

July 1, 1870.

CHAP. CLXXXVIII. — *An Act to change the Place of holding the Courts of the United States for the Albemarle District of North Carolina.*

Term of the district court of the United States to be held at Elizabeth City, North Carolina.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the district court of the United States for the Albemarle district of North Carolina, now required to be held in the town of Edenton, shall hereafter be held in the town of Elizabeth City, in said State; and no recognizance, writ, process, order, or notice now returnable in said court, at Edenton, shall be affected by said change, but shall be deemed returnable at Elizabeth City.

APPROVED, July 1, 1870.

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CHAP. CLXXXIX. — *An Act to prevent the Extermination of Fur-bearing Animals in Alaska.*

1871, ch. 114, § 7. Post, p. 514.

The killing of fur-seal upon the islands of Saint Paul, &c. declared unlawful except in certain months, and at any time by fire-arms.

Privileges of killing allowed to natives.

The killing of any female seal, or any seal less than a year old, except, &c. or any seal in certain places declared unlawful.

Penalty.

Limit to number of fur-seals that may be killed each year for their skins, upon the island of Saint Paul; of Saint George.

Further limit.

Penalty.

The right to take fur-seals on the islands of Saint Paul and Saint George and to send vessels, &c. may be leased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful to kill any fur-seal upon the islands of Saint Paul and Saint George, or in the waters adjacent thereto, except during the months of June, July, September, and October, in each year; and it shall be unlawful to kill such seals at any time by the use of fire-arms, or use other means tending to drive the seals away from said islands: *Provided,* That the natives of said islands shall have the privilege of killing such young seals as may be necessary for their own food and clothing during other months, and also such old seals as may be required for their own clothing and for the manufacture of boats for their own use, which killing shall be limited and controlled by such regulations as shall be prescribed by the Secretary of the Treasury.

SEC. 2. *And be it further enacted,* That it shall be unlawful to kill any female seal, or any seal less than one year old, at any season of the year, except as above provided; and it shall also be unlawful to kill any seal in the waters adjacent to said islands, or on the beaches, cliffs, or rocks where they haul up from the sea to remain; and any person who shall violate either of the provisions of this or the first section of this act shall be punished, on conviction thereof, for each offence by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment not exceeding six months, or by such fine and imprisonment both, at the discretion of the court having jurisdiction and taking cognizance of the offence; and all vessels, their tackle, apparel, and furniture, whose crew shall be found engaged in the violation of any of the provisions of this act shall be forfeited to the United States.

SEC. 3. *And be it further enacted,* That for the period of twenty years from and after the passage of this act the number of fur-seals which may be killed for their skins upon the island of Saint Paul is hereby limited and restricted to seventy-five thousand per annum; and the number of fur-seals which may be killed for their skins upon the island of Saint George is hereby limited and restricted to twenty-five thousand per annum: *Provided,* That the Secretary of the Treasury may restrict and limit the right of killing if it shall become necessary for the preservation of such seals, with such proportionate reduction of the rents reserved to the government as shall be right and proper; and if any person shall knowingly violate either of the provisions of this section, he shall, upon due conviction thereof, be punished in the same way as provided herein for a violation of the provisions of the first and second sections of this act.

SEC. 4. *And be it further enacted,* That immediately after the passage of this act the Secretary of the Treasury shall lease, for the rental mentioned in section six of this act, to proper and responsible parties, to the best advantage of the United States, having due regard to the interests of the government, the native inhabitants, the parties heretofore engaged in trade, and the protection of the seal fisheries, for a term of twenty

years from the first day of May, eighteen hundred and seventy, the right to engage in the business of taking fur-seals on the islands of Saint Paul and Saint George, and to send a vessel or vessels to said islands for the skins of such seals, giving to the lessee or lessees of said islands a lease, duly executed, in duplicate, not transferable, and taking from the lessee or lessees of said islands a bond, with sufficient sureties, in a sum not less than five hundred thousand dollars, conditional for the faithful observance of all the laws and requirements of Congress and of the regulations of the Secretary of the Treasury touching the subject-matter of taking fur-seals, and disposing of the same, and for the payment of all taxes and dues accruing to the United States connected therewith. And in making said lease, the Secretary of the Treasury shall have due regard to the preservation of the seal fur-trade of said islands, and the comfort, maintenance, and education of the natives thereof. The said lessees shall furnish to the several masters of vessels employed by them certified copies of the lease held by them respectively, which shall be presented to the government revenue officer for the time being who may be in charge at the said islands as the authority of the party for landing and taking skins.

Lease.

Bond.

Lessees to furnish copies of lease to masters of their vessels, as authority, &c.

SEC. 5. *And be it further enacted,* That at the expiration of said term of twenty years, or on surrender or forfeiture of any lease, other leases may be made in manner as aforesaid for other terms of twenty years; but no persons other than American citizens shall be permitted, by lease or otherwise, to occupy said islands, or either of them, for the purpose of taking the skins of fur-seals therefrom, nor shall any foreign vessel be engaged in taking such skins; and the Secretary of the Treasury shall vacate and declare any lease forfeited if the same be held or operated for the use, benefit, or advantage, directly or indirectly, of any person or persons other than American citizens. Every lease shall contain a covenant on the part of the lessee that he will not keep, sell, furnish, give, or dispose of any distilled spirits or spirituous liquors on either of said islands to any of the natives thereof, such person not being a physician and furnishing the same for use as medicine; and any person who shall kill any fur-seal on either of said islands, or in the waters adjacent thereto, without authority of the lessees thereof, and any person who shall molest, disturb, or interfere with said lessees, or either of them, or their agents or employe[e]s in the lawful prosecution of their business, under the provisions of this act, shall be deemed guilty of a misdemeanor, and shall for each offence, on conviction thereof, be punished in the same way and by like penalties as prescribed in the second section of this act; and all vessels, their tackle, apparel, appurtenances, and cargo, whose crews shall be found engaged in any violation of either of the provisions of this section, shall be forfeited to the United States; and if any person or company, under any lease herein authorized, shall knowingly kill, or permit to be killed, any number of seals exceeding the number for each island in this act prescribed, such person or company shall, in addition to the penalties and forfeitures aforesaid, also forfeit the whole number of the skins of seals killed in that year, or, in case the same have been disposed of, then said person or company shall forfeit the value of the same. And it shall be the duty of any revenue officer, officially acting as such on either of said islands, to seize and destroy any distilled spirits or spirituous liquors found thereon: *Provided,* That such officer shall make detailed report of his doings to the collector of the port.

Other leases may be made upon expiration, &c. of first lease. American citizens only to have lease, &c. and no foreign vessel to be used.

Covenants in lease not to sell distilled spirits, &c. to natives.

Penalty for killing any fur-seal without authority, &c.; for molesting lessees.

Vessels to be forfeited.

Penalty upon lessees for killing fur-seals in excess of numbers authorized.

Distilled spirits to be seized. *Provido.*

Annual rental in lease and how to be secured.

Tax upon seal-skins.

SEC. 6. *And be it further enacted,* That the annual rental to be reserved by said lease shall not be less than fifty thousand dollars per annum, to be secured by deposit of United States bonds to that amount, and in addition thereto a revenue tax or duty of two dollars is hereby laid upon each fur-seal skin taken and shipped from said islands, during the continuance of such lease, to be paid into the treasury of the United States; and the Secretary of the Treasury is hereby empowered and

Rules and regulations.

Secretary of Treasury may terminate lease and for what cause.

Fur-seal skins now stored on the islands may be delivered to owners on payment of, &c.

Any district court of the United States in California, Oregon, or Washington, to have jurisdiction of offences, &c.

1868, ch. 273, § 7. Vol. xv. p. 241. Prosecutions.

This act may be altered, &c.

authorized to make all needful rules and regulations for the collection and payment of the same, for the comfort, maintenance, education, and protection of the natives of said islands, and also for carrying into full effect all the provisions of this act: *Provided further*, That the Secretary of the Treasury may terminate any lease given to any person, company, or corporation on full and satisfactory proof of the violation of any of the provisions of this act or the rules and regulations established by him: *Provided further*, That the Secretary of the Treasury is hereby authorized to deliver to the owners the fur-seal skins now stored on the islands, on the payment of one dollar for each of said skins taken and shipped away by said owners.

SEC. 7. *And be it further enacted*, That the provisions of the seventh and eighth sections of "An act to extend the laws of the United States relating to customs, commerce, and navigation over the territory ceded to the United States by Russia, to establish a collection district therein, and for other purposes," approved July twenty-seven, eighteen hundred and sixty-eight, shall be deemed to apply to this act; and all prosecutions for offences committed against the provisions of this act, and all other proceedings had because of the violations of the provisions of this act, and which are authorized by said act above mentioned, shall be in accordance with the provisions thereof; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 8. *And be it further enacted*, That the Congress may at any time hereafter alter, amend, or repeal this act.

APPROVED, July 1, 1870.

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CHAP. CXC. — *An Act to create a Port of Delivery at Vallejo, California.*

Vallejo, in California, made a port of delivery.

Surveyor of customs. 1831, ch. 87. Vol. iv. p. 480.

Certain vessels may proceed directly to Vallejo and report to collector at San Francisco.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Vallejo, in the State of California, shall be, and is hereby, constituted a port of delivery, within the collection district of San Francisco, and there shall be appointed a surveyor of customs, to reside at said port, who shall perform the duties and receive the compensation and emoluments prescribed in the act of Congress, approved March two, eighteen hundred and thirty-one, being "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, Saint Louis, Nashville, and Natchez, to be secured and paid at those places."

SEC. 2. *And be it further enacted*, That any vessel of five hundred tons, or over, coming from or going to sea, may proceed directly to or from Vallejo, and report through said surveyor to the collector of customs at San Francisco, and avoid the risk, expenses, and delay, by anchoring there.

APPROVED, July 1, 1870.

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CHAP. CXCI. — *An Act to confirm Entries of public Land in certain Cases in the State of Alabama.*

Certain entries of public lands in Alabama confirmed. 1854, ch. 244. Vol. x. p. 574.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in cases where entries were made in the State of Alabama under the act of Congress approved the fourth of August, eighteen hundred and fifty-four, entitled "An act to graduate and reduce the price of the public lands to actual settlers and cultivators," and the parties in good faith went upon the land embraced in their entries, and became actual settlers and cultivators thereof, according to the requirements of the law, but were afterward forced to abandon their homes on the land, in consequence of the disturbed condition of the country during the late war, their entries shall be confirmed and patented to them, their heirs or assigns, respectively, notwithstanding such abandonment, on satisfactory proof of the facts being produced to the commission-