

intention of this act in establishing said branch, also for the purpose of preserving uniformity of weight, form, and finish in the coin stamped at said branch.

SEC. 5. *And be it further enacted*, That said branch mint shall be a place of deposit for such public moneys as the Secretary of the Treasury may direct. And the superintendent of said branch mint, who shall perform the duties of treasurer thereof, shall have the custody of the same, and also perform the duties of assistant treasurer; and for that purpose shall be subject to all the provisions contained in an act entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August six, eighteen hundred and forty-six, which relates to the treasury of the branch mint at New Orleans.

Branch mint to be a place of deposit for public moneys. Superintendent to be assistant treasurer.

1846, ch. 90. Vol. ix. p. 59.

SEC. 6. *And be it further enacted*, That the superintendent of said branch mint be authorized, under the direction of the Secretary of the Treasury, and on terms to be prescribed by him, to issue in the payment of the gold dust and bullion deposited for assay and coinage, or bars, drafts, or certificates of deposit, payable at the treasury, or any sub-treasury of the United States, to any depositor electing to receive payment in that form.

Certificates of deposit may be paid for gold dust and bullion.

SEC. 7. *And be it further enacted*, That all the laws and parts of laws now in force for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be, and they are hereby, declared to be in full force in relation to the branch of the mint by this act established, as far as the same may be applicable thereto.

Laws for regulation of mint, &c., to apply to this branch.

SEC. 8. *And be it further enacted*, That the sum of one hundred thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to carry into effect the provisions of this act, and to meet the expenses of the current year, and for the fiscal year ending the thirtieth day of June, 1865.

Appropriation to carry act into effect.

APPROVED, July 4, 1864.

CHAP. CCXLIII. — *An Act to regulate Proceedings in Cases between Landlord and Tenants in the District of Columbia.*

July 4, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a tenancy at will shall not arise or be created without an express contract or letting to that effect, and that all occupation, possession, or holding of any messuage or real estate without express contract or lease, or by such contract or lease the terms of which have expired, shall be deemed and held to be tenancies by sufferance; and all estates at will and sufferance may be determined by a notice, in writing, to quit, of thirty days, delivered to the tenant in hand, or to some person of proper age upon the premises, or in the absence of such tenant or person, then such notice may be served by affixing the same to a conspicuous part of the premises, where it may be conveniently read. The attornment of a tenant to a stranger shall be void, and shall not affect the rights of the landlord, unless it be made with the consent, express or implied, of the landlord: *Provided*, That no part of this section other than that which relates to attornment of a tenant to a stranger shall apply to contracts made, or to any tenancy existing prior to the passage of this act, except in cases of waste, or refusal to pay rent.

Tenancy at will and by sufferance;

may be determined by what notice, and how served.

SEC. 2. *And be it further enacted*, That when forcible entry is made, or when a peaceable entry is made and the possession unlawfully held by force, or when possession is held without right, after the estate is determined by the terms of the lease by its own limitation, or by notice to quit, or otherwise, on written complaint on oath of the person entitled to the

In cases of forcible entry, or detainer, &c.

Summons to issue, &c.

premises, to a justice of the peace, charging a forcible entry or detainer of real estate as aforesaid, a summons may be issued to a proper officer, commanding the person complained of to appear and show cause why judgment should not be rendered against him, which shall be served like other writs of summons at least seven days before his appearance. If it appears by default or upon trial that the complainant is entitled to the possession of the premises, he shall have judgment and execution for the possession and costs; if the complainant becomes nonsuit and fails to prove his right to possession, the defendant shall have judgment and execution for his costs.

Proceedings if at trial defendant pleads title.

SEC. 3. *And be it further enacted*, That if, upon trial, defendant pleads title to the premises in himself, or in another person under whom he claims the premises, he shall recognize in a reasonable sum to the complainant, to be fixed by said justice, with sufficient sureties, conditioned to pay all intervening damages and costs and reasonable intervening rent for the premises; and the complainant shall in like manner recognize to the defendant conditioned to enter the suit at the next term of the supreme court of the district, and pay all costs adjudged against him; and thereupon the proceedings shall be certified to said court by the justice. If either party neglects so to recognize, judgment shall be rendered against him as on nonsuit or default, and execution shall issue accordingly as aforesaid.

Appeals, and how tried.

SEC. 4. *And be it further enacted*, That either party against which judgment is rendered by a justice of the peace, may appeal from such judgment to the supreme court of the District of Columbia, in the same manner as appeals are taken to the said court in other cases; but in case of an appeal by a defendant, he shall, in addition to the bail required in other cases, recognize in a reasonable sum to the complainant, to be fixed by said justice, with sufficient sureties, conditioned to pay all intervening damages to the leased property resulting from waste and intervening rent for the premises; and such appeals shall be tried in the same manner and further proceedings had therein according to the practice in appeals in other cases in said court.

If defendant appeals, in addition to other bail, he must recognize to pay intervening damages.

Damages for complainant, if &c.

SEC. 5. *And be it further enacted*, That on the trial of said suit in the supreme court of the district, if the jury find for complainant, they shall assess the damages and intervening rent; and in case of default the same shall be assessed by the court.

Fees of justice and officer.

SEC. 6. *And be it further enacted*, That the fees of the justice issuing the process, and hearing the issue, and making up the record, and certifying the same, and the officer for serving the process, shall be those allowed in civil causes.

Repeal of inconsistent acts.

SEC. 7. *And be it further enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED, July 4, 1864.

July 4, 1864.

CHAP. CCXLIV. — *An Act to provide for the Supervision, Repairs, Liabilities, and Completion of the Washington Aqueduct.*

Appropriation for dam, &c., for Washington aqueduct.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of one hundred and fifty thousand dollars be, and the same is, hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of constructing the dam of solid masonry across the Maryland branch of the Potomac River, near the Great Falls, and for constructing the conduit around the Receiving Reservoir [Reservoir], and for paying existing liabilities and expenses, engineering, superintendence, and repairs of said aqueduct.

APPROVED, July 4, 1864.