

Feb. 3, 1879.

CHAP. 41.—An act to disapprove and annul an act of the legislative assembly of the Territory of New Mexico, passed on the eighteenth of January, eighteen hundred and seventy-eight, by a two-thirds vote of both houses over the veto of the governor of said Territory.

New Mexico.
Act incorporating
Jesuit Fathers
void.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act of the legislative assembly of the Territory of New Mexico, entitled "An act to incorporate the Society of the Jesuit Fathers of New Mexico", which passed both houses of said legislative assembly on or about the eighteenth day of January, eighteen hundred and seventy-eight, over the veto of the governor of said Territory, being in violation of section eighteen hundred and eighty-nine of the Revised Statutes of the United States, which declares, "The legislative assemblies of the several Territories shall not grant private charters or especial privileges", said bill being a grant of a private charter or act of incorporation, with the "especial privileges" of an unlimited power to acquire, hold, and transfer all kinds of property, both real and personal, and the exemption from taxation of all the effects and property of said corporation, be, and the same is hereby, disapproved and declared null and void.

Approved, February 3, 1879.

Feb. 3, 1879.

CHAP. 42.—An act to amend section five thousand four hundred and ninety-seven of the Revised Statutes relating to embezzlement by officers of the United States.

R. S. 5497.
Embezzlement
in internal-reve-
nue service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five thousand four hundred and ninety-seven of the Revised Statutes of the United States be, and the same is hereby, amended by adding at the end thereof the following, to wit: "And any officer connected with, or employed in, the internal-revenue service of the United States, and any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or other property of the United States, and any officer of the United States, or any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or property which may have come into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or assistant, whether the same shall be the money or property of the United States or of some other person or party, shall, where the offense is not otherwise punishable by some statute of the United States, be punished by a fine equal to the value of the money and property thus embezzled or converted, or by imprisonment not less than three months nor more than ten years, or by both such fine and imprisonment."

Penalty.

Approved, February 3, 1879.

Feb. 3, 1879.

CHAP. 43.—An act to extend the jurisdiction of the district and circuit courts of the United States for the southern district of Florida.

Florida.
Judicial dis-
tricts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the southern judicial district of the State of Florida shall embrace the counties of Hernando, Hillsborough, Polk, Manatee, and Monroe, in said State; and all the territory within the remaining counties shall constitute the northern judicial district.

Terms of courts
at Tampa.
Proviso.

SEC. 2. That a term of the district and circuit courts of the United States shall be held in each year at Tampa, in said district, commencing on the first Monday in March: *Provided,* That nothing herein contained shall be construed to impair or affect the jurisdiction of the district court of the United States for the northern district of Florida in any case, civil or criminal, pending therein at the time of the passage of this act. But

the same shall be proceeded in to final disposition as if this act had not been passed.

Approved, February 3, 1879.

CHAP. 44.—An act authorizing the Secretary of War to erect headstones over the graves of Union soldiers who have been interred in private, village, or city cemeteries.

Feb. 3, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to erect headstones over the graves of soldiers who served in the Regular or Volunteer Army of the United States during the war for the Union, and who have been buried in private village or city cemeteries, in the same manner as provided by the law of March third, eighteen hundred and seventy-three, for those interred in national military cemeteries; and for this purpose, and for the expenses incident to such work, so much of the appropriation of one million dollars, made in the act above mentioned, as has not been expended, and as may be necessary, is hereby made available.

Headstones for soldiers' graves in private cemeteries.

1873, ch. 229,
17 Stat., 545.

Expenses.

The Secretary of War shall cause to be preserved in the records of his Department the names and places of burial of all soldiers for whom such headstones shall have been erected by authority of this or any former acts.

Records.

Approved, February 3, 1879.

CHAP. 45.—An act to amend section thirty-eight hundred and thirty-five of the Revised Statutes of the United States relating to deficiency in postmasters accounts.

Feb. 4, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section thirty-eight hundred and thirty-five of the Revised Statutes is amended by adding the following:

R. S. 3835.

“Hereafter, when a deficiency shall be discovered in the accounts of any postmaster, who after the adjustment of his accounts fails, to make good such deficiency, it shall be the duty of the Sixth Auditor of the Treasury Department to notify the Postmaster-General of such failure, and upon receiving such notice the Postmaster-General shall forthwith deposit a notice in the post-office at Washington, District of Columbia, addressed to the sureties respectively upon the bond of said postmaster, at the office where he or they may reside, if known; but a failure to give or mail such notice shall not discharge such surety or sureties upon such bond.

Postmasters' accounts.

Notice to sureties of deficiencies.

Approved, February 4, 1879.

CHAP. 46.—An act making an appropriation for the purchase of a site, and for the erection thereon of a military post, at El Paso, Texas.

Feb. 4, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of forty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purchase of the necessary grounds, and the erection thereon of a military post, at El Paso, Texas, to be expended under the direction of the Secretary of War: *Provided,* That before the expenditure of any of the appropriation hereby made, good and sufficient title shall be made to the United States for the land contemplated by this act.

Appropriation.

Military post at El Paso, Texas.
Proviso.

Approved, February 4, 1879.