SEC. 8. And be it further enacted, That if any person shall wilfully do or cause to be done any act or acts whatever, whereby any building, structure, or other work, or any engine, car, or machine, or other property appertaining to said railroad shall be injured, impaired, or destroyed, or stopped, the person or persons so offending shall be guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction shall be punished by a fine, at the discretion of the court, of not more than five thousand dollars, or by imprisonment of not more than two years, or both, at the discretion of the court, and also forfeit and pay to the said company, its successors and assigns, the amount of damages sustained by means of such offences, to be recovered by said company with costs of suit by any action of debt or ease.

SEC. 9. And be it further enacted, That said company shall not grant to any railroad or other corporation the exclusive right to transfer passengers or freight or pass- or freight over said railroad; but any privilege granted to one corporation shall be extended to all who may make application for such privilege on the same terms, conditions, and rates, and shall not sell, transfer, or lease their corporate rights to any company that will not check baggage or commute fares with all connecting railroads upon the terms specified in this section.

SEC. 10. And be it further enacted, That the said corporation shall, as soon as practicable after the election of directors, as hereinbefore provided, so commence and prosecute the work of constructing and equipping said railroad that it shall be fully completed and equipped in three years from and after the first board of directors have been elected.

SEC. 11. And be it further enacted, That Congress shall have the right to regulate the rate of fares collected by said company from passengers and the rate of charges for transporting freight; and all property owned by said company shall be subject to taxation by the proper municipal authority.

SEC. 12. And be it further enacted, That this act may be at any time amended or repealed.

APPROVED, March 29, 1869.

April 8, 1869. CHAP. IX. — An Act to abolish the Office of Chief of Staff to the General of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the office of chief of staff to the General commanding the army be, and the same is hereby, abolished.

Repealing clause.

APPROVED, April 3, 1869.


Persons holding civil offices, by consent of Senate, to hold for the term of their appointment, unless, &c.
SEC. 2. And be it further enacted, That during any recess of the Senate the President is hereby empowered, in his discretion, to suspend any civil officer appointed by and with the advice and consent of the Senate, except judges of the United States courts, until the end of the next session of the Senate, and to designate some suitable person, subject to be removed in his discretion by the designation of another, to perform the duties of such suspended officer in the mean time; and such person so designated shall take the oaths and give the bonds required by law to be taken and given by the suspended officer, and shall, during the time he performs his duties, be entitled to the salary and emoluments of such office, no part of which shall belong to the officer suspended; and it shall be the duty of the President within thirty days after the commencement of each session of the Senate, except for any office which in his opinion ought not to be filled, to nominate persons to fill all vacancies in office which existed at the meeting of the Senate, whether temporarily filled or not, and also in the place of all officers suspended; and if the Senate during such session shall refuse to advise and consent to an appointment in the place of any suspended officer, then, and not otherwise, the President shall nominate another person as soon as practicable to said session of the Senate for said office.

SEC. 3. And be it further enacted, That section three of the act to which this is an amendment be amended by inserting after the word "resignation," in line three of said section, the following: "or expiration of term of office."

APPROVED, April 5, 1869.

CHAP. XI.—An Act to amend an Act entitled "An Act to provide a National Currency secured by a Pledge of United States Bonds, and to provide for the Circulation and Redemption thereof," approved June third, eighteen hundred and sixty-four, by extending certain Penalties to Accessories.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall aid or abet any officer or agent of any association in doing any of the acts enumerated in section fifty-five of an act entitled "An act to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June third, eighteen hundred and sixty-four, with intent to defraud or deceive, shall be liable to the same punishment therein provided for the principal.

APPROVED, April 6, 1869.

CHAP. XII.—An Act to carry into Effect the Convention of July fourth, eighteen hundred and sixty-eight, between the United States and Mexico, for the Adjustment of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall nominate and, by and with the advice and consent of the Senate, appoint a commissioner, on the part of the United States, to hear and decide, jointly with the commissioner to be appointed on the part of the Republic of Mexico, the claims comprehended in the provisions of the convention of July fourth, eighteen hundred and sixty-eight, between the United States and Mexico.

SEC. 2. And be it further enacted, That the compensation of the commissioner shall be at such rate, not exceeding four thousand five hundred dollars a year in the currency of the United States, as may be determined by agreement between the executive departments of this government and of Mexico. The compensation of the secretary to be appointed on the part of the United States under the provisions of the convention shall be at such rate, not exceeding twenty-five hundred dollars a year in the currency of the United States, as shall be determined in the manner aforesaid.