

United States be, and they are hereby, authorized to require before certifying any invoice or invoices under the provisions of the first section of the act entitled "An act to prevent and punish frauds upon the revenue, to provide for the more certain and speedy collection of claims in favor of the United States, and for other purposes," approved March third, eighteen hundred and sixty-three, satisfactory evidence, either by the oath of the person or persons presenting such invoices or otherwise, that such invoices are correct and true: *Provided*, That in the exercise of the discretion hereby given, the said consular officers shall be governed by such general or special regulations or instructions as may from time to time be established or given by the Secretary of State.

Consular officers before certifying invoices, may require satisfactory proof of their correctness.

1863, ch. 76.  
Vol. xii. p. 737.

APPROVED, March 3, 1865.

CHAP. CXII. — *An Act amendatory of "An Act to amend an Act entitled 'An Act to promote the Progress of the useful Arts,' approved March three, eighteen hundred and sixty-three."*

March 3, 1865.  
1863, ch. 102.  
Vol. xii. p. 796.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person having an interest in an invention, whether as inventor or assignee, for which a patent was ordered to issue upon the payment of the final fee, as provided in section three of an act approved March three, eighteen hundred and sixty-three, but who has failed to make payment of the final fee as provided in said act, shall have the right to make an application for a patent for his invention the same as in the case of an original application, provided such application be made within two years after the date of the allowance of the original application: *Provided*, That nothing herein shall be so construed as to hold responsible in damages any persons who have manufactured or used any article or thing for which a patent aforesaid was ordered to issue. This act shall apply to all cases now in the patent-office, and also to such as shall hereafter be filed. And all acts or parts of acts inconsistent with this act are hereby repealed.

Inventors, &c., who failed to pay the final fee, may apply for patents within two years, &c.

Persons who have used, &c., the article not liable in damages. Act to apply to what cases.

APPROVED, March 3, 1865.

CHAP. CXIII. — *An Act to amend the third Section of an Act entitled "An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth day of June, eighteen hundred and sixty-five, and for other Purposes," so far as the same relates to Witnesses in the Courts of the United States.*

March 3, 1865.  
1864, ch. 210. § 3.  
Ante, p. 351.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the third section of an act entitled "An act making appropriations for sundry civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and sixty-five, and for other purposes," be, and the same hereby is, amended by adding thereto the following proviso: *Provided, further*, That in actions by or against executors, administrators, or guardians, in which judgment may be rendered for or against them, neither party shall be allowed to testify against the other as to any transaction with, or statement by the testator, intestate, or ward, unless called to testify thereto by the opposite party, or required to testify thereto by the court.

In actions by or against executors, &c., neither party shall testify unless, &c.

APPROVED, March 3, 1865.

CHAP. CXIV. — *An Act in Relation to the Naval Observatory.*

March 3, 1865.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the first section of the act of third of August, one thousand eight hundred and forty-eight, entitled "An act making appropriations for the naval service for the year ending the thirtieth of June, one thousand eight hundred and forty-nine," as requires that the superintendent of the naval observatory at Washington city shall be a captain, commander, or lieutenant in the navy,

Law requiring the superintendent of the naval observatory to be a captain, &c., repealed.  
1848, ch. 121.  
Vol. ix. p. 266.