

formed and of an honorable discharge, if satisfactory, shall be deemed sufficient.

Provisions of former acts applicable. 1864, ch. 247, §§ 12, 13. Vol. xiii. p. 389. 1866, ch. 106, §§ 2-4. Vol. xiv. pp. 56, 57.

SEC. 4. *And be it further enacted*, That the provisions of sections twelve and thirteen of an act entitled "An act supplementary to 'An act to grant pensions,'" approved July four, eighteen hundred and sixty-four, and of sections two, three, and four of an act entitled "An act supplementary to several acts relating to pensions," approved June six, eighteen hundred and sixty-six, shall be applicable to the pensions granted by this act.

APPROVED, February 14, 1871.

Feb. 14, 1871. CHAP. LI. — *An Act to provide for taking Testimony to be used before the Departments.*

Depositions of witnesses may be taken for use in cases of claims against the United States pending in any department or bureau.

Mode of taking.

Penalty upon witness for refusal to appear, &c.

Pay of witnesses.

Penalty for perjury.

Services of counsel for the United States at such examination to be provided by the Attorney-General if, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any head of a department or bureau in which a claim against the United States is properly pending may apply to any judge or clerk of any court of the United States, in any State, District, or Territory, to issue a subpoena for any witness residing or being within the jurisdiction of such court, to appear at a time and place in said subpoena stated, before any officer authorized to take depositions to be used in the courts of the United States, there to give full and true answers to such written interrogatories and cross-interrogatories as may be submitted with said application, or to be orally examined and cross-examined upon the subject of such claim; and if any witness, after being duly served with such subpoena, shall neglect or refuse to appear, or appearing shall refuse to testify, the judge of the district in which the subpoena issued may proceed upon proper process to enforce obedience to the process, or to punish the disobedience, in like manner as any court of the United States may do in case of process of subpoena ad testificandum issued by such court; and witnesses in such case shall be allowed the same compensation as is allowed witnesses in the courts of the United States.

SEC. 2. *And be it further enacted*, That if any witness who shall be duly sworn and examined under the provisions of this act shall be guilty of intentional false swearing in his testimony, he shall be deemed guilty of the crime of perjury, and on conviction thereof shall be punished in the same manner and to the same extent as is provided against perjury committed in the courts of the United States.

SEC. 3. *And be it further enacted*, That whenever any head of a department or bureau shall make application to take testimony under this act, and shall be of opinion that the interests of the United States require the attendance of counsel at the examination, or if he shall be of opinion that the interests of the United States require legal investigation of such claim, he shall give notice thereof to the Attorney-General, and of all facts necessary to enable the Attorney-General to furnish proper professional service in attending such examination, or making such investigation; and it shall be the duty of the Attorney-General to provide for such service.

APPROVED, February 14, 1871.

Feb. 15, 1871. CHAP. LIII. — *An Act prescribing an Oath of Office to be taken by Persons who participated in the late Rebellion, but who are not disqualified from holding Office by the fourteenth Amendment to the Constitution of the United States.*

Oath of office to be taken by certain persons. Vol. xv. p. 709.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any person, who is not rendered ineligible to office by the provisions of the fourteenth amendment to the Constitution, shall be elected or appointed to any office of honor or trust under the government of the United States, and shall not be able on account of his participation in the late rebellion to

take the oath prescribed in the act of Congress approved July two, eighteen hundred and sixty-two, said person shall, in lieu of said oath, before entering upon the duties of said office, take and subscribe the oath prescribed in an act of Congress entitled "An act prescribing an oath of office to be taken by persons from whom legal disabilities shall have been removed," approved July eleven, eighteen hundred and sixty-eight.

1862, ch. 128.
Vol. xii. p. 502.
1868, ch. 139.
Vol. xv. p. 86.

J. G. BLAINE,
Speaker of the House of Representatives.
SCHUYLER COLFAX,

Vice-President of the United States and President of the Senate.

Received by the President February 3, 1871.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. LIV.—*An Act making Appropriations for the Support of the Military Academy for the fiscal Year ending June thirty, eighteen hundred and seventy-two.* Feb. 18, 1871.

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 support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and seventy-two:—

Military Academy appropriation.

For additional pay of officers, and for pay of instructors, cadets, and musicians, two hundred and twenty-eight thousand seven hundred and seventy-five dollars and fifty cents. Officers, instructors, cadets, &c.

For repairs and improvements, twenty-two thousand five hundred dollars. Repairs, fuel, &c.

For fuel and apparatus, fourteen thousand dollars.

For annual repairs of gas-pipes, gas-meters, and retorts, six hundred dollars.

For fuel for cadets' mess-hall, and shops, and laundry, three thousand five hundred dollars.

For postage and telegrams, two hundred dollars.

For stationery, five hundred dollars.

For transportation, one thousand two hundred dollars. Transportation.

For type and materials for office and diplomas for graduates, four hundred dollars.

For cadet registers, class reports, and blanks, three hundred dollars.

For compensation to pressman and lithographer, one hundred dollars.

For clerk to disbursing officer and quartermaster, one thousand six hundred and fifty dollars.

For clerk to adjutant, one thousand five hundred dollars.

For clerk to treasurer, one thousand five hundred dollars.

Department of instruction in mathematics: For surveyor's compass, fifty-eight dollars; chain, eight dollars; leveling-rod, sixteen dollars; measuring-tapes, twelve dollars; repairs to instruments, twenty dollars; text-books for instructors, twenty dollars; in all, one hundred and thirty-four dollars. Departments of instruction. Mathematics.

Artillery, cavalry, and infantry tactics: Tan-bark for riding-hall and gymnasium, one hundred and fifty dollars; stationery for assistant instructors of tactics, one hundred dollars; furniture for offices of commandant and officer in charge, and the reception-room for visitors, three hundred dollars; for repairs and new apparatus for gymnasium, five hundred dollars; in all, one thousand and fifty dollars. Tactics.

- Engineering.** Civil and military engineering: For models, maps, and text-books for instructors, five hundred dollars.
- Natural, &c. philosophy.** Natural and experimental philosophy: For pocket-barometer, seventy-five dollars; for compasses, sixty dollars; for repairs and contingencies, two hundred dollars; compensation to attendants, fifty dollars; in all, three hundred and eighty-five dollars.
- Drawing.** Drawing: For pencil models for second class, fifty dollars; colored models for second class, fifty dollars; topographical models for third class, fifty dollars; architectural models and ornaments, twenty-five dollars; paper, pencils, colors, and brushes, ten dollars; in all, one hundred and eighty-five dollars.
- Ethics.** Ethics: For text-books, books of reference, and stationery for instructors, fifty dollars.
- French.** French: For text-books and stationery for instructors, twenty-five dollars.
- Spanish.** Spanish: For text-books and stationery for instructors, fifty dollars.
- Chemistry.** Chemistry, mineralogy, and geology: For chemicals, including glass, porcelain ware, paper, wires, and sheet-copper, one thousand four hundred dollars; for material for practical instructions in photography, two hundred and fifty dollars; for work-bench and tools, and tools for lathe, sixty-five dollars; for carpenters' and metal work, fifty dollars; for gradual increase of the cabinet, five hundred dollars; for rough specimens, files, and alcohol lamps for practical instruction, two hundred dollars; for fossils illustrating American rocks, for daily use in section rooms, one hundred and fifty dollars; for repairs and improvements in electric, galvanic, magnetic, electro-magnetic, and magneto-electric apparatus, four hundred and fifty dollars; for galvanic battery and lamp regulator, one hundred and forty dollars; for repairs and addition to pneumatic and thermic apparatus, one hundred and fifty dollars; for Voightlander's camera tube, seventy-five dollars; for Dullmeyer's rapid rectilinear lens, one hundred and fifty-five dollars; for Ladd's dynamo-magneto-electric machine complete, one thousand eight hundred and fifty dollars; for additional compensation to attendant, fifty dollars; in all, five thousand four hundred and eighty-five dollars.
- Miscellaneous and contingent.** Miscellaneous and contingent expenses: For gas, coal, oil for lighting academy and cadets' barracks, mess-hall and hospital, offices, stables, and side-walk, four thousand dollars; for water-pipes, plumbing, and repairs, two thousand dollars; scrubbing public buildings, (not quarters,) five hundred and sixty dollars; brooms, brushes, tubs, pails, and wages of scrubbers and cleaners, one thousand five hundred dollars; chalk, sponge, and slates for recitation-rooms, one hundred dollars; compensation of organist of chapel, two hundred dollars; compensation to librarian, one hundred and twenty dollars; compensation to non-commissioned officers in charge of mechanics, fifty dollars; compensation to soldier writing in adjutant's office, fifty dollars; amounting in all to eight thousand five hundred and eighty dollars.
- Library.** For increase and expense of library, books, magazines, periodicals, and binding, two thousand dollars; salary of librarian's assistant, one thousand dollars, while the office is held by the present incumbent.
For contingencies for superintendent, one thousand dollars.
For furniture for cadet hospital, one hundred dollars.
- Board of visitors.** For expenses of board of visitors, to wit, board, lodging, and traveling allowances, three thousand dollars.
- Roads.** For repairing and opening roads and paths, two thousand five hundred dollars.
- Drill ground.** For grading, draining, and improving drill ground, one thousand dollars.
- Water.** For increasing the supply of water, rebuilding dam for reservoir at the foot of Crows' Nest mountain, five thousand dollars.

For survey, map, and estimate for plan for bringing water from Round pond, two thousand five hundred dollars. Water.

For heating apparatus, book cases for archives, office furniture, upholstery, blinds, gas-pipes and fixtures in fire-proof building for public office and archives, five thousand dollars. Heating apparatus, &c.

APPROVED, February 18, 1871.

CHAP. LV. — *An Act for the Relief of certain Purchasers of Lands from the legal Representatives of Bartholomew Cousin.* Feb. 18, 1871.

Preamble.

WHEREAS the claim of Bartholomew Cousin, or his legal representatives, is embraced in Recorder Bates'[s] report of February second, eighteen hundred and sixteen, and confirmed to the extent of a league square, and survey numbered two thousand one hundred and ninety-six was made for the same in the year eighteen hundred and eighteen; and whereas a further confirmation was made of eight hundred and ninety-nine arpens, or six hundred and sixty-four and seventy-eight hundredths acres, in the favorable report, numbered sixty-one, of the board of commissioners, under the acts of Congress of the years eighteen hundred and thirty-two and eighteen hundred and thirty-three, confirmed by the act of July, eighteen hundred and thirty-six: Therefore,

1832, ch. 180.
Vol. iv. p. 565.
1833, ch. 84.
Vol. iv. p. 661.
1836, ch. 361.
Vol. v. p. 126.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the county surveyor of the county of Cape Girardeau, or whomsoever may be designated by the commissioner of the general land office, to select an area, in compact form, as near as may be to the quantity of acres of the confirmation by act of July fourth, eighteen hundred and thirty-six, according to legal subdivisions, and in full satisfaction of said claim: beginning at a corner where a line of the survey numbered two thousand one hundred and ninety-six intersects the north line of section twelve, township thirty-one north, range eleven east, near the northeast corner of said section twelve; thence with said line of said survey two thousand one hundred and ninety-six to a corner of said survey two thousand one hundred and ninety-six, in section twenty-three of said township and range; thence westwardly on a line a sufficient distance that a line projected northwardly parallel with the western boundary line of survey numbered two thousand one hundred and ninety-six, and running eastwardly to the place of beginning, will include the said quantity of six hundred and sixty-four and seventy-eight hundredths acres; and thereafter, and within one year from the passage of this act, the parties claiming in right of said Cousin any tract outside of the limits of said survey numbered two thousand one hundred and ninety-six, and the selection authorized by this act to make good the second confirmation aforesaid, be, and are hereby, authorized, on satisfactory proof to the register and receiver of the land district in which said tracts are situated, of such right, to make payment therefor at the rate of one dollar and twenty-five cents per acre, or by pre-emption or claim of homestead, according to the laws of the United States in such cases made and provided.

An area may be designated in full satisfaction of the claim of Bartholomew Cousin.

Boundaries.

Parties claiming in the right of Cousin any tract outside, &c. may, upon, &c. pay therefor and at what rates.

SEC. 2. *And be it further enacted,* That any tract or parcel of land, after the survey and adjustment of said confirmation, which is not embraced therein but withheld from sale by the government of the United States by reason of the supposed interference and non-survey of said second confirmation, thereafter and in one year from the adjustment of said survey any party or person residing upon and cultivating such tract or parcel of land withheld from sale as aforesaid at and before the passage of this act, upon making satisfactory proof to the register and receiver of the land district in which such tracts or parcels are situate of actual settlement according to the provisions of this section, be, and are

Persons residing upon, &c. any lands not included in the survey, &c. may enter them, &c. or claim them as homesteads.