

May 26, 1866. CHAP. C. — *An Act to authorize the Appointment of an additional Assistant Secretary of the Navy.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized and empowered, by and with the advice and consent of the Senate, to appoint an additional Assistant Secretary of the Navy, who shall perform the same duties and receive the same salary as is by law allowed to the present Assistant Secretary of the Navy.

Additional Assistant Secretary of the Navy.

Duties and salary.

Office to last for six months.

SEC. 2. *And be it further enacted,* That the office hereby created shall cease by limitation in six months from the approval of this act.

APPROVED, May 26, 1866.

May 30, 1866. CHAP. CII. — *An Act to repeal Section twenty-three of Chapter seventy-nine of the Acts of the Third Session of the Thirty-Seventh Congress, relating to Passports.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section twenty-three of an act entitled "An act making appropriations for sundry civil expenses of the government for the year ending June thirty, eighteen hundred and sixty-four, and for the year ending the thirtieth June, eighteen hundred and sixty-three, and for other purposes," be, and the same is hereby repealed. And hereafter passports shall be issued only to citizens of the United States.

Repeal.

Passports to issue only to citizens.

APPROVED, May 30, 1866.

June 1, 1866. CHAP. CIII. — *An Act to define more clearly the Jurisdiction and Powers of the Supreme Court of the District of Columbia, and for other Purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That writs of attachment and garnishments shall be issued by the clerk of the supreme court of the District, without any authority or warrant from any judge or justice, whenever the plaintiff, his agent or attorney, shall file in the clerk's office, whether at the commencement or during the pendency of the suit, an affidavit, supported by the testimony of one or more witnesses, showing the grounds upon which he bases his affidavit, and also setting forth that the plaintiff has a just right to recover against the defendant what he claims in the declaration, and also stating either, first, that the defendant is a non-resident of the District; or, second, that the defendant evades the service of ordinary process by concealing himself or by withdrawing from the District temporarily; or, third, that he has removed or is about to remove some of his property from the District, so as to defeat just demands against him; and shall also file his (the plaintiff's) undertaking, with sufficient surety or sureties, to be approved by the clerk, to make good all costs and damages which the defendant may sustain by reason of the wrongful suing out of the attachment: *Provided, however,* That if the defendant, his agent or attorney, shall file an affidavit traversing the said affidavit, the court shall determine whether the facts set forth in said plaintiff's affidavit are true, and that there was just ground for issuing said writ or warrant of attachment; and if the court shall deem the facts do not sustain the affidavit, he shall quash the writ of attachment or garnishment: and this issue may be tried by a judge at chambers on three days' notice. And the thing attached shall not be discharged from the custody of the officer seizing it until the defendant shall deliver, either to the officer or to the clerk, to be filed in the cause, his undertaking, with sufficient surety or sureties, to satisfy and pay the final judgment of the court against him; and in case the defendant be found liable to the plaintiff's claim, in whole or in part, the final judgment shall be that the plain-

Writs of attachment, &c., to be issued by clerk of Supreme Court of District, upon affidavit of plaintiff, &c., and giving surety for costs and damages;

may be quashed upon defendant's filing counter affidavit and after hearing by the Court.

Issue when to be tried.

Attached property not to be discharged unless defendant gives surety, &c.

Judgment, if for plaintiff.