

March 3, 1873. CHAP. CCXLVII. — *An Act providing for the Payment to the Government of Japan the Sum due on Account of Rents for Lands and Buildings occupied by the diplomatic and consular Representatives of the United States to Japan, and for other Purposes.*

Payment to Japan for rents for lands, &c., used by the United States for jails, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of State be, and he is hereby, authorized to pay to the government of Japan, through its resident diplomatic representative in the United States, out of any moneys in the treasury not otherwise appropriated, any sum not exceeding six thousand dollars, which may be found to be due to the government of Japan by that of the United States, on account of rents for lands or buildings occupied for hospital purposes, jail, and court-house by the United States in Japan.

Buildings for court-house and jail at Jedo;

SEC. 2. That the Secretary of State through the minister resident at Japan be, and he is hereby, authorized to rent furnish and keep suitable buildings with grounds appurtenant in Jedo or such other place as he may designate for a court-house and jail at an annual cost not exceeding five thousand dollars: *Provided,* That the period for which the said buildings shall be rented shall be for two years with renewals for two years as the Secretary of State shall determine.

to be rented for periods of two years.

SEC. 3. That a further sum, not to exceed two thousand five hundred dollars be, and the same is hereby, also appropriated, out of any moneys in the treasury not otherwise appropriated, for the purchase of a suitable law-library for the use of said legation in Japan, the selection of such library to be made by the Secretary of State.

Law library for legation in Japan.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCXLVIII. — *An Act authorizing the Secretary of War to furnish a duplicate Certificate of Discharge where the same has been lost.*

Duplicate certificates of discharges to be furnished soldiers, &c., and marked as duplicate;

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever satisfactory proof shall be furnished to the War Department that any non-commissioned officer or private soldier who served in the army of the United States in the late war against the rebellion has lost his certificate of discharge, or the same has been destroyed without his privity or procurement, the Secretary of War shall be authorized to furnish, on request, to such non-commissioned officer or private, a duplicate of such certificate of discharge, to be indelibly marked, so that it may be known as a duplicate: *Provided,* Such certificate shall not be accepted as a voucher for the payment of any claim against the United States for pay bounty, or other allowance, or as evidence in any other case.

not to be vouchers, or evidence.

Army regulations modified.

SEC. 2. That the army regulations now in force are hereby modified in accordance with the provisions of this act.

APPROVED, March 3, 1873.

March 3, 1873. CHAP. CCXLIX. — *An Act to provide for the Establishment of a military Prison, and for its Government.*

Military prison established at Rock Island;

who may be confined therein.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be established at Rock Island, in the State of Illinois, a prison for the confinement and reformation of offenders against the rules, regulations and laws for the government of the army of the United States, in which shall be securely confined, and employed at labor, and governed in the manner hereinafter directed, all offenders convicted before any court-martial or military commission in the United States, and sentenced according to law to imprisonment therein.

Board to adopt plan for building prison and regulations for government of prisoners.

SEC. 2. That the Secretary of War shall organize a board of five members, to consist of three officers of the army and two persons from civil life, who shall adopt a plan for the building of such prison, and who shall frame regulations for the government of the prisoners, in accordance with

the provisions of this act. The said commissioners from civil life shall hold their offices for the term of three years, and shall be paid five dollars a day while on duty, and necessary travelling expenses; and the said officers of the army shall, at all times, be subject to removal by the Secretary of War.

Pay, &c., of members.

SEC. 3. That the Secretary of War shall, with said commissioners, semi-annually, and as much oftener as may be deemed expedient, visit said prison for the purposes of examination, inspection, and correction; and they shall inquire into all abuses or neglects of duty on the part of the officers or other persons in charge of the same, and make such changes in the general discipline of the prison as they may hold to be essential.

Prison to be visited semi-annually, &c., and for what purposes.

SEC. 4. That the officers of the prison shall consist of a commandant and such subordinate officers as may be necessary, a chaplain, a surgeon, and a clerk, who shall be detailed by the Secretary of War from the commissioned officers of the army; and a sufficient number of enlisted men shall be detailed by the Secretary of War to act as turnkeys, guards, and assistants in the prison.

Officers of prison, and assistants.

SEC. 5. That one of the inspectors of the army shall, at least once in three months, visit the prison for the purpose of examining into the books and all the affairs thereof, and ascertaining whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.

An army inspector to visit the prison as often as once in three months; his duties and report.

SEC. 6. That before the commandant enters upon the duties of his office he shall give bond, with sufficient sureties, in a sum to be fixed by the Secretary of War, to be approved by him, conditioned that he shall faithfully account for all money placed in his hands for the use of the prison and for the faithful discharge of all his duties as commandant. He shall have command of the prison; shall have the charge and employment of the prisoners, and the custody of all the property of the government connected with the prison. He shall receive and pay out all money used for the prison, and shall cause to be kept, in suitable books, complete accounts of all the property, expenses, income, business, and concerns of the prison; and shall make full and regular reports thereof to the Secretary of War; and shall, under the direction and with the approval of the Secretary of War, employ, for the benefit of the United States, the convicts at such labor and in such trades as may be deemed best for their health and reformation. He shall have power to sell and dispose of any articles manufactured by the convicts, and shall regularly account for the proceeds thereof, and shall give bond and security for the faithful keeping and accounting of all moneys and property coming to his hands as such commandant. He shall take note and make record of the good conduct of the convicts, and shall shorten the daily time of hard labor for those who, by their obedience, honesty, industry, or general good conduct, earn such favors; and the Secretary of War is authorized and directed to remit, in part, the sentences of such convicts, and to give them an honorable restoration to duty in case the same is merited; and in case any convict shall disobey the lawful orders of the officers of the prison, or refuse to comply with the rules and regulations thereof, he may be placed in solitary confinement, and the commandant shall at once report the case to the Secretary of War, who shall direct the inspector to make full examination and report of the matter at the next inspection; but in no case shall any prisoner be subjected to whipping, branding, or the carrying of weights for the purpose of discipline, or for producing penitence; and every prisoner, upon being discharged from prison, shall be furnished with decent clothing.

Commandant of prison to give bond;

his duties and powers;

accounts, reports;

labor of convicts;

sale of articles;

good conduct of convicts to shorten their daily time of labor and restore to duty;

solitary confinement;

no whipping, branding, &c. Prisoners to have decent clothing when discharged.

Convicts may have newspapers and books; visitors; may write and receive letters, subject to inspection.

Food and bedding.

Ventilation. Baths.

No person connected with prison to be interested in any contract, &c.

Officers suffering convicts to escape, &c., shall be dismissed, &c.;

soldiers, &c., suffering convicts to escape, to be confined therein, &c.

Convicts may be punished for offences committed during confinement.

SEC. 7. That the use of newspapers and books shall not be denied the convicts at times when not employed; and that unofficial visitors shall be admitted to the prison under such restrictions as the board of commissioners may impose. The prisoners shall not be denied the privilege of communicating with their friends by letter, and from receiving like communications from them, all of which shall be subject to the inspection of the commandant, or such officer as he may assign to that duty.

SEC. 8. That the prisoners shall be supplied with ample and clean bedding, and with wholesome and sufficient food, but when in hospital or under discipline their diet shall be prescribed by the proper authority. The prison shall be suitably ventilated, and each prisoner shall have a weekly bath of cold or tepid water, which shall be applied to the whole surface of the body, unless the surgeon shall direct otherwise for the health of the prisoner.

SEC. 9. That no officer of the prison, or other person connected therewith, shall be concerned or interested, directly or indirectly, in any contract, purchase, or sale made on account of the prison.

SEC. 10. That any officer who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape or in an attempt to escape, shall, upon conviction, be dismissed from the service and suffer such other punishment as a court-martial may inflict.

SEC. 11. That any soldier or other person employed in the prison who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape, or in an attempt to escape, shall, upon conviction by a court-martial, be confined therein not less than one year.

SEC. 12. That all prisoners under confinement in said military prisons undergoing sentence of courts-martial, shall be liable to trial and punishment by courts-martial under the rules and articles of war for offences committed during the said confinement.

APPROVED, March 3, 1873.

March 3, 1873.

CHAP. CCL. — *An Act restoring Captain Alonzo J. Marsh to his Position in the Army, and that he be honorably mustered out of the Service as of the Date of the Mustering-out of his Regiment.*

Alonzo J. Marsh restored to his position as captain, &c., and to be honorably mustered out.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and directed to restore Alonzo J. Marsh, late a captain of company H. eleventh regiment veteran reserve corps, to his position as such captain, and grant him an honorable muster out as of the date on which he was dismissed; to wit, on March seventh, eighteen hundred and sixty-five.*

APPROVED, March 3, 1873.

March 3, 1873.

CHAP. CCLI. — *An Act to create a Port of Delivery at La Crosse, in Wisconsin, and to provide for a Surveyor of Customs thereat.*

La Crosse made a port of delivery.

Surveyor of customs; his duties and pay.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That La Crosse, in the county of La Crosse, and State of Wisconsin be, and is hereby, constituted a port of delivery within the collection district of New Orleans; and there shall be appointed a surveyor of customs for said port, who shall perform the duties of such office and receive the compensation of not exceeding twelve hundred dollars per annum as salary.*

APPROVED, March 3, 1873.

March 3, 1873.

CHAP. CCLII. — *An Act to prevent Cruelty to Animals while in Transit by Railroad or other Means of Transportation within the United States.*

Animals not to be carried in

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no railroad company within the United States whose road forms any part of a line of road*