

CHAP. CLXXXV. — *An Act relating to Appeals and Writs of Error to the Supreme Court.*

March 2, 1867.

See *Ante*, p. 385.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That where any appeal or writ of error has been brought to the Supreme Court from any final judgment or decree of an inferior court of the United States for any judicial district in which, subsequently to the rendition of such judgment or decree, the regular sessions of such court have been suspended or interrupted by insurrection or rebellion, such appeal or writ of error shall be valid and effectual, notwithstanding the time limited by law for bringing the same may have previously expired; and in cases where no appeal or writ of error has been brought from any such judgment or decree, such appeal or writ of error may be brought within one year from the passage of this act. The provisions of this act shall not apply to any case in which the right to bring an appeal or writ of error had expired before such suspension or interruption of the regular sessions of the court.

Appeals or writs of error brought from districts in which the sessions of the courts have been interrupted, &c. to be valid, &c.; may be brought within one year.

Act not to apply to certain cases.

SEC. 2. *And be it further enacted,* That where an appeal has been or may be taken from any final judgment, decree, or order of the district court of the United States for any district to a circuit court, the cause appealed by consent of parties may be heard and disposed of by the circuit court held by the district judge at any time after the appeal, in case of the absence at such term of the Chief Justice of the United States or the associate justice allotted to those circuit courts for such district.

Appeals from district court to circuit court may, if parties agree, be disposed of at circuit court held by district judge, &c.

APPROVED, March 2, 1867.

CHAP. CLXXXVI. — *An Act to regulate the Disposition of an irregular Fund in the Custody of the Freedmen's Bureau.*

March 2, 1867.

WHEREAS the commissioner of the bureau of refugees, freedmen and abandoned lands reports a retained bounty fund, derived from a portion of the State bounties of certain colored soldiers enlisted in Virginia and North Carolina, during the years eighteen hundred and sixty-four and eighteen hundred and sixty-five; and by virtue of general order number ninety, department of Virginia and North Carolina, series of eighteen hundred and sixty-four, holden by the superintendent of freedmen's affairs, but turned over to the said freedmen's bureau upon its organization; and whereas the said commissioner has in possession the names of those soldiers from whom the said money was taken; and whereas he has uniformly returned the same upon the application or discovery of legal representatives, but retains a considerable portion thereof belonging to soldiers who are either deceased or who cannot be found: Therefore,

Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the said commissioner of the bureau of refugees, freedmen and abandoned lands, or his successor in office, be, and he is hereby, constituted the lawful custodian of said retained bounty fund, and appointed trustee of the same for the benefit of said colored soldiers or their lawful representatives.

Commissioner of bureau of refugees, &c. constituted the custodian of retained bounty fund, and appointed trustee; may invest the fund, and for what purpose Provisos.

SEC. 2. *And be it further enacted,* That the said commissioner be, and he is hereby, specially authorized and empowered to invest the said fund, or any portion thereof, in bonds of the United States, for the exclusive benefit of the said colored soldiers or their legal representatives: *Provided, however,* That a sufficient amount of the same in cash be retained uninvested to meet all lawful claims thereupon that will probably be presented for payment: *And provided further,* That any portion of the said fund which may remain unexpended when the said bureau shall cease to exist shall be accounted for by said commissioner to the treasury of the United States.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXXVII. — *An Act to abolish and forever prohibit the System of Peonage in the Territory of New Mexico and other Parts of the United States.*

Peonage declared unlawful, and abolished.

Acts establishing it, &c. void.

Penalty for holding, &c. a person in peonage.

Foregoing section to be enforced.

Penalty for obstructing its enforcement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the holding of any person to service or labor under the system known as peonage is hereby declared to be unlawful, and the same is hereby abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States; and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State of the United States, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons, in liquidation of any debt or obligation, or otherwise, be, and the same are hereby, declared null and void; and any person or persons who shall hold, arrest, or return, or cause to be held, arrested, or returned, or in any manner aid in the arrest or return of any person or persons to a condition of peonage, shall, upon conviction, be punished by fine not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one nor more than five years, or both, at the discretion of the court.

SEC. 2. *And be it further enacted,* That it shall be the duty of all persons in the military or civil service in the Territory of New Mexico to aid in the enforcement of the foregoing section of this act; and any person or persons who shall obstruct or attempt to obstruct, or in any way interfere with, or prevent the enforcement of this act, shall be liable to the pains and penalties hereby provided; and any officer or other person in the military service of the United States who shall so offend, directly or indirectly, shall, on conviction before a court-martial, be dishonorably dismissed the service of the United States, and shall thereafter be ineligible to reappointment to any office of trust, honor, or profit under the government.

APPROVED, March 2, 1867.

March 2, 1867. CHAP. CLXXXVIII. — *An Act to regulate the Disposition of the Proceeds of Fines, Penalties, and Forfeitures incurred under the Laws relating to the Customs, and for other Purposes.*

From proceeds of fines, penalties, &c. under customs laws, deductions to be made of charges, &c.;

of an amount equal to the duties in coin.

Residue, how distributed;

one half to United States;  
one fourth to informer;

one fourth to collector, naval officer, and surveyor, equally.

Where officer of revenue cnt-

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from the proceeds of fines, penalties, and forfeitures incurred under the provisions of the laws relating to the customs, there shall be deducted such charges and expenses as are by law in each case authorized to be deducted; and in addition, in case of the forfeiture of imported merchandise of a greater value than five hundred dollars on which duties have not been paid, or in case of a release thereof, upon payment of its appraised value, or of any fine or composition in money, there shall also be deducted an amount equivalent to the duties in coin upon such merchandise, (including the additional duties, if any,) which shall be credited in the accounts of the collector as duties received, and the residue of the proceeds aforesaid shall be paid into the treasury of the United States, and distributed, under the direction of the Secretary of the Treasury, in the manner following, to wit; one half to the United States; one fourth to the person giving the information which has led to the seizure, or to the recovery of the fine or penalty, and if there be no informer other than the collector, naval officer, or surveyor, then to the officer making the seizure; and the remaining one fourth to be equally divided between the collector, naval officer, and surveyor, or such of them as are appointed for the district in which the seizure has been made, or the fine or penalty incurred, or, if there be only a collector, then to such collector. But where any fine, penalty, or forfeiture, incurred by virtue of the laws relating to customs, shall be recovered in