

Loyalty to be a jurisdictional fact.

or from whom such supplies or stores were taken, did not give any aid or comfort to said rebellion, but was throughout that war loyal to the government of the United States, and the fact of such loyalty shall be a jurisdictional fact; and unless the said court shall, on a preliminary inquiry, find that the person who furnished such supplies or stores, or from whom the same were taken as aforesaid, was loyal to the Government of the United States throughout said war, the court shall not have jurisdiction of such cause, and the same shall, without further proceedings, be dismissed.

Defense, etc., for the United States.

SEC. 5. That the Attorney-General, or his assistants, under his direction, shall appear for the defense and protection of the interests of the United States in all cases which may be transmitted to the Court of Claims under this act, with the same power to interpose counter-claims, offsets, defenses for fraud practiced or attempted to be practiced by claimants, and other defenses, in like manner as he is now required to defend the United States in said court.

Parties in interest may testify, etc.

SEC. 6. That in the trial of such cases no person shall be excluded as a witness because he or she is a party to or interested in the same.

Reports of Court of Claims may be continued, etc., for action.

SEC. 7. That reports of the Court of Claims to Congress under this act, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress to Congress until the same shall be finally acted upon.

Approved, March 3, 1883.

Mar. 3, 1883.

CHAP. 117.—An act to ratify the issuance of duplicate checks in certain cases by the superintendent of the mint of the United States at San Francisco

Issuance of duplicate checks in certain cases by Superintendent U. S. Mint, San Francisco, ratified.
Preamble.

Whereas, Henry L. Dodge, as superintendent of the United States mint at San Francisco, California, did, on January thirteenth, anno Domini eighteen hundred and eighty-one, draw three certain checks upon the assistant treasurer of the United States at New York, all dated on that day, and all payable to Robert B. Hill, or order, to-wit: One numbered twenty-four hundred and eighty, for twenty thousand dollars; one numbered twenty-four hundred and eighty-one, for nineteen thousand five hundred dollars; and one numbered twenty-four hundred and eighty-two, for two thousand five hundred dollars, and all delivered to said Hill in purchase of silver bullion for the United States; and

Whereas it was thereafter made to satisfactorily appear to said Dodge that the said three checks had been, in due course of business, sold, assigned, and delivered to Wells, Fargo and Company, a banking and express corporation doing business within the United States, and having an office at said city of San Francisco, and that after such sale and delivery, and while in the custody of said corporation, the said three checks had been destroyed by fire; and

Whereas thereafter, to-wit, on the twenty-fifth day of February, anno Domini eighteen hundred and eighty-one, upon the application of said corporation, the said Dodge, as superintendent as aforesaid, did issue and deliver to said corporation duplicate or second originals of all three of said checks: Therefore,

Ratification.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts of the said Dodge, as such superintendent as aforesaid, in issuing said duplicate checks, are hereby ratified and confirmed: *Provided,* That the said corporation shall, within three months from the passage of this act, execute and deliver to the Secretary of the Treasury of the United States, a bond, with sufficient sureties, to be approved by the assistant treasurer of the United States at San Francisco, conditioned to indemnify the United States against any loss or damage that may arise by the issuance by said three duplicate checks.

Proviso.

Approved, March 3, 1883.