

Bank for the deposit of moneys of the city to be designated in the convention.

Certificate of selection to be given president