

CHAP. 29.—An Act To reduce the cases in which the penalty of death may be inflicted.

January 15, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where the accused is found guilty of the crime of murder or of rape under sections fifty-three hundred and thirty-nine or fifty-three hundred and forty-five, Revised Statutes, the jury may qualify their verdict by adding thereto "without capital punishment;" and whenever the jury shall return a verdict qualified as aforesaid the person convicted shall be sentenced to imprisonment at hard labor for life.

Death penalty.
Life imprisonment for murder or rape if verdict qualified.
R. S., secs. 5339, 5345, pp. 1036, 1038.

SEC. 2. That except offenses mentioned in sections fifty-three hundred and thirty-two, thirteen hundred and forty-two, sixteen hundred and twenty-four, fifty-three hundred and thirty-nine, and fifty-three hundred and forty-five, Revised Statutes, when a person is convicted of any offense to which the punishment of death is now specifically affixed by the laws of the United States, he shall be sentenced to imprisonment at hard labor for life, and when any person is convicted of an offense to which the punishment of death, or a lesser punishment, in the discretion of the court, is affixed, the maximum punishment shall be imprisonment at hard labor for life.

Imprisonment for life substituted for death penalty.
Exceptions.
Army and Navy crimes, murder, and rape.
R. S., secs. 1342, 1624, 5332, 5339, 5345, pp. 230, 275, 1036, 1038.

SEC. 3. That the punishment of death prescribed for any offense specified by the statutes of the United States, except in sections fifty-three hundred and thirty-two, thirteen hundred and forty-two, sixteen hundred and twenty-four, fifty-three hundred and thirty-nine, and fifty-three hundred and forty-five, Revised Statutes, is hereby abolished, and all laws and parts of laws inconsistent with this Act are hereby repealed.

Death penalty abolished.
Exceptions.
R. S., secs. 1342, 1624, 5332, 5339, 5345, pp. 230, 275, 1036, 1038.

SEC. 4. That nothing herein contained shall apply to or in any way affect any proceeding or indictment now found or pending or that may be found for any offense committed before the passage of this Act, and all offenses committed before the passage of this Act shall be punished under the laws then in force: *Provided,* That juries may return qualified verdicts in such cases according to the provisions of section one of this Act, and the sentences shall be imposed as therein provided.

Pending proceedings not affected.

SEC. 5. That any Indian who shall commit the offense of rape within the limits of any Indian reservation shall be punished by imprisonment at the discretion of the court. So much of the ninth section of chapter three hundred and forty-one of the acts of the year eighteen hundred and eighty-five as is inconsistent herewith is herewith repealed.

Proviso.
Qualified verdicts allowed.

Punishment for rape by Indians.

Limitation of State jurisdiction, etc.
Vol. 23, p. 385.

Approved, January 15, 1897.

CHAP. 30.—An Act Approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, and for other purposes.

January 16, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the coupon bonds and indebtedness of the Territory of New Mexico, amounting to seventy-five thousand dollars, authorized by section seven of an act of the thirty-first legislative assembly of the Territory of New Mexico, entitled "An act authorizing the rebuilding of the Territorial capitol at Santa Fe, which was destroyed by fire May twelfth, eighteen hundred and ninety-two, and to provide the necessary means therefor and a board with authority to rebuild the same," approved February fifth, eighteen hundred and ninety-five, and designated as capitol rebuilding bonds of the Territory of New Mexico;

New Mexico.
Issues of bonds approved.
Capitol rebuilding bonds.

Also, the bonds and indebtedness, amounting to fifteen thousand dollars, authorized by section one of an act of the said legislative assembly of the Territory of New Mexico, entitled "An act to provide for the maintenance of the military institute at Roswell, New Mexico," approved February thirteenth, eighteen hundred and ninety-five;

Roswell military institute.

Insane asylum.

Also, the bonds and indebtedness, amounting to the sum of thirty thousand dollars, authorized by section one of an act of the said legislative assembly of the Territory of New Mexico, entitled "An act to provide an addition to the insane asylum of New Mexico for the accommodation of all the insane persons of the Territory, and for other purposes," approved May thirteenth, eighteen hundred and ninety-five; and

School buildings.

Also, the bonds and indebtedness, amounting to the sum of thirty-five thousand dollars, authorized by section one of an act of the said legislative assembly of the Territory of New Mexico, entitled "An act to provide for the completion of the buildings for the normal schools of New Mexico at Las Vegas and Silver City, and to provide for the necessary furnishings therefor; and for additions to the New Mexico College of Agriculture and Mechanic Arts, at Las Cruces," approved February twenty-seventh, eighteen hundred and ninety-five, be, and the same are hereby, approved, confirmed, and made valid;

Santa Fe County.

Also, the certain bonds and indebtedness, one hundred and seventy-two thousand five hundred dollars in amount, together with the interest coupons thereto attached, of the county of Santa Fe, Territory of New Mexico, dated March first, eighteen hundred and ninety-two, issued under the provisions of an act of the Territorial general assembly known as the refunding act. Such bonds having been issued in refunding and in lieu of one hundred and fifty thousand dollars of bonds, and the overdue interest thereon, of said county of Santa Fe, theretofore issued and outstanding, are hereby validated, approved, and confirmed.

Also the certain bonds and indebtedness, together with interest coupons thereto attached, of the county of Santa Fe, Territory of New Mexico, dated September twenty-ninth, eighteen hundred and ninety-one, issued under the provisions of an act of the territorial general assembly of the Territory of New Mexico, entitled "An act for the financial relief of counties and municipalities," approved February twenty-sixth, eighteen hundred and ninety-one.

Such bonds having been issued in refunding and in lieu of one hundred and fifty thousand dollars of bonds, overdue interest, and a judgment rendered thereon, of said county of Santa Fe, theretofore, in the year eighteen hundred and eighty, issued and outstanding, are hereby validated, approved, and confirmed. Also the certain bonds and indebtedness, fifty-six thousand dollars in amount, together with the interest coupons thereto attached of the county of Grant, Territory of New Mexico, dated July first, eighteen hundred and eighty-three, being the unretired part of an issue of sixty thousand dollars in bonds issued by said county of Grant under the provisions of an act of the Territorial general assembly, dated February first, eighteen hundred and seventy-two, are hereby validated, approved, and confirmed. Also the

Grant County.

Silver City.

certain bonds and indebtedness, fifty thousand dollars in amount, together with the interest coupons thereto attached, of the city of Silver City, county of Grant, Territory of New Mexico, dated March first, eighteen hundred and ninety-three, issued under the provisions of an act of the Territorial general assembly of the Territory of New Mexico entitled "An act enabling the authorities having charge of the finances of any town or city of the Territory of New Mexico to refund any bonds or other obligations of said town or city, by the issuance of similar obligations, bearing a less rate of interest," approved February eleventh, eighteen hundred and ninety-one. Such bonds having been issued in refunding and in lieu of bonds and indebtedness to the amount of fifty thousand dollars of said city of Silver City, county of Grant, theretofore issued and outstanding, are hereby validated, approved, and confirmed.

Extent of approval.

It is intended hereby to validate, approve, and confirm any and all laws, ordinances, and proceedings, and bonds relating to the matter necessary to the validation of the said bonds of the Territory of New Mexico and of the said Santa Fe County, Grant County, and town of Silver City bonds, but no further and for no other purpose.

The said county of Santa Fe is hereby authorized and empowered to again refund all or any portion of the indebtedness thereof by this Act validated within one year from the passage of this Act, in accordance with the terms and provisions of an act of the legislature of the Territory of New Mexico, being chapter seventy-nine, entitled "An act for the financial relief of counties and municipalities" (House bill numbered one hundred and ninety-two), approved February twenty-sixth, eighteen hundred and ninety-one, except that such refunded bonds shall bear interest at the rate of four per centum per annum, payable semiannually, and shall become due twenty-five years from the date of the issue of such refunded bonds, and shall be issued for the amount of unpaid principal of the bonds of said county by this Act validated, with interest thereon from the date thereof, to wit, September, eighteen hundred and ninety-one, and March, eighteen hundred and ninety-two, respectively, at the rate of four per centum per annum until the date when the sum shall be refunded as herein provided, less the amount of interest heretofore paid on such bonds; and when said bonds shall be so refunded they shall be subject in all other respects to all the provisions, liabilities, rights, obligations, benefits, and advantages of said act of the legislature herein referred to. In case said bonds shall not be refunded by said county of Santa Fe upon the terms and conditions in this section set forth, then the bonds validated by this Act shall remain as the legal obligation of said Santa Fe County.

Refunding of indebtedness by Santa Fe County.

If said bonds shall be refunded as herein provided, the holders of the bonds herein validated shall, upon actual notice given by said county, deliver to said county the bonds herein validated, and shall receive in lieu thereof the refunded bonds provided for in this section: *Provided*, That any of said bonds which shall not be delivered for refunding to said county of Santa Fe within six months after said notice shall be given, as herein required, shall not bear a rate of interest greater than four per centum per annum from date of issue: *Provided*, That nothing in this Act shall be so construed as to make the Government of the United States liable or responsible for the payment of any of said bonds by this Act approved, confirmed, and made valid.

Proviso.
Interest on refunded bonds.

Nonliability of United States.

Received by the President, January 5, 1897.

[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. 61.—An Act Providing for certain requirements for vessels propelled by gas, fluid, naphtha, or electric motors.

January 18, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all vessels of above fifteen tons burden, carrying freight or passengers for hire, propelled by gas, fluid, naphtha, or electric motors, shall be, and are hereby, made subject to all the provisions of section forty-four hundred and twenty-six of the Revised Statutes of the United States, relating to the inspection of hulls and boilers and requiring engineers and pilots; and all vessels so propelled, without regard to tonnage or use, shall be subject to the provisions of section forty-four hundred and twelve of the Revised Statutes of the United States, relating to the regulation of steam vessels in passing each other; and to so much of sections forty-two hundred and thirty-three and forty-two hundred and thirty-four of the Revised Statutes, relating to lights, fog signals, steering, and sailing rules, as the Board of Supervising Inspectors shall, by their regulations, deem applicable and practicable for their safe navigation.

Vessels propelled by gas, electricity, etc.

Inspection, etc., required.
R. S., sec. 4226, p. 858.

Subject to rules for vessels passing.
R. S., sec. 4212, p. 854.

Regulation of machinery.
R. S., secs. 4233, 4234, p. 859.
Vol. 28, p. 690.

Approved, January 18, 1897.