

er of the general land office, within twelve months from the approval of this act: *Provided*, That nothing in this act shall be so construed as to confirm any entries which have heretofore been annulled and vacated by said commissioner, on account of fraud, evasion of law, or other special cause: *And provided further*, That this act shall not affect the rights of subsequent purchasers in good faith.

Provisos.

APPROVED, July 1, 1870.

CHAP. CXCH. — *An Act to repeal certain Sections of Acts passed by the territorial Legislature of Wyoming.* July 1, 1870.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sections of acts, passed by the legislature of the Territory of Wyoming, to wit: The fourth and sixth sections of an act entitled "An act providing for the collection of taxes heretofore assessed and levied in this Territory"; also sections forty-nine to fifty-nine, both inclusive, of an act entitled "An act to create and regulate corporations," be, and the same are hereby, disapproved, repealed, and declared null and void.

Sections of certain acts of the legislature of Wyoming declared null.

APPROVED, July 1, 1870.

CHAP. CXCH. — *An Act for the Relief of the Inhabitants of Salt Lake City, in the Territory of Utah.* July 1, 1870.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the words "not exceeding five thousand in all," contained in an act entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March two, eighteen hundred and sixty-seven, shall not apply to Salt Lake City, in the Territory of Utah; but said act shall be so amended and construed in its application to said city that lands may be entered as provided in said act for the full number of inhabitants contained in said city not exceeding fifteen thousand; and as the said city covers school section number thirty-six, in township number one north, of range number one west, the same may be embraced in such entry, and indemnity shall be given therefor when a grant shall be made by Congress of sections sixteen and thirty-six, in the Territory of Utah, for school purposes.

Authorities of Salt Lake City may enter public lands and to what amount under act 1867, ch. 177. Vol. xiv. p. 541.

School section may be included.

Indemnity therefor.

APPROVED, July 1, 1870.

CHAP. CXCH. — *An Act to amend an Act entitled "An Act to carry into Effect Provisions of the Treaties between the United States, China, Japan, Siam, Persia, and other Countries, giving certain judicial Powers to Ministers and Consuls and other Functionaries of the United States in those Countries, and for other Purposes," approved June twenty-second, eighteen hundred and sixty.* July 1, 1870.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act of Congress entitled "An act to carry into effect provisions of the treaties between the United States, China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States in those countries, and for other purposes," approved June twenty-second, eighteen hundred and sixty, as far as the same is in conformity with the stipulations of the treaty with Madagascar, is hereby extended to that country, and it shall be executed in conformity with the provisions of the treaty and the usages of Christian nations in such cases; and the act shall, in the same manner, extend to any country of like character with which the United States may hereafter enter into treaty relations.

Act giving certain judicial powers to ministers and consuls extended to Madagascar, and how to be executed; Vol. xv. p. 491.

extended to certain other countries.

SEC. 2. *And be it further enacted*, That the superior judicial authority conferred on the consul-general or consul residing at the capital of any country mentioned in such act, or herein provided for, including the power to make decrees and regulations, is hereby vested in the Secretary of State for the time being.

Certain superior judicial authority vested in the Secretary of State.

Appeals from final judgments of minister to China or Japan to the circuit court for California;

not to operate as a stay of proceedings, unless, &c.;

from final judgment of consular court in China and Japan to minister.

Provido.

When appeal allowed to circuit court of California.

Practice on such appeals.

Same subject.

Authority of the circuit court.

Act applies only to future appeals.

Rent of prison, &c. for American convicts in China to be allowed in accounts of consular general at Shanghai; at other ports in China;

at Kanagawa, Japan;

at other ports in Japan.

SEC. 3. *And be it further enacted*, That when any final judgment of the minister to China, or to Japan, is given in the exercise of original or of appellate criminal jurisdiction, the person charged with the crime or offence, if he considers the judgment erroneous in point of law, may appeal therefrom to the circuit court for the district of California; but such appeal shall not operate as a stay of proceedings, unless the minister shall certify that there is probable cause to grant the same, when the stay shall be such as the interests of justice may require.

SEC. 4. *And be it further enacted*, That on any final judgment in a consular court of China or Japan where the matter in dispute exceeds five hundred dollars, and does not exceed two thousand five hundred dollars, exclusive of costs, an appeal shall be allowed to the minister in such country, as the case may be: *Provided*, That the appellant complies with the conditions established by general regulations; and the ministers are hereby authorized and required to receive, hear, and determine such appeals.

SEC. 5. *And be it further enacted*, That where the matter in dispute, exclusive of costs, exceeds the sum of two thousand five hundred dollars, an appeal shall be allowed to the circuit court for the district of California; and upon such appeal a transcript of the libel, bill, answer, depositions, and all other proceedings in the cause shall be transmitted to the circuit court; and no new evidence shall be received on the hearing of the appeal; and the appeals shall be subject to the rules, regulations, and restrictions prescribed in law for writs of error from district courts of the United States.

SEC. 6. *And be it further enacted*, That on any final judgment of the minister to China, or to Japan, given in the exercise, of original jurisdiction, where the matter in dispute, exclusive of costs, exceeds two thousand five hundred dollars, an appeal shall be allowed to the circuit court as provided in the last section.

SEC. 7. *And be it further enacted*, That the circuit court of California is hereby authorized and required to receive, hear, and determine the appeals provided for in this act, and the decisions of such court shall be final.

SEC. 8. *And be it further enacted*, That the appeals allowed by this act shall be only in cases arising after its passage.

SEC. 9. *And be it further enacted*, That the President is hereby authorized to allow, in the adjustment of the accounts of the consul-general at Shanghai, the actual expense of the rent of a suitable building, to be used as a prison for American convicts in China, not to exceed one thousand five hundred dollars a year; and also the wages of the keepers of the same, and for the care of offenders, not to exceed five thousand dollars a year; and to allow in the adjustment of the accounts of the consuls at other ports in China the actual expense of the hire of constables and the care of offenders, not to exceed in all five thousand dollars a year.

SEC. 10. *And be it further enacted*, That the President is hereby authorized to allow, in the adjustment of the accounts of the consul at Kanagawa, the actual expense of the rent of a suitable building, to be used as a prison for American convicts in Japan, not to exceed seven hundred and fifty dollars a year; and also the wages of the keepers of the same, and for the care of offenders, not to exceed two thousand five hundred dollars a year; and to allow in the adjustment of the accounts of the consuls at other ports in Japan the actual expense of the hire of constables and the care of offenders, not to exceed in all two thousand five hundred dollars a year.

APPROVED, July 1, 1870.