

June 22, 1874.

CHAP. 398.—An act to admit free of duty merchandise sunk for two years and afterward recovered.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any ship or vessel, laden with merchandise in whole or in part subject to duty, shall have been sunk in any river, harbor, bay, or waters subject to the jurisdiction of the United States and within its limits, and shall have remained so sunk for the period of not less than two years, and shall be abandoned by the owners thereof, any person or persons, who may raise any portion of the cargo of such ship or vessel, shall be permitted to bring the merchandise so recovered into the port nearest to the place where such ship or vessel was so sunk free from the payment of any duty thereupon, and without being obliged to enter the same at the custom house, under such rules and regulations as the Secretary of the Treasury may prescribe.

Approved, June 22, 1874.

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CHAP. 399.—An act for the relief of savings institutions having no capital stock, and doing business solely for the benefit of depositors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no farther collection of internal revenue taxes shall be made on the earnings of savings banks or institutions for savings, having no capital stock and doing no other business than receiving deposits to be loaned or invested for the sole benefit of the parties making such deposits, without profit or compensation to the association or company, whether the earnings of the same have been or may hereafter be divided annually, semi-annually or at other periods.

Approved, June 22, 1874.

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CHAP. 400.—An act for the relief of settlers on railroad lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the adjustment of all railroad land grants, whether made directly to any railroad company or to any State for railroad purposes, if any of the lands granted be found in the possession of an actual settler whose entry or filing has been allowed under the pre-emption or homestead laws of the United States subsequent to the time at which, by the decision of the land-office, the right of said road was declared to have attached to such lands, the grantees, upon a proper relinquishment of the lands so entered or filed for, shall be entitled to select an equal quantity of other lands in lieu thereof from any of the public lands not mineral and within the limits of the grant not otherwise appropriated at the date of selection, to which they shall receive title the same as though originally granted. And any such entries or filings thus relieved from conflict may be perfected into complete title as if such lands had not been granted: *Provided,* That nothing herein contained shall in any manner be so construed as to enlarge or extend any grant to any such railroad or to extend to lands reserved in any land grant made for railroad purposes: *And provided further,* That this act shall not be construed so as in any manner to confirm or legalize any decision or ruling of the Interior Department under which lands have been certified to any railroad company when such lands have been entered by a pre-emption or homestead settler after the location of the line of the road and prior to the notice to the local land-office of the withdrawal of such lands from market.

Approved, June 22, 1874

CHAP. 401.—An act relating to circuit courts of the United States for the districts of Alabama. June 22, 1874.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby established a circuit court of the United States for the middle district of Alabama, as said district is now constituted by law, to be held in the city of Montgomery, and a like court for the northern district of Alabama, as said district is now constituted by law, to be held in the city of Huntsville.

Circuit courts established in Alabama.
Middle district to be held in Montgomery.
Northern district to be held in Huntsville.
Powers and jurisdiction.

SEC. 2. That said circuit courts shall have and exercise, within their respective districts, the same original powers and jurisdiction as are or may be conferred by law upon the circuit court of the United States for the southern district of Alabama at Mobile, and shall have and exercise appellate and revisory jurisdiction over the decrees and judgments of the district courts of the United States for the said middle and northern districts, respectively, under the laws of the United States regulating the jurisdiction, powers, and practice of the circuit courts, and the judges thereof, in cases removed into said courts by appeal or writ of error; and said courts, and the judges thereof, shall have the general superintendence and jurisdiction over all cases and questions arising in said district courts, respectively, under the act approved March second eighteen hundred and sixty-seven entitled "An act to establish a uniform system of bankruptcy throughout the United States" as is provided for in the second section of said act.

1867, ch. 176, vol. xiv, p. 517.

SEC. 3. That there shall be appointed for each of said circuit courts for said middle and northern districts, by the circuit judge of the circuit, a clerk who shall take the oath and give the bond required by law of clerks of circuit courts, and who shall discharge all the duties and be entitled to all the fees and emoluments prescribed by law for clerks of circuit courts; and the United States marshals for said middle and northern districts shall, respectively, act as marshals for said circuit courts, and the United States district attorney for said districts shall discharge the duties of district attorney in said circuit courts for said middle and northern districts.

Clerks; oath and bond;
Duties and fees.
Marshals for middle and northern districts to act as marshals for circuit courts.
District attorney to discharge duties in circuit courts.

SEC. 4. That the clerks of said district courts for said middle and northern districts shall transfer to the clerks of the said circuit courts respectively all the original dockets, records and files of papers in all common-law and equity causes which might have been brought and would have been originally cognizable in a circuit court, and which were either disposed of or pending in said district courts while the same were vested with circuit-court powers.

Transfer of original dockets, records, and files.

SEC. 5. That the circuit court of the United States held at Mobile, Alabama, shall be designated and known as the circuit court of the United States for the southern district of Alabama; and its appellate and revisory power, upon appeal or writ of error, or by bill or petition, or otherwise, under the second section of said act, entitled, "An act to establish a uniform system of bankruptcy throughout the United States" is hereby restricted to judgments and decrees rendered or causes and questions arising in the district court of the United States for said southern district; and that the fourth section of the act approved March third, eighteen hundred and seventy-three, entitled, "An act relating to the circuit and district courts of the United States for the middle and northern districts of Alabama" be, and the same is hereby repealed.

Circuit court held at Mobile to be known as circuit court for southern district.
Restriction of appellate jurisdiction in bankruptcy cases.

Repeal of 1873, ch. 223, § 4, vol. xvii, p. 484.

SEC. 6. That terms of the circuit and district courts for the several districts of Alabama shall be held as follows: For the southern district, the terms of the circuit and district courts shall commence on the fourth Monday of December and the first Monday of June in each year; for the middle district, on the first Monday of May and the first Monday of November in each year; for the northern district, on the first Monday of April and the second Monday of October in each year.

Terms of circuit and district courts.

SEC. 7. That the fifth section of the act approved February twenty-second, eighteen hundred and thirty-eight entitled, "An act to abolish the circuit court at Huntsville in the State of Alabama and for other

Repeal of 1838, ch. 12, § 5, vol. v, p. 210.

1842, ch. 123, vol. 9, p. 504.

purposes" and the act approved August fourth, eighteen hundred and forty-two, entitled "An act to regulate appeals and writs of error from the district court of the United States for the northern district of Alabama" be and the same are hereby, repealed.

Repeal of inconsistent acts.

SEC. 8. That all laws and parts of laws, inconsistent with the provisions of this act, be and the same are hereby repealed.

Approved, June 22, 1874.

June 22, 1874.

CHAP. 402.—An act to constitute Montgomery, in the State of Alabama, a port of delivery.

Montgomery, Alabama, a port of delivery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Montgomery, in the State of Alabama, shall be, and is hereby, constituted a port of delivery, within the collection-district of Mobile; and there shall be appointed a deputy collector of customs, to reside at said port, who shall receive a salary, to be determined by the Secretary of the Treasury, not exceeding one thousand five hundred dollars per annum.

Deputy collector. Salary.

Approved, June 22, 1874.

June 22, 1874.

CHAP. 403.—An act to authorize and provide for the construction of a substantial iron and masonry bridge and of a causeway across the Anacostia, or Eastern Branch of the Potomac River, at or near the site of the present Navy-Yard bridge.

Bridge across Anacostia River.

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, authorized and directed to cause to be constructed across the Anacostia River, at or near the site of the present Navy-Yard bridge, in the District of Columbia, a substantial iron and masonry bridge and causeway; and the sum of one hundred and forty-six thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction of said bridge: *Provided,* That the said Secretary shall construct a bridge upon such plan as shall cost no more than the amount herein appropriated: And no part of this appropriation shall be paid out of the treasury until contracts shall have been entered into with responsible parties and with good and sufficient sureties to be approved by the Secretary of War for the construction and completion of said bridge, including the masonry, iron work, and causeway, at a cost not to exceed One hundred and forty-six thousand dollars: *And provided also,* That the said bridge shall be so constructed as not to interfere with the usual navigation above said bridge.

Appropriation.

Cost limited.

No payment until, &c.

Not to interfere with navigation.

Approved, June 22, 1874.

June 22, 1874.

CHAP. 404.—An act to authorize the construction of a bridge over the Willamette River at Salem, in the State of Oregon

County commissioners of Marion County, Oregon, authorized to build a bridge across the Willamette River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the county commissioners of the county of Marion, in the State of Oregon, or for the said commissioners jointly with the county commissioners of the county of Polk, in said State, to build a bridge across the Willamette River at the city of Salem, in said county of Marion, at a point to be selected and determined by the said board of commissioners of Marion county, or by said board jointly with the board of commissioners of Polk county aforesaid: *Provided,* That there shall be placed in said bridge a draw of not less than two hundred feet in width, with a centre abutment not to exceed forty feet wide, and ten feet above the water line, leaving a passage on each side of the abutment of not less than eighty feet in width, and so constructed as not to impede the

Width of draw. Centre abutment.

Navigation not to be impeded.