

agent, or member, or person, so interested, who shall so act, shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars nor less than five hundred dollars, and by imprisonment for a term not exceeding two years.

SEC. 9. *And be it further enacted*, That all acts and parts of acts inconsistent with or repugnant to any of the provisions of this act are hereby repealed, saving, however, and excepting any and all suits or prosecutions now commenced pending, and all rights of suit or prosecution under any prior act of Congress, on account of the doing or committing of any act hereby prohibited; and all rights and claims which the United States, or any person or persons, now have, growing out of such prior act; all which pending suits and prosecutions shall proceed and be determined, and all which rights and claims shall remain and be as valid and effectual as if this present act had not been passed; nor shall this act be so construed as in any way to impair or affect the obligation, duty, or liability of any person who now is or shall hereafter become the surety of any person contracting with the United States, or any officer or agent thereof; but every such surety shall be liable and answerable for the default of his principal in the same manner as if this act had not been passed, save to the extent to which his principal has performed the contract, or, if damages have been so recovered, to the extent of one half of the damages so recovered and paid; which last amount may be shown in reduction of damages in any suit brought against the principal and surety, or principals and sureties, on their contract.

Repealing and saving clause.

APPROVED, March 2, 1863.

CHAP. LXVIII. — *An Act to authorize an Increase in the Number of Major-Generals and Brigadier Generals for Forces in the Service of the United States.* March 2, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in addition to the four major-generals and nine brigadier-generals for the regular army, and the forty major-generals and two hundred brigadier-generals for the volunteer service, authorized by the existing laws, there may be appointed thirty major-generals and seventy-five brigadier-generals for forces in the service of the United States other than the regular army: *Provided*, That the officers to be appointed under this act shall be selected from those who have been conspicuous for gallant or meritorious conduct in the line of duty.

Increase of major-generals and brigadiers.

Selection.

APPROVED, March 2, 1863.

CHAP. LXIX. — *An Act to fix the Terms of the Circuit and District Courts in the Districts of Wisconsin and Iowa.* March 2, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, instead of the times heretofore fixed by law, the Circuit Court of the United States for the district of Wisconsin (after the January term, eighteen hundred and sixty-three) shall be held as follows: At Milwaukee on the third Monday in April and first Monday in July, and at Madison on the second Monday in November, and all writs, suits, pleas, recognizances, indictments, or other proceedings, civil or criminal, issued, commenced, or pending in said court, shall be returnable to, be entered, and have day in court, and be heard and tried according to the provisions of this act.

Courts in Wisconsin,

in Iowa.

SEC. 2. *And be it further enacted*, That, instead of the times heretofore provided by law, the terms of the circuit and district courts for the district of Iowa, to be held at Des Moines, shall be held on the second Tuesday of May and third Tuesday in October in each year, and the fall term

of the district court for said district, to be held at Dubuque, shall be held on the third Tuesday in November.

APPROVED, March 2, 1863.

March 2, 1863. CHAP. LXX. — *An Act to amend an Act entitled "An Act to provide a Temporary Government for the Territory of Colorado."*

1861, ch. 59.

Ante, p. 172.

Colorado Territory.

Governor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second section of the act to which this act is an amendment be altered so as to read as follows: The executive power and authority in and over said Territory of Colorado shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian Affairs; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

Veto power.

SEC. 2. *And be it further enacted,* That every bill which shall have passed the legislative assembly shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

Judicial power.

SEC. 3. *And be it further enacted,* That section nine of the act to which this act is amendatory be altered so as to read as follows: Section 9. *And be it further enacted,* That the judicial power of said Territory

Supreme court.

shall be vested in a supreme court, district courts, probate courts, and justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a

District courts.

district court shall be held in each of said districts by one of the justices of the supreme court at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and

Justices of the peace.

of justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or when the debt or sum claimed shall exceed three hundred dollars; and the said probate court shall not have jurisdiction of any matter in controversy when the debt or sum claimed shall exceed the sum of two thousand dollars; and said supreme and district court shall have authority for redress of all wrongs committed against the constitution and laws of the United