

New York, to be constructed under and by virtue of an act of the legislature of the State of New York, entitled "An act to incorporate the New York Bridge Company, for the purpose of constructing and maintaining a bridge over the East River between the cities of New York and Brooklyn," passed April sixteenth, eighteen hundred and sixty-seven, is hereby declared to be, when completed in accordance with the aforesaid law of the State of New York, a lawful structure and post-road for the conveyance of the mails of the United States: *Provided*, That the said bridge shall be so constructed and built as not to obstruct, impair, or injuriously modify the navigation of the river; and in order to secure a compliance with these conditions, the company, previous to commencing the construction of the bridge, shall submit to the Secretary of War a plan of the bridge, with a detailed map of the river at the proposed site of the bridge, and for the distance of a mile above and below the site, exhibiting the depths and currents at all points of the same, together with all other information touching said bridge and river as may be deemed requisite by the Secretary of War to determine whether the said bridge, when built, will conform to the prescribed conditions of the act, not to obstruct, impair, or injuriously modify the navigation of the river.

River between New York and Brooklyn when completed to be a lawful structure and post-road.

Bridge how to be built.

Plans and map to be submitted to Secretary of War.

SEC. 2. *And be it further enacted*, That the Secretary of War is hereby authorized and directed, upon receiving said plan and map and other information, and upon being satisfied that a bridge built on such plan and at said locality will conform to the prescribed conditions of this act, not to obstruct, impair, or injuriously modify the navigation of said river, to notify the said company that he approves the same; and upon receiving such notification the said company may proceed to the erection of said bridge, conforming strictly to the approved plan and location. But until the Secretary of War approve the plan and location of said bridge, and notify said company of the same in writing, the bridge shall not be built or commenced; and should any change be made in the plan of the bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

Secretary of War, if satisfied, may approve of plan, &c. notify company, who may then erect the bridge.

Bridge not to be commenced until plan is approved.

Changes in plan to be approved.

Act may be altered.

SEC. 3. *And be it further enacted*, That Congress shall have power at any time to alter, amend, or repeal this act.

APPROVED, March 3, 1869.

CHAP. CXL. — *An Act respecting the Organization of Militia in the States of North Carolina, South Carolina, Florida, Alabama, Louisiana, and Arkansas.*

March 3, 1869.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the act entitled "An act making appropriations for the support of the army for the year ending June thirty, eighteen hundred and sixty-eight, and for other purposes," approved March two, eighteen hundred and sixty-seven, as prohibits the organization, arming, or calling into service of the militia forces in the States of North Carolina, South Carolina, Florida, Alabama, Louisiana, and Arkansas, be, and the same is hereby, repealed.

Repeal of act prohibiting the organization, &c. of militia forces in certain States lately in rebellion. 1867, ch. 170, § 6. Vol. xiv. p. 487. *Ante*, p. 266.

APPROVED, March 3, 1869.

CHAP. CXLI. — *An Act further to provide for giving Effect to Treaty Stipulations between this and foreign Governments for the Extradition of Criminals.*

March 3, 1869.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any person who shall have been delivered by any foreign government to an agent or agents of the United States for the purpose of being brought within the United States and tried for any crime of which he is duly accused, the President shall have power to take all necessary measures for the transportation and safe-keeping of such accused person, and for his security against lawless violence, until the final conclusion of his trial for the

Persons accused of crime, delivered by foreign governments to an agent of the United States, to be brought within the United States and tried,

to be safely transported and kept until after trial, &c.

The President may employ land and naval forces, &c.

The agent to receive such accused person for the United States, vested with the powers of a marshal.

Penalty for knowingly obstructing, &c. such agent in the discharge of his duties, or for rescuing, &c. such prisoner.

crime[s] or offences specified in the warrant of extradition, and until his final discharge from custody or imprisonment for or on account of such crimes or offences, and for a reasonable time thereafter. And it shall be lawful for the President, or such person as he may empower for that purpose, to employ such portion of the land or naval forces of the United States, or of the militia thereof, as may be necessary for the safe-keeping and protection of the accused as aforesaid.

SEC. 2. *And be it further enacted*, That any person duly appointed as agent to receive in behalf of the United States the delivery by a foreign government of any person accused of crime committed within the jurisdiction of the United States and to convey him to the place of his trial, shall be, and hereby is, vested with all the powers of a marshal of the United States in the several districts through which it may be necessary for him to pass with such prisoner, so far as such power is requisite for his safe-keeping.

SEC. 3. *And be it further enacted*, That if any person or persons shall knowingly and wilfully obstruct, resist, or oppose such agent in the execution of his duties, or shall rescue, or attempt to rescue, such prisoner, whether in the custody of the agent aforesaid, or of any marshal, sheriff, jailer, or other officer or person to whom his custody may have lawfully been committed, every person so knowingly and wilfully offending in the premises shall, on conviction thereof before the district or circuit court of the United States for the district in which the offence was committed, be fined not exceeding one thousand dollars, and imprisoned not exceeding one year.

APPROVED, March 3, 1869.

March 3, 1869.

CHAP. CXLII. — *An Act to provide for the Execution of Judgments in Capital Cases.*

Judgments in capital cases in courts of the United States, how to be executed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever a judgment of death has been, or shall hereafter be, rendered in any court of the United States, and the case has been, or shall hereafter be, carried to the Supreme Court of the United States by appeal or writ of error, in pursuance of law, it shall be the duty of the court rendering such judgment, by order of court, to postpone the execution thereof from time to time and from term to term until the mandate of the Supreme Court in such case shall have been received and entered upon the records of the lower court; and in case such judgment is affirmed by the Supreme Court, it shall be the duty of the court rendering the original judgment to appoint a day for the execution thereof; and in case of reversal by the Supreme Court, such further proceedings shall be had in the lower court as the Supreme Court may direct.

APPROVED, March 3, 1869.

March 3, 1869. 1864, ch. 213. Vol. xiii. p. 355.

CHAP. CXLIII. — *An Act to amend an Act entitled "An Act granting Lands to the State of Oregon to aid in the Construction of a military Road from Eugene City to the eastern Boundary of said State."*

Preamble.

Whereas by an act granting lands to the State of Oregon to aid in the construction of a military road from Eugene City to the eastern boundary of said State, approved July second, eighteen hundred and sixty-four, and whereas the time designated for the completion of said road expires on the second day of July, eighteen hundred and sixty-nine: Therefore,

Time for completion of road extended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time for the completion of said road be, and hereby is, extended to the second day of July, eighteen hundred and seventy-two.

APPROVED, March 3, 1869.