

Warrant for arrest to issue.

If person arrested is a citizen, he shall be discharged.

If not, &c., person to be committed.

Expenses, how to be paid.

Limit of imprisonment.

or vessel, or that he has refused, or is about to refuse, to submit to and obey the lawful jurisdiction of such consular or commercial authority in the premises; and further stating and certifying that, to the best of the knowledge and belief of the officer certifying, such person is not a citizen of the United States, and thereupon such judge, commissioner, or other judicial officer, on inspection of such application, the same being in writing and duly authenticated by the consular or other sufficient official seal, shall issue his warrant for the arrest of the person so complained of, directed to the marshal of the United States for the appropriate district, or in his discretion to any person, being a citizen of the United States, whom he may specially depute for the purpose, requiring such person to be brought before him for examination at a certain time and place. And if, on such examination, it shall be made to appear that the person so arrested is a citizen of the United States, he shall be forthwith discharged from arrest, and shall be left to the ordinary course of law. But if this shall not be made to appear, and such judge, commissioner, or other judicial authority shall find, upon the papers hereinbefore referred to, a sufficient prima facie case that the matter concerns only the internal order and discipline of such foreign ship or vessel, or, whether in its nature civil or criminal, does not *affect* [affect] directly the execution of the laws of the United States, or the rights and duties of any citizen of the United States, he shall forthwith, by his warrant, commit such person to prison, where prisoners under sentence of a court of the United States may be lawfully committed, or to the master or chief officer of such foreign ship or vessel, in his discretion, to be subject to the lawful orders, control, and discipline of the master or chief officer for the time being, of such ship, and to the jurisdiction of the consular or commercial authority of the nation to which such ship or vessel may belong, to the exclusion of any authority or jurisdiction in the premises of the United States or any state thereof: *Provided, nevertheless*, That the expenses of the arrest and the detention of the person so arrested shall be paid by the consul-general, consuls, or vice-consuls: *And provided, further*, That no person shall be detained more than two months after his arrest, but at the end of that time shall be set at liberty and shall not again be arrested for the same cause.

APPROVED, June 11, 1864.

June 11, 1864.

CHAP. CXVII. — *An Act to authorize the Secretary of the Treasury to stipulate for the Release from Attachment or other Process, of Property claimed by the United States, and for other Purposes.*

Attachment in judicial proceeding of property owned, &c., by the United States, how may be discharged.

Effect of final judgment in such proceedings.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any property owned or held by the United States, or in which the United States have or claim an interest, shall, in any judicial proceeding under the laws of any state, district, or territory, be seized, arrested, attached, or held for the security or satisfaction of any claim made against said property, it shall be lawful for the Secretary of the Treasury, in his discretion, to direct the solicitor of the treasury to cause a stipulation to be entered into by the proper district attorney for the discharge of such property from such seizure, arrest, attachment, or proceeding, to the effect that upon such discharge, the person asserting the claim against such property shall become entitled to all the benefits of this act; and in all cases where such stipulation shall be entered into, as aforesaid, and the property shall, in consequence thereof, be discharged as aforesaid, and final judgment shall be given in the court of last resort to which the Secretary of the Treasury may deem proper to cause such proceedings to be carried, affirming the claim for the security or satisfaction of which such proceedings shall have been instituted, and the right of the person asserting the same to enforce it against such property by means of such proceedings, notwithstanding the claims of the United States thereto, such final judg-

ment shall be deemed, to all intents and purposes, a full and final determination of the rights of such person, and shall entitle such person, as against the United States, to such rights as he would have had in case possession of said property had not been changed; and if such claim be for the payment of money, and the same shall by such judgment be found to be due, the presentation of a duly authenticated copy of the record of such judgment and proceedings shall be sufficient evidence to the proper accounting officers for the allowance thereof; and the same shall thereupon be allowed and paid out of any moneys in the treasury not otherwise appropriated: *Provided*, That the amount so to be allowed and paid shall not exceed the value of the interest of the United States in the property in question: *And provided, further*, That nothing herein contained shall be considered as recognizing or conceding any right to enforce by seizure, arrest, attachment, or any judicial process, any claim against any property of the United States, or against any property held, owned, or employed by the United States, or by any department thereof, for any public use, or as waiving any objection to any proceeding instituted to enforce any such claim.

APPROVED, June 11, 1864.

Limit of amount to be paid.

Right to enforce such claim, &c. not recognized.

CHAP. CXVIII. — *An Act in Relation to the Limitation of Actions in certain Cases.*

June 11, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever, during the existence of the present rebellion, any action, civil or criminal, shall accrue against any person who, by reason of resistance to the execution of the laws of the United States, or the interruption of the ordinary course of judicial proceedings, cannot be served with process for the commencement of such action or the arrest of such person, or whenever, after such action, civil or criminal, shall have accrued, such person cannot, by reason of such resistance of the laws, or such interruption of judicial proceedings, be arrested or served with process for the commencement of the action, the time during which such person shall so be beyond the reach of legal process shall not be deemed or taken as any part of the time limited by law for the commencement of such action.

Time during which person is beyond legal process by reason of resistance to the laws not to make part of time limited for bringing actions.

APPROVED, June 11, 1864.

CHAP. CXIX. — *An Act relating to Members of Congress, Heads of Departments, and other Officers of the Government.*

June 11, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no member of the Senate or House of Representatives shall, after his election and during his continuance in office, nor shall any head of a department, head of a bureau, clerk, or any other officer of the government receive or agree to receive any compensation whatsoever, directly or indirectly, for any services rendered, or to be rendered, after the passage of this act, to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party, or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission whatever. And any person offending against any provision of this act shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not exceeding ten thousand dollars, and by imprisonment for a term not exceeding two years, at the discretion of the court trying the same, and shall be forever thereafter incapable of holding any office of honor, trust, or profit under the government of the United States.

Senators, representatives, heads of bureaus, &c., not to receive pay for services in any matter where the United States is a party.

Penalty.

APPROVED, June 11, 1864.