

United States as not being in fact swamp and overflowed lands; and it shall be the duty of the Secretary of the Interior to make such rules and regulations as may be necessary to carry into effect the provisions of this act: *Provided*, That nothing herein contained shall prejudice the rights of any person who may have made actual settlement upon such lands under the preëmption or homestead laws prior to the passage of this act.

Approved, February 23, 1875.

CHAP. 103.—An act to provide for settlements with certain railway companies.

Feb. 27, 1875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and Attorney-General are hereby authorized and empowered jointly to adjust and settle the claims of the United States against

Adjustment and settlement of claims of United States against certain railroads.

The Alexandria, Loudon and Hampshire,
 The Edgefield and Kentucky,
 The Knoxville and Kentucky,
 The McMinnville and Manchester,
 The Mobile and Ohio,
 The Memphis, Clarksville and Louisville,
 The Memphis and Little Rock,
 The Nashville and Northwestern,
 The Southwestern Branch Railroad of Missouri, and
 The Selma, Rome and Dalton Railroad Companies, and all persons and corporations having any interest in the subject growing out of the sale and transfer by the United States of any rights or property to said railway companies above named, respectively, in the years eighteen hundred and sixty-five and eighteen hundred and sixty-six, or both, by making such abatement in the amount of such claims, respectively, as shall be deemed just, in respect of an overvaluation, if any, of the property sold, not exceeding twenty-five per centum of the valuation of the property in each case, as made under the authority of the War Department on the occasion of such sales: *Provided*, That such settlements shall be made within one year next after the passage of this act; and that good and sufficient security be given to the United States by or on behalf of the parties in interest, respectively, who do not pay in cash at the time of settlement, for the payment, with interest, of such sums as shall, on such settlements, be so found due, at such times within ten years as may be agreed upon.

Limit of time for settlement.

Security for payments.

SEC. 2. That this act shall not be construed so as to produce or authorize any delay in the prosecution of said claims respectively other than as aforesaid; and each of said claims not so settled and disposed of as aforesaid shall be prosecuted and enforced according to existing obligations. In such settlements no allowance shall be made in respect of any matter occurring prior to such sales and transfers, nor otherwise, except such payments as may have been made in cash, and such credits for transportation as the general course of the business regulations of the Departments authorizes. And in any such settlements, the said Secretary and Attorney-General shall, as a condition thereof, take a full release from the other parties, respectively, of all claims and demands of every name and nature theretofore existing, if any such there be, against the United States.

Prosecution of claims not to be delayed.

What allowances to be made.

Release of claims against United States.

Approved, February 27, 1875.

CHAP. 114.—An act to protect all citizens in their civil and legal rights.

March 1, 1875.

Whereas, it is essential to just government we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,

Equal enjoyment of inns, public conveyances, theaters, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Forfeit to person aggrieved by denial of equal enjoyment of inns, &c.

Punishment for denying, &c.

Election of remedies.

Effect of recoveries.

Jurisdiction of courts under this act.

Duty of district attorneys, marshals, and commissioners under this act.

Right of civil action not affected.

Failure of district attorney to prosecute.

Effect of judgment against district attorney.

Exclusion from service as juror.

Penalty for excluding, &c.

SEC. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered in an action of debt, with full costs; and shall also, for every such offense, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year: *Provided*, That all persons may elect to sue for the penalty aforesaid or to proceed under their rights at common law and by State statutes; and having so elected to proceed in the one mode or the other, their right to proceed in the other jurisdiction shall be barred. But this proviso shall not apply to criminal proceedings, either under this act or the criminal law of any State: *And provided further*, That a judgment for the penalty in favor of the party aggrieved, or a judgment upon an indictment, shall be a bar to either prosecution respectively.

SEC. 3. That the district and circuit courts of the United States shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses against, and violations of, the provisions of this act; and actions for the penalty given by the preceding section may be prosecuted in the territorial, district, or circuit courts of the United States wherever the defendant may be found, without regard to the other party; and the district attorneys, marshals, and deputy marshals of the United States, and commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting and imprisoning or bailing offenders against the laws of the United States, are hereby specially authorized and required to institute proceedings against every person who shall violate the provisions of this act, and cause him to be arrested and imprisoned or bailed, as the case may be, for trial before such court of the United States, or territorial court, as by law has cognizance of the offense, except in respect of the right of action accruing to the person aggrieved; and such district attorneys shall cause such proceedings to be prosecuted to their termination as in other cases: *Provided*, That nothing contained in this section shall be construed to deny or defeat any right of civil action accruing to any person, whether by reason of this act or otherwise; and any district attorney who shall willfully fail to institute and prosecute the proceedings herein required, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action of debt, with full costs, and shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than one thousand nor more than five thousand dollars: *And provided further*, That a judgment for the penalty in favor of the party aggrieved against any such district attorney, or a judgment upon an indictment against any such district attorney, shall be a bar to either prosecution respectively.

SEC. 4. That no citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States, or of any State, on account of race, color, or previous condition of servitude; and any officer or other person charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause

aforesaid shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars.

SEC. 5. That all cases arising under the provisions of this act in the courts of the United States shall be reviewable by the Supreme Court of the United States, without regard to the sum in controversy, under the same provisions and regulations as are now provided by law for the review of other causes in said court. Review in Supreme Court.

Approved, March 1, 1875.

CHAP. 115.—An act to authorize the promulgation of the general regulations for the government of the Army. March 1, 1875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section twenty of the act approved July fifteenth, eighteen hundred and seventy, entitled "An act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-one, and for other purposes," as requires the system of general regulations for the Army therein authorized to be reported to Congress at its next session, and approved by that body, be, and the same is hereby repealed; and the President is hereby authorized, under said section, to make and publish regulations for the government of the Army in accordance with existing laws.

Regulations for government of the Army authorized.
1870, c. 294, s. 20, v. 16, p. 319.

Approved, March 1, 1875.

CHAP. 116.—An act making appropriations for the payment of invalid and other pensions of the United States, for the year ending June thirtieth, eighteen hundred and seventy-six. March 1, 1875.

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 payment of pensions for the fiscal year ending the thirtieth of June, eighteen hundred and seventy-six:

Appropriation for pensions, for year ending June 30, 1876.

For Army pensions to invalids, widows, and dependent relatives, revolutionary pensions, and pensions to soldiers of the war of eighteen hundred and twelve, and for furnishing artificial limbs or apparatus for resection, with transportation or commutation therefor; also, for compensation to pension-agents, and the expenses of the several agencies, and for fees for preparing vouchers and administering oaths as provided for by the several acts of Congress applicable to pensions provided by law, twenty-nine millions and five hundred thousand dollars.

Army pensions, artificial limbs, pension-agents, &c.

For Navy pensions to invalids, widows and dependent relatives, and pensions to sailors of the war of eighteen hundred and twelve, and for furnishing artificial limbs or apparatus for resection, with transportation or commutation therefor, compensation to pension-agents, expenses of agencies, and fees for preparing vouchers and administering oaths, as provided by the several acts of Congress applicable to pensions provided by law, five hundred thousand dollars: *Provided,* That the appropriation aforesaid for Navy pensions, and the other expenditures under that head, shall be paid from the income of the Navy pension-fund, so far as the same may be sufficient for that purpose.

Navy pensions, artificial limbs, &c.

Payable from income of Navy pension-fund.

Approved, March 1, 1875.

CHAP. 117.—An act explanatory of the act passed June twentieth, eighteen hundred and seventy-four. March 1, 1875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it was the true intent and meaning of the act passed June twentieth, eighteen hundred and seventy-four, for the government of the District of Columbia, that the sweeping, cleaning, and removing all refuse and filthy accumulations

Cleaning streets, &c., and repairing sewers in District of Columbia.