

Repairs, &c.
without cost to
the United
States.

Other railroad
companies may
pass over bridge.

United States
may take possession
of bridge if
not kept in re-
pair, free, &c.

This act may
be amended.

gation of the Potomac river, in efficient working condition at all times; and that, until such time as the needful changes are made to accommodate railroad and other traffic, as contemplated by this supplement, it shall be the duty of the said Baltimore and Potomac Railroad Company to repair without delay all damages to the present bridge, and maintain it without cost to the United States: *Provided*, [That] said railroad company shall give other railroad companies the right to pass over said bridge upon such reasonable terms as may be agreed upon, or Congress prescribe.

SEC. 2. *And be it further enacted*, That if the said Baltimore and Potomac Railroad Company shall at any time neglect to keep said bridge in good repair, and free for public use for ordinary travel, the government of the United States may enter into possession of the said bridge; and Congress reserves the right to alter or amend this law.

APPROVED, June 21, 1870.

June 22, 1870.

CHAP. CL. — *An Act to establish the Department of Justice.*

Department of
justice estab-
lished.
Attorney-Gen-
eral to be the
head.

Office of so-
licitor-general
established;

of assistants
of the Attorney-
General.

1871, ch. 72.
Post, p. 432.

Law officers of
other depart-
ments, their
clerks, &c. to be
transferred to
Department of
Justice and con-
tinue under its
control.

Questions of
law submitted to
the Attorney-
General, except,
&c. may be re-
ferred to subor-
dinates, &c.

Effect of their
opinions in-
dorsed by Attor-
ney-General.

Cases in the
court of claims
and Supreme
Court of the
United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, established an executive department of the government of the United States, to be called the Department of Justice, of which the Attorney-General shall be the head. His duties, salary, and tenure of office shall remain as now fixed by law, except so far as they may be modified by this act.

SEC. 2. *And be it further enacted*, That there shall be in said Department an officer learned in the law, to assist the Attorney-General in the performance of his duties, to be called the solicitor-general, and who, in case of a vacancy in the office of Attorney-General, or in his absence or disability, shall have power to exercise all the duties of that office. There shall also be continued in said Department the two other officers, learned in the law, called the assistants of the Attorney-General, whose duty it shall be to assist the Attorney-General and solicitor-general in the performance of their duties, as now required by law.

SEC. 3. *And be it further enacted*, That from and after the time when this act takes effect, the solicitor of the treasury and his assistants, the solicitor of internal revenue, the solicitor and naval judge advocate general, who shall hereafter be known as the naval solicitor, and the clerks, messengers, and laborers employed in the office of the Attorney-General, and in the offices of the solicitor of the treasury, naval solicitor, and solicitor of internal revenue, and the law officer in the Department of State, now designated as the examiner of claims in said Department, shall be transferred from the Departments with which they are now associated to the Department of Justice; and said officers shall exercise their functions under the supervision and control of the head of the Department of Justice.

SEC. 4. *And be it further enacted*, That questions of law submitted to the Attorney-General for his opinion, except questions involving a construction of the Constitution of the United States, may be by him referred to such of his subordinates as he may deem appropriate, and he may require the written opinion thereon of the officer to whom the same may be referred; and if the opinion given by such officer shall be approved by the Attorney-General, such approval so indorsed thereon shall give the opinion the same force and effect as belong to the opinions of the Attorney-General.

SEC. 5. *And be it further enacted*, That whenever the Attorney-General deems it necessary, he may require the solicitor-general to argue any case in which the government is interested before the court of claims; and as to cases coming by appeal from the court of claims to

the Supreme Court of the United States, it shall be the duty of the Attorney-General and solicitor-general to conduct and argue them before that court as in other cases in which the United States is interested. And the Attorney-General may, whenever he deems it for the interest of the United States, conduct and argue any case in which the government is interested, in any court of the United States, or may require the solicitor-general or any officer of his Department to do so. And the solicitor-general, or any officer of the Department of Justice, may be sent by the Attorney-General to any State or district in the United States to attend to the interests of the United States in any suit pending in any of the courts of the United States, or in the courts of any State, or to attend to any other interest of the United States; for which service they shall receive, in addition to their salaries, their actual and necessary expenses, while so absent from the seat of government, the account thereof to be verified by affidavit.

Cases in any court of the United States.

Officers of the department may be sent to any State or district.

Actual and necessary expenses on such service to be paid.

SEC. 6. *And be it further enacted,* That whenever a question of law arises in the administration, either of the War or Navy Department, the cognizance of which is not given by statute to some other officer from whom the head of either of these Departments may require advice, the same shall be sent to the Attorney-General, to be by him referred to the proper officer in his Department provided for in this act, or otherwise disposed of as he may deem proper; and each head of any Department of the government may require the opinion of the Attorney-General on all questions of law arising in the administration of their respective Departments.

Questions of law from War or Navy Departments.

SEC. 7. *And be it further enacted,* That the duties enjoined upon the auditor of the Post-Office Department by the fourteenth section of the act entitled "An act to change the organization of the Post-Office Department, and to provide more effectually for the settlement of the accounts thereof," passed July two, eighteen hundred and thirty-six, shall hereafter be performed by some officer of the Department of Justice, to be specially designated, under the direction of the Attorney-General, who shall also have the care of prosecutions for mail depredations and penal offenses against the postal laws.

Duties of auditor of the Post-office Department. 1836, ch. 270, § 14. Vol. v. p. 82. Prosecutions for offenses against postal laws, &c.

SEC. 8. *And be it further enacted,* That the Attorney-General is hereby empowered to make all necessary rules and regulations for the government of said Department of Justice, and for the management and distribution of its business.

Rules and regulations of the department.

SEC. 9. *And be it further enacted,* That the several officers hereinbefore transferred from the other Departments to the Department of Justice shall hold their respective offices until their successors are duly qualified; and the solicitor-general, and whenever vacancies occur, the assistants of the Attorney-General, and all the solicitors and assistant solicitors mentioned in this act, shall be appointed by the President, by and with the advice and consent of the Senate. All the other officers, clerks, and employees in the said Department shall be appointed and be removable by the Attorney-General.

Officers hereby transferred to hold office until, &c. Certain appointments to be made by the President; others by the Attorney-General.

SEC. 10. *And be it further enacted,* That the following annual salaries shall be paid to the officers hereinbefore mentioned: To the solicitor-general, seven thousand five hundred dollars; to each of the assistants of the Attorney-General, five thousand dollars each; to the solicitor of the internal revenue, five thousand dollars; and to the other officers the salaries and fees now allowed by law; and the Attorney-General shall be allowed a stenographic clerk, with an annual salary of two thousand dollars, and he may appoint three additional clerks of the fourth class.

Salaries. Solicitor-general. Assistants of the Attorney-General. Solicitor of internal revenue. Other officers. Stenographic clerk. Additional clerks. Moneys drawn by the Attorney-General, how to be disbursed.

SEC. 11. *And be it further enacted,* That all moneys hereafter drawn out of the treasury upon the requisition of the Attorney-General, shall be disbursed by such one of the clerks herein provided for the Attorney-General as he may designate; and so much of the first section of the

Repeal of part of 1859, ch. 80, § 1. Vol. xi. p. 420.

Annual report of Attorney-General; when made, and to include what.

Statistics of crime.

Superintendent of treasury building to provide suitable rooms.

Attorney-General may require any officer to perform any duty required.

Opinions.

Suits and proceedings.

No fees to any other attorney or counsellor, for any service herein required.

Supervisory powers over accounts of district attorneys, &c. to be exercised by Attorney-General;

and over conduct and proceedings of attorneys of, or employed by, the United States.

Secretaries of departments not to employ attorneys or counsel at the expense of the United States;

to call upon the Department of Justice.

No counsel or attorney fees to be allowed, except, &c. and upon what certificate.

Attorneys, &c. specially re-

act making appropriations, passed March three, eighteen hundred and fifty-nine, as provides that moneys drawn out of the treasury upon the requisition of the Attorney-General shall be disbursed by such disbursing officer as the Secretary of the Treasury may designate, is hereby repealed.

SEC. 12. *And be it further enacted*, That it shall be the duty of the Attorney-General to make an annual report to Congress, in January each year, of the business of the said Department of Justice, and any other matters appertaining thereto that he may deem proper, including the statistics of crime under the laws of the United States, and, as far as practicable, under the laws of the several States.

SEC. 13. *And be it further enacted*, That the superintendent of the treasury building shall provide such suitable rooms in the treasury building as may be necessary to accommodate the officers and clerks of the said Department, or, to the extent that that may be found impracticable, to provide such rooms in some other building in the vicinity of said treasury building.

SEC. 14. *And be it further enacted*, That the Attorney-General may require any solicitor or officers of the Department of Justice to perform any duty required of said Department or any officer thereof; and the officers of the law department, under the direction of the Attorney-General, shall give all opinions and render all services requiring the skill of persons learned in the law, necessary to enable the President and heads of the executive Departments, and the heads of bureaus and other officers in such Departments to discharge their respective duties; and shall, for and on behalf of the United States, procure the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the Supreme Court of the United States and in the court of claims, in which the United States, or any officer thereof, is a party or may be interested. And no fees shall be allowed or paid to any other attorney or counsel [] or at law for any service herein required of the officers of the Department of Justice.

SEC. 15. *And be it further enacted*, That the supervisory powers now exercised by the Secretary of the Interior over the accounts of the district attorneys, marshals, clerks, and other officers of the courts of the United States, shall be exercised by the Attorney-General, who shall sign all requisitions for the advance or payment of moneys out of the treasury, on estimates or accounts, subject to the same control now exercised on like estimates or accounts by the first auditor or first comptroller of the treasury.

SEC. 16. *And be it further enacted*, That the Attorney-General shall have supervision of the conduct and proceedings of the various attorneys for the United States in the respective judicial districts, who shall make report to him of their proceedings, and also of all other attorneys and counsel [] or employed in any cases or business in which the United States may be concerned.

SEC. 17. *And be it further enacted*, That it shall not be lawful for the Secretary of either of the executive Departments to employ attorneys or counsel at the expense of the United States; but such Departments, when in need of counsel or advice, shall call upon the Department of Justice, the officers of which shall attend to the same; and no counsel or attorney fees shall hereafter be allowed to any person or persons, besides the respective district attorneys and assistant district attorneys, for services in such capacity to the United States, or any branch or department of the government thereof, unless hereafter authorized by law, and then only on the certificate of the Attorney-General that such services were actually rendered, and that the same could not be performed by the Attorney-General, or solicitor-general, or the officers of the department of justice, or by the district attorneys. And every attorney and counsel [] or who

shall be specially retained, under the authority of the Department of Justice, to assist in the trial of any case in which the government is interested, shall receive a commission from the head of said Department, as a special assistant to the Attorney-General, or to some one of the district attorneys, as the nature of the appointment may require, and shall take the oath required by law to be taken by the district attorneys, and shall be subject to all the liabilities imposed upon such officers by law.

tained to receive a commission as special assistant to, &c. and shall take the oath, &c.

SEC. 18. *And be it further enacted*, That the Attorney-General shall from time to time cause to be edited and printed an edition of one thousand copies, at the government printing office, of such of the opinions of the law officers herein authorized to be given as he may deem valuable for preservation, in volumes which shall be as to the size, quality of paper, printing, and binding, of uniform style and appearance, as nearly as practicable, with the eighth volume of said opinions, published by Robert Farnham, in the year eighteen hundred and sixty-eight, which volumes shall contain proper head-notes, a complete and full index, and such foot-notes as the Attorney-General may approve. Such volumes shall be distributed in such manner as the Attorney-General may from time to time prescribe.

Edition of the opinions of law officers to be published from time to time.

Style, &c. of volumes, and how distributed.

SEC. 19. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of July, eighteen hundred and seventy.

This act when to take effect.

APPROVED, June 22, 1870.

CHAP. CLI. — *An Act to authorize the Secretary of the Treasury to issue a Register to the Schooner "Cavallo Marino."*

June 22, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue a register to the schooner "Cavallo Marino," a vessel now lying in the harbor of Indianola, Texas, and owned by Samuel Marx.

Register to issue to schooner "Cavallo Marino."

APPROVED, June 22, 1870.

CHAP. CLII. — *An Act to incorporate the National Mutual Life Assurance Association of Washington, D. C.*

June 23, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Almon M. Clapp, Ezra B. French, Stephen J. W. Tabor, R. B. Donaldson, William A. Richardson, Jedediah H. Baxter, James M. Austin, Henry P. H. Bromwell, Aaron F. Randall, John R. Thompson, Dolson B. Searle, Joseph F. Evans, Thomas L. Tullock, Amos L. Merriman, Edward Downey, L. M. Sanders, J. W. Griffin, John W. Boteler, George S. Montrose, William Wilkinson, James O. Conner, and B. B. French, and their successors, are constituted a body corporate, by the name of "The National Life Assurance and Trust Association," and by that name may sue and be sued, plead and be impleaded, have a common seal, and have all the rights, privileges, and immunities necessary for the purposes of the corporation hereby created: *Provided*, That the said company shall be limited to the District of Columbia in the transaction of its business, and shall not establish any agency in any State except in pursuance of the laws of said State.

National Life Assurance and Trust Association incorporated;

powers, &c.

where may transact business;

SEC. 2. *And be it further enacted*, That the corporation above named shall, within one year after the passage of this act, meet and elect such officers as may be necessary to perfect the organization, and thereupon, or as soon thereafter as may be practicable, shall open books for the enrollment of members.

when to organize.

SEC. 3. *And be it further enacted*, That the objects of this association shall be the mutual insurance of the lives of the members, and the invest-

Objects of the association.