

General Land Office, for the reason that they are for lands which, under the act of March sixth, eighteen hundred and sixty eight, can only be disposed of under the homestead and preemption laws, and to which no other legal objection exists be, and the same are hereby, confirmed; and title shall be transferred to the State as in other cases of such selections

1868, ch. 20,  
15 Stat., 39.

Approved, March 23, 1876.

**CHAP. 40.**—An act to incorporate the Washington City Inebriate Asylum in the District of Columbia.

March 30, 1876.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all persons who shall become subscribers pursuant to this act shall hereby constitute and be declared a community-corporation and body politic forever, or until Congress by law direct this charter to cease and determine, by and under the name of the Washington City Inebriate Asylum of the District of Columbia; and by and under the same name and title they shall be able and capable in their corporate name to take, purchase, have, lease, and hold real estate, not exceeding sixty acres, in the District of Columbia, and erect thereon a building or buildings suitable for the purposes of an asylum hereinbefore named; and to take, purchase, hold, and convey such personal property as may be necessary to carry out the objects of said asylum, namely, the care and medical treatment and control of the inebriate, and for no other purpose. Said asylum shall have power to sue and be sued, to make and use a common seal, and alter the same at pleasure, to take and hold any grant or devise of land, or any donation or bequest of money or other personal property to be applied to the maintenance of said asylum. But the limitation that the said asylum shall not take, purchase, have, lease, and hold real estate shall only apply to property leased or purchased, and shall not prevent the said asylum from taking and holding any estate, real or personal, given or devised to it, not exceeding in value five hundred thousand dollars: *Provided,* That the property held by the said asylum shall never exceed five hundred thousand dollars in value.

Corporators.

Name.

Powers.

Proviso.

Subscribers.

Fund.

Trustees.

SEC. 2. That any person donating the sum of ten dollars to the asylum hereby incorporated shall be deemed a subscriber and stockholder.

SEC. 3. That the fund of said institution shall be fifty thousand dollars, but may be increased to three hundred thousand dollars at any time the board of directors may think it compatible with the best interest of said asylum, and shall be deemed personal property.

SEC. 4. That all the affairs and concerns of said asylum shall be managed by, and conducted under, the direction of twenty-five trustees, who shall be subscribers and citizens of the United States of America, and who shall be elected by the subscribers, after the present year, annually, on the first Thursday in November of each year, by ballot, by a plurality of subscribers present or represented by proxy, each and every subscription of ten dollars having one vote; if for any cause such election shall not be so held, the said asylum shall not be deemed dissolved, but an election shall be held within twelve months thereafter; notice of time and place of such election shall be published for two weeks immediately preceding the day appointed therefor in at least two newspapers of the District of Columbia. The said board of trustees, annually, from their own body, and as soon as may be after their election, shall proceed to elect, by ballot, a president and one treasurer of said asylum, who, so long as they shall continue trustees of said asylum, shall hold their offices respectively during the pleasure of the board of trustees; and the said trustees shall have power to fill vacancies in their own body, caused by the death, resignation, removal, or otherwise, of any trustee or trustees, and to make all by-laws, not inconsistent with the Constitution and laws of the United States, as they may

President and  
treasurer.

Vacancies in  
board.

By-laws.

- deem proper for the management of the affairs of said asylum, and shall appoint annually, by ballot, at least thirty days before such election of trustees of said asylum, three fit and disinterested persons inspectors of the then next election of trustees, and, at any time before the election, supply any vacancy which may occur in the office of any such inspector. Nine of the board of trustees, of which number the president or vice-president must be one, shall constitute a quorum for the transaction of business. All committees, physicians, agents, and officers, authorized by this act or by the by-laws of this asylum shall be appointed by the board of trustees.
- Inspectors of elections.**
- Quorum.**
- Appointment of officers, etc.**
- Liability of subscribers.** SEC. 5. That no subscriber of this asylum shall be liable in his or her individual capacity for any contract, debt, or engagement of said asylum after the full amount of their subscription is paid in.
- First board of trustees.** SEC. 6. That W. W. Corcoran, George H. Plant, George W. Riggs, W. W. Moore, Samuel Norment, J. W. Thompson, Matthew G. Emory, John T. Given, A. E. Perry, John C. Harkness, William Stickney, J. C. McKelden, Joseph Burrows, doctor of medicine, William J. Murtagh, Columbus Alexander, William R. Riley, D. D. Cone, Thomas Berry, George W. Stickney, D. P. Halloway, John W. Simms, E. C. Carrington, James H. Stone, Dickerson Nailor, and Joseph T. Howard, doctor of medicine, shall constitute the first board of trustees, who shall hold their offices until a new board of trustees is elected; and they shall be commissioners, whose duty it shall be to locate the said asylum and to receive subscriptions to the funds of said institution.
- Commissioners to locate asylum.**
- Voluntary applicants.** SEC. 7. That the said institution shall have power to receive any inebriate who shall voluntarily make application thereto, and retain him or her therein for such period as may be deemed advisable by the physician in charge.
- Commitment of inebriates.** SEC. 8. That any justice of the supreme court of the District of Columbia, upon petition or complaint, duly verified and presented by any relative of an inebriate or habitual drunkard, or by any officer of this asylum, or by any officer of police of said District of Columbia, shall proceed thereupon to appoint a commission to inquire into the case in the same manner as is directed by law in relation to the care and custody of the persons and estates of idiots, lunatics, persons of unsound mind, and drunkards, and according to the rules and practice of the said supreme court in such cases. The person charged with being an inebriate shall have notice to be present himself, or by counsel, before such commission, and to defend himself from such charge. Upon becoming satisfied by the return of said commission that the person in question is an inebriate, or habitual drunkard, any justice of the supreme court may issue a warrant committing such inebriate or habitual drunkard to the said asylum for a period not exceeding one year as said justice may deem proper; and such warrant, duly issued, shall be full and sufficient justification for all acts done by any properly-authorized officer under and in accordance therewith. Such order of commitment may be vacated or modified by any justice of said supreme court on cause duly shown. After complaint has been made, and pending the proceedings under this section, the justice hearing the case may commit the person charged with being an inebriate, or habitual drunkard, to said asylum, and the person so temporarily committed shall be discharged therefrom if, on the return of a commission, it be determined that he is not a proper person to be detained. The estate and person of any inebriate committed to said asylum shall be liable for his support therein; and the committee, trustee or guardian of every such person shall pay out of his estate such reasonable and proper sums as shall be fixed by the justice ordering the commitment.
- Commitment vacated.**
- Temporary commitment.**
- Support of inebriate.**
- Who to be deemed inebriates.** SEC. 9. That for the purposes of this act, any person who, by the use of intoxicating liquors, or other intoxicants, has lost self-control, or become incapable of proper attention to the care and management of his affairs, or habitually or periodically neglectful thereof, or dangerous to

himself or others, shall be regarded as an inebriate or habitual drunkard.

SEC. 10. That the trustees and superintendent of said asylum shall, so far as may be practicable, employ such inebriates as are without the means of support in such labor as may be adapted to their capacity; and for this purpose they shall arrange in separate departments of their buildings, or in separate edifices, workshops and appliances by which such labor may be made, if possible, a source of income and a means of promoting the reformation of the persons employed. From the profits of such labor, if any, the actual cost of support of each inebriate may be deducted and retained by the institution, and any surplus shall be paid to his (or her) family, or, in case he (or she) have no family, to himself (or herself) or his (or her) committee, trustees, or guardian for his (or her) benefit, at the time of his (or her) discharge from the asylum. And labor performed upon the grounds or premises of the asylum by inmates thereof shall be fairly appraised, and the proceeds shall be disbursed as above provided.

Employment of poor inebriates.

Profits of labor, how disposed of.

Labor to be appraised.

SEC. 11. That no person shall sell any strong or spirituous liquors or wine or fermented liquors within the distance of one-fourth of a mile from the outward bounds of the land and premises of the said asylum hereby incorporated, and whoever shall violate the terms of this section shall forfeit fifty dollars for each offense, and shall also be guilty of a misdemeanor: *Provided* That the site or location of said asylum be not nearer than one quarter of a mile of the corporate limits of the city of Washington.

Sale of intoxicating liquors within certain limits.

Proviso.

SEC. 12. That no person shall enter or pass upon the land or premises of said asylum, other than the officers of said asylum, officers of justice, and those having business with said asylum, without a written or printed pass or permit from that officer of the asylum who may be empowered by the by-laws of said asylum to issue such pass; and any person violating the provisions of this section shall forfeit the sum of ten dollars, and be guilty of a misdemeanor. All penalties imposed in this act shall be sued for and recovered in the name of the president of the asylum, and shall be paid to the treasurer thereof, for the support of any poor persons who may be inmates of said asylum.

Permits to enter premises.

Penalties, how recovered.

SEC. 13. That the superintendent of said asylum is hereby authorized to appoint two or more of the attendants and employees of said asylum as policemen, whose duty it shall be, under his order or that of the assistant superintendent, to arrest and return to the asylum such inebriates as have escaped therefrom, or any patient who shall violate any law of the asylum, or person trespassing on the grounds or premises of said asylum, contrary to the provisions of section twelve of this act.

Policemen, appointment and duties of.

SEC. 14. That the board of trustees of said asylum shall make an annual report at their first meeting in November of their proceedings, income, expenditures, the number of patients received, discharged, and remaining in the institution, verified by the affidavit of the president and the treasurer; which report shall be filed in the office of the Secretary of the Interior.

Annual report by trustees.

SEC. 15. That any State or territorial legislature, municipal council, or authorities of the District of Columbia, may provide for the maintenance in the said asylum of any number of poor patients by appropriating sufficient funds for that purpose; and any person who shall donate or leave by legacy the sum of five thousand dollars to the said Washington City Inebriate Asylum shall establish forever a free bed in said asylum; two thousand five hundred dollars shall provide a free bed in said asylum for six months in each year; the donor or legator shall name the patient who shall occupy the said free bed; but in case the donor or legator shall fail to name a patient to occupy the free bed which said donor or legator shall have endowed, then the trustees of said asylum shall fill the said free bed with a poor patient; the said patients in said free beds shall be provided with medical treatment free of charge, and

Maintenance of poor patients by States, etc.

Donors, rights of.

Free beds.

like all other patients shall be subject to the rules and regulations of the said asylum.

Amendment and  
repeal.  
No appropria-  
tions.

SEC. 16. That Congress may, at any time, alter, amend, or repeal this charter: *And provided*, That no money shall ever be appropriated by the United States to aid in the construction or support of said institution.

Approved, March 30, 1876.

April 3, 1876.

**CHAP. 42.**—An act establishing post-roads.

Post-roads estab-  
lished in—

*Ante*, p. 8.  
*Post*, pp. 319, 336.  
Alabama;

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following be established as post-roads:

**ALABAMA.**

From Delta, Clay Co., via Duncaith store and Dingler's store to Blake's Ferry, Randolph Co.

From Columbiana Shelby Co., to Cropwell, St. Clair Co.

From Cropwell, Alabama, to Rising Fawn, Georgia.

From Holly Grove, Walker County, via Hogan's and Kelly's stores, to Bishop's store, in Fayette County.

From Vernon, Sanford County, to Musgrove's Mills, in Fayette County.

From Muscow, Sanford County, via Pine Springs, to Detroit, same county.

From Childersburg, in Talladega County, via Syllacauga, to Good Water, Coosa County.

From Roanoke, in Randolph County, via High Shoals and Lamar, to Arbacoochee, in Cleburne County.

From Jonesboro', Jefferson County, via James Parson's, to Tuscaloosa.

From Birmingham, Jefferson County, via John A. Conner's, Glover's Ferry, Dent, and Jones', to Jasper, Walker County.

From Delta, Clay County, to Blake's Ferry, Randolph County.

From Roanoke, Randolph County, to Dudleyville, Tallapoosa County.

From Clayton, Barbour County, to Clopton, Dale County.

To change post-route 17291 so as to include Monterey.

From Glenville to Jernigan, in Russell County.

From Goodwater, Coosa County, to Coleta, Clay County.

From Springville to Mount Pinson.

Arizona;

**ARIZONA.**

From Camp Goodwin, via Camp Apache, Little Colorado River and Round Valley, to Fort Wingate, New Mexico.

Arkansas;

**ARKANSAS.**

From Eagle Creek to Moro Bay.

From Post to De Witt.

From Warren to Champagnolle.

From Fayetteville to Berryville, Arkansas.

From Bentonville to Berryville, Arkansas.

From Fulton, Hempstead County, to Columbus, Sevier County.

From Mineral Springs, Howard County to Centre Point, Howard County.

From Centre Point, Howard County, to Locksburg via Farribaville.

From Locksburg, Sevier County, to Norwoodville.

From Little Rock, to Mount Vernon.

From Smithville, Lawrence County, to Ash Flat, via Greenville in Sharp County.