

in which there can be a final determination of the controversy, so far as it concerns him, without the presence of the other defendants as parties in the cause, then and in every such case the alien defendant, or the defendant who is a citizen of a State other than that in which the suit is brought, may, at any time before the trial or final hearing of the cause, file a petition for the removal of the cause as against him into the next circuit court of the United States to be held in the district where the suit is pending, and offer good and *and* sufficient surety for his entering in such court, on the first day of its session, copies of said process against him, and of all pleadings, depositions, testimony, and other proceedings in said cause affecting or concerning him, and also for his there appearing and entering special bail in the cause, if special bail was originally requisite therein; and it shall be thereupon the duty of the State court to accept the surety and proceed no further in the cause as against the defendant so applying for its removal; and any bail that may have been originally taken shall be discharged, and the said copies being entered as aforesaid in such court of the United States, the cause shall there proceed in the same manner as if it had been brought there by original process against the defendant who shall have so filed a petition for its removal as above provided. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such State they would have been holden to answer final judgment had it been rendered by the court in which the suit commenced; and any injunction granted before the removal of the cause against the defendant applying for its removal shall continue in force until modified or dissolved by the United States court into which the cause shall be removed; and any bond of indemnity or other obligation given by the plaintiff upon the issuing or granting of any attachment, writ of injunction, or other restraining process against the defendant petitioning for the removal of the cause, shall also continue in full force and may be prosecuted by the defendant and made available for his indemnity in case the attachment, injunction, or other restraining process be set aside or dissolved, or judgment be rendered in his favor, in the same manner and with the same force and effect as if such injunction, attachment, or restraining process had been granted, and such bond had been originally filed or given in the court to which the cause is removed. And such removal of the cause, as against the defendant petitioning therefor, into the United States court, shall not be deemed to prejudice or take away the right of the plaintiff to proceed at the same time with the suit in the State court as against the other defendants, if he shall desire to do so. And the copies of all pleadings filed or entered as aforesaid in the United States court by the defendant applying for the removal of the cause, shall have the same force and effect in every respect and for every purpose as the original pleadings would have had by the laws and practice of the courts of such State if the cause had remained in the State court.

APPROVED, July 27, 1866.

removed by the alien defendant, or by the defendant who is a citizen of such other State, to the circuit court of the United States.

Proceedings for removal.

State court to proceed no further against such defendants.

Attachments.

Injunctions.

Bond of indemnity, &c.

Plaintiff may proceed in State court against other defendants.

Copies of pleadings to have same effect as originals.

CHAP. CCLXXXIX. — *An Act authorizing the Reimbursement to the Territory of Nebraska of certain Expenses incurred in repelling Indian Hostilit[ies].*

July 27, 1866.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, instructed to examine, adjust, and allow the expenditures and liabilities of the Territory of Nebraska, made and incurred in the year eighteen hundred and sixty-four, for the pay, equipment, and maintenance of territorial troops in the suppression of Indian hostilities and protection of the lives and property of citizens of the United States exposed to the attacks of the confederated tribes; and the amount so al-*

Claims of Nebraska for expenses in suppression of Indian hostilities to be examined, allowed, and paid.

lowed, when approved by the proper accounting officers of the treasury, shall be paid into the territorial treasury by a warrant payable to the order of the governor of that Territory, and shall be in full for all claims in the premises on the part of said Territory or the troops thereof: *Provided*, That no allowance shall be made for troops beyond the companies called out by the governor of said Territory in that year, and placed under the command of the general commanding the troops of the United States in that Territory; nor shall any rate of pay or expenses of any kind be allowed higher or greater than those allowed by law to like troops regularly enlisted in the service of the United States; and the sum of forty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated therefor out of any money in the treasury not otherwise appropriated.

APPROVED, July 27, 1866.

July 28, 1866. CHAP. CCXCIII. — *An Act to fix the Compensation of certain Collectors of Customs, and for other Purposes.*

Salaries of certain collectors of customs changed and established.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the collectors of customs hereinafter named shall, from and after the first day of July, eighteen hundred and sixty-six, in lieu of the salaries to which they are now by law respectively entitled, receive the salaries following, to wit: The collectors of the districts of Texas, at Galveston, Saluria, Corpus Christi, and Brazos de Santiago, Texas, each at the rate of one thousand five hundred dollars a year in addition to the fees of office: *Provided*, That such compensation shall in no case exceed the sum of twenty-five hundred dollars per annum in the aggregate; the collectors of the districts of Beaufort, South Carolina, and Pensacola, Florida, each at the rate of one thousand dollars a year; the collectors of the district of Georgetown, in the District of Columbia, and of the districts of Cherrystone, Virginia; Brunswick, Georgia; [Saint] Augustine, Saint Mark's, and Apolachicola, Florida, and Techê, Louisiana, five hundred dollars a year each.

Maximum.

District of Corpus Christi in Texas established, and collector authorized.

Corpus Christi to be port of entry, and Aransas a port of delivery.

Indianola to be port of entry for district of Saluria.

This act to take effect August 1, 1866.

Pay of certain deputy collectors, general and local appraisers;

deputy naval officers and surveyors; custom-house weighers.

SEC. 2. *And be it further enacted*, That all that part of the State of Texas and the waters thereof included within the counties of Nueces, Starr, Zapata, Duval, Encinac, Webb, La Salle, McMullen, Live Oak, Bee, Refugio, and San Patricio, shall be a distinct collection district, to be called the district of Corpus Christi, and the town of Corpus Christi shall be its only port of entry; and a collector shall be appointed to reside at said port. And Aransas shall be a port of delivery in said district.

SEC. 3. *And be it further enacted*, That the town of Indianola shall hereafter be the port of entry for the district of Saluria, in said State, instead of La Salle. And all acts and parts of acts conflicting with the provisions of this act are hereby repealed: and this act shall take effect on and after the first day of August next.

SEC. 4. *And be it further enacted*, That in lieu of the compensation now allowed by law there shall hereafter be paid to each of the deputy collectors at the ports of New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco and to each of the general appraisers and local appraisers at Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, three thousand dollars per annum; to each of the deputy naval officers and the deputy surveyors at New York, Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand five hundred dollars per annum; and to each of the custom-house weighers at the ports of Boston, Philadelphia, Baltimore, New Orleans, Portland, and San Francisco, two thousand dollars per annum, out of the appropriation for expenses of collecting the revenue from customs: *Provided*, That the additional compensation of twenty-