States before the passage of this act shall be cognizable in the court of the western division of the western district of Tennessee held at Memphis, and actions or proceedings now pending at Memphis against defendants residing in said county of Hardeman may, on the application of either party, be transferred to the court at Jackson; and in case of such transfer, all papers and files therein, with copies of all journal entries, shall be transferred to the office of the clerk of the court at Jackson, and the same shall proceed in all respects as though originally commenced in said court.

Approved, January 15, 1883.

CHAP. 26.—An act to increase the fees of witnesses in the United States courts in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons residing west of the Mississippi River, excepting those who are by law entitled to a higher compensation, who have been or may hereafter be in attendance at Washington, District of Columbia, under subpoena or under the direction of the Department of Justice as witnesses in any of the courts of said district, in any of the cases known as star-routes prosecutions, shall be entitled to receive a total per diem of two dollars and fifty cents per day, and mileage for actual travel only to and from their place of residence, by the usual routes of travel, at the rate of seven cents per mile.

Approved, January 15, 1883.

CHAP. 27.—An act to regulate and improve the civil service of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three commissioners shall constitute the United States Civil Service Commission. Said commissioners shall hold no other official place under the United States. The President may remove any commissioner; and any vacancy in the position of commissioner shall be so filled by the President, by and with the advice and consent of the Senate, as to conform to said conditions for the first selection of commissioners.

The commissioners shall each receive a salary of three thousand five hundred dollars a year. And each of said commissioners shall be paid his necessary traveling expenses incurred in the discharge of his duty as a commissioner.

SEC. 2. That it shall be the duty of said commissioners:

FIRST. To aid the President, as he may request, in preparing suitable rules for carrying this act into effect, and when said rules shall have been promulgated it shall be the duty of all officers of the United States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modifications thereof, into effect.

SECOND. And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

First, for open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the
relative capacity and fitness of the persons examined to discharge the
duties of the service into which they seek to be appointed.

Second, that all the offices, places, and employments so arranged or
to be arranged in classes shall be filled by selections according to grade
from among those graded highest as the results of such competitive
examinations.

Third, appointments to the public service aforesaid in the depart-
ments at Washington shall be apportioned among the several States
and Territories and the District of Columbia upon the basis of popula-
tion as ascertained at the last preceding census. Every application for
an examination shall contain, among other things, a statement, under
oath, setting forth his or her actual bona fide residence at the time of
making the application, as well as how long he or she has been a resident
of such place.

Fourth, that there shall be a period of probation before any absolute
appointment or employment aforesaid.

Fifth, that no person in the public service is for that reason under
any obligations to contribute to any political fund, or to render any
political service, and that he will not be removed or otherwise preju-
diced for refusing to do so.

Sixth, that no person in said service has any right to use his official
authority or influence to coerce the political action of any person or
body.

Seventh, there shall be non-competitive examinations in all proper
cases before the commission, when competent persons do not compete,
after notice has been given of the existence of the vacancy, under such
rules as may be prescribed by the commissioners as to the manner of
giving notice.

Eighth, that notice shall be given in writing by the appointing power
to said commission of the persons selected for appointment or employ-
ment from among those who have been examined, of the place of resi-
dence of such persons, of the rejection of any such persons after proba-
ton, of transfers, resignations, and removals, and of the date thereof,
and a record of the same shall be kept by said commission. And any
necessary exceptions from said eight fundamental provisions of the rules
shall be set forth in connection with such rules, and the reasons therefor
shall be stated in the annual reports of the commission.

Third. Said commission shall, subject to the rules that may be
made by the President, make regulations for, and have control of, such
examinations, and, through its members or the examiners, it shall super-
vise and preserve the records of the same; and said commission shall
keep minutes of its own proceedings.

Fourth. Said commission may make investigations concerning the
facts, and may report upon all matters touching the enforcement and
effects of said rules and regulations, and concerning the action of any
examiner or board of examiners hereinafter provided for, and its own
subordinates, and those in the public service, in respect to the execu-
tion of this act.

Fifth. Said commission shall make an annual report to the President
for transmission to Congress, showing its own action, the rules and
regulations and the exceptions thereto in force, the practical effects
thereof, and any suggestions it may approve for the more effectual ac-
complishment of the purposes of this act.

Chief examiner.  Sec. 3. That said commission is authorized to employ a chief exam-
iner, a part of whose duty it shall be, under its direction, to act with the
examining boards, so far as practicable, whether at Washington or
elsewhere, and to secure accuracy, uniformity, and justice in all their
proceedings, which shall be at all times open to him. The chief exam-
iner shall be entitled to receive a salary at the rate of three thousand
dollars a year, and he shall be paid his necessary traveling expenses
incurred in the discharge of his duty. The commission shall have a
secretary, to be appointed by the President, who shall receive a salary
of one thousand six hundred dollars per annum. It may, when neces-
sary, employ a stenographer, and a messenger, who shall be paid, when
employed, the former at the rate of one thousand six hundred dollars
a year, and the latter at the rate of six hundred dollars a year. The
commission shall, at Washington, and in one or more places in each
State and Territory where examinations are to take place, designate
and select a suitable number of persons, not less than three, in the
official service of the United States, residing in said State or Territory,
after consulting the head of the department or office in which such
persons serve, to be members of boards of examiners, and may at any
time substitute any other person in said service living in such State or
Territory in the place of any one so selected. Such boards of exam-
iners shall be so located as to make it reasonably convenient and inex-
pensive for applicants to attend before them; and where there are per-
sons to be examined in any State or Territory, examinations shall be
held therein at least twice in each year. It shall be the duty of the
collector, postmaster, and other officers of the United States, at any
place outside of the District of Columbia where examinations are
directed by the President or by said board to be held, to allow the rea-
sonable use of the public buildings for holding such examinations, and
in all proper ways to facilitate the same.

SEC. 4. That it shall be the duty of the Secretary of the Interior to
cause suitable and convenient rooms and accommodations to be assigned
or provided, and to be furnished, heated, and lighted, at the city of
Washington, for carrying on the work of said commission and said ex-
aminations, and to cause the necessary stationery and other articles to
be supplied, and the necessary printing to be done for said commission.

SEC. 5. That any said commissioner, examiner, copyist, or messenger,
or any person in the public service who shall willfully and corruptly,
by himself or in co-operation with one or more other persons, defeat,
deceive, or obstruct any person in respect of his or her right of examina-
tion according to any such rules or regulations, or who shall willfully,
corruptly, and falsely mark, grade, estimate, or report upon the ex-
amination or proper standing of any person examined hereunder, or aid
in so doing, or who shall willfully and corruptly make any false repre-
sentations concerning the same or concerning the person examined, or
who shall willfully and corruptly furnish to any person any special or
secret information for the purpose of either improving or injuring the
prospects or chances of any person so examined, or to be examined, be-
ing appointed, employed, or promoted, shall for each such offense be
deemed guilty of a misdemeanor, and upon conviction thereof, shall be
punished by a fine of not less than one hundred dollars, nor more than
one thousand dollars, or by imprisonment not less than ten days, nor
more than one year, or by both such fine and imprisonment.

SEC. 6. That within sixty days after the passage of this act it shall
be the duty of the Secretary of the Treasury, in as near conformity as
may be to the classification of certain clerks now existing under the
one hundred and sixty-third section of the Revised Statutes, to arrange
in classes the several clerks and persons employed by the collector,
naval officer, surveyor, and appraisers, or either of them, or being in
the public service, at their respective offices in each customs district
where the whole number of said clerks and persons shall be all together
as many as fifty. And thereafter, from time to time, on the direction
of the President, said Secretary shall make the like classification or ar-
rangement of clerks and persons so employed, in connection with any
said office or offices, in any other customs district. And, upon like re-
quest, and for the purposes of this act, said Secretary shall arrange in
one or more of said classes, or of existing classes, any other clerks,
agents, or persons employed under his department in any said district
not now classified; and every such arrangement and classification upon
being made shall be reported to the President.
Duties of Postmaster-General.

General, in general conformity to said one hundred and sixty-third section.

Second. Within said sixty days it shall be the duty of the Postmaster-General, to separately arrange in classes the several clerks and persons employed, or in the public service, at each post-office, or under any postmaster of the United States, where the whole number of said clerks and persons shall together amount to as many as fifty. And thereafter, from time to time, on the direction of the President, it shall be the duty of the Postmaster-General to arrange in like classes the clerks and persons so employed in the postal service in connection with any other post-office; and every such arrangement and classification upon being made shall be reported to the President.

Third. That from time to time said Secretary, the Postmaster-General, and each of the heads of departments mentioned in the one hundred and fifty-eighth section of the Revised Statutes, and each head of an office, shall, on the direction of the President, and for facilitating the execution of this act, respectively revise any then existing classification or arrangement of those in their respective departments and offices, and shall, for the purposes of the examination herein provided for, include in one or more of such classes, so far as practicable, subordinate places, clerks, and officers in the public service pertaining to their respective departments not before classified for examination.

SEC. 7. That after the expiration of six months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith. But nothing herein contained shall be construed to take from those honorably discharged from military or naval service any preference conferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said statutes; nor shall any officer not in the executive branch of the government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination.

SEC. 8. That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, any office, appointment, or employment to which the provisions of this act are applicable.

SEC. 9. That whenever there are already two or more members of a family in the public service in the grades covered by this act, no other member of such family shall be eligible to appointment to any of said grades.

SEC. 10. That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employee of either of said houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any department, branch or bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.
SEC. 12. That no person shall, in any room or building occupied in
the discharge of official duties by any officer or employee of the United
States mentioned in this act, or in any navy-yard, fort, or arsenal, so-
licit in any manner whatever, or receive any contribution of money or
any other thing of value for any political purpose whatever.

SEC. 13. No officer or employee of the United States mentioned in this
act shall discharge, or promote, or degrade, or in manner change the
official rank or compensation of any other officer or employee, or promise
or threaten so to do, for giving or withholding or neglecting to make
any contribution of money or other valuable thing for any political
purpose.

SEC. 14. That no officer, clerk, or other person in the service of the United
States shall, directly or indirectly, give or hand over to any
other officer, clerk, or person in the service of the United States, or to
any Senator or Member of the House of Representatives, or Territorial
Delegate, any money or other valuable thing on account of or to be ap-
plied to the promotion of any political object whatever.

SEC. 15. That any person who shall be guilty of violating any pro-
vision of the four foregoing sections shall be deemed guilty of a misde-
meanor, and shall, on conviction thereof, be punished by a fine not ex-
ceeding five thousand dollars, or by imprisonment for a term not exceed-
ning three years, or by such fine and imprisonment both, in the discretion
of the court.

Approved, January sixteenth, 1883.

CHAP. 32.—An act for the relief of Herman Biggs.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the President be, and
hereby is, authorized to nominate and, by and with the advice and
consent of the Senate, to place on the list of retired officers of the United
States Army the name of Herman Biggs, with the rank of captain of
staff, this being the actual rank in the Regular Army held by him when,
in action, he received the wound from which he suffers permanent dis-
bility: Provided: That no pay or allowances shall accrue or be paid
said Biggs under this act prior to his confirmation.

J. WARREN KEIFER,
Speaker of the House of Representatives.

DAVID DAVIS,
President of the Senate pro tempore.

Received by the President January 6, 1883.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having
been presented to the President of the United States for his approval,
and not having been returned by him to the house of Congress in which
it originated within the time prescribed by the Constitution of the United
States, has become a law without his approval.]

CHAP. 33.—An act amending sections nineteen hundred and twenty-six and nine-
teen hundred and twenty-seven of the Revised Statutes so as to extend the limits
of the jurisdiction of justices of the peace in the Territories of Washington, Idaho,
and Montana.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That sections nineteen hundred
and twenty-six and nineteen hundred and twenty-seven of the Revised
Statutes of the United States are hereby amended by striking out the
word “Washington,” and the words “Idaho, Montana,” where they oc-
cur in said section nineteen hundred and twenty-six, and inserting the
said words immediately after the word “Colorado” where the same oc-
curs in said section nineteen hundred and twenty-seven.

Approved, January 19, 1883.