

Commissioner may allow certain snuff and smoking tobacco to be stamped and sold in the original packages. Duty on certain cigars.

in his judgment shall be deemed proper and necessary; and the commissioner may in any case, at his discretion, allow snuff and smoking tobacco manufactured prior to the twentieth of July, eighteen hundred and sixty-eight, not in wooden packages, to be stamped and sold in the original packages; and the rate of duty on cigars imported prior to July twentieth, eighteen hundred and sixty-eight, and now remaining in bond, shall be the same as on cigars imported after that date.

Approved, April 10, 1869.

April 10, 1869.

Appropriation for the repair, preservation, &c. of works for rivers and harbors;

how to be expended.

Report to Congress at December session.

CHAP. XIX. — *An Act making an Appropriation for the Improvement of Rivers and Harbors for the fiscal Year ending June thirtieth, eighteen hundred and sixty-nine, and the Year ending June thirtieth, eighteen hundred and seventy.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of two million dollars is hereby appropriated for the fiscal year ending June thirty, eighteen hundred and sixty-nine, and the year ending June thirty, eighteen hundred and seventy, to be expended for the repair, extension, preservation, and completion of works for the improvement of rivers and harbors under the direction of the Secretary of War: *Provided,* That the Secretary of War is hereby authorized to cause such expenditures to be made so as best to subserve the interests of commerce; and he is required to report to Congress, at the opening of its December session, all expenditures made under the provisions of this act up to that time in detail.

APPROVED, April 10, 1869.

April 10, 1869.

Number of judge advocates of the army to be eight. President may fill vacancies.

CHAP. XX. — *An Act to declare and fix the Status of Judge Advocates of the Army.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the number of judge advocates of the army be, and the same is hereby, fixed at eight, and the President is hereby authorized, by and with the advice and consent of the Senate, to fill all vacancies which have occurred or may hereafter occur therein.

APPROVED, April 10, 1869.

April 10, 1869.

Laws of the legislature of New Mexico, imposing a capitation tax on certain bovine cattle, repealed.

CHAP. XXI. — *An Act to repeal an Act of the Legislature of New Mexico imposing a Capitation Tax on bovine Cattle.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of the legislature of the Territory of New Mexico, of February third, eighteen hundred and sixty-nine, and all other laws and parts of laws of said legislature imposing a capitation tax on bovine cattle introduced into the said Territory from other Territories or States, or the Republic of Mexico, be, and the same are hereby, disapproved and repealed.

APPROVED, April 10, 1869.

April 10, 1869.

1870, ch. 186. Post, p. 179. Supreme Court of the United States to consist of nine justices. Six a quorum. An additional justice authorized.

Circuit judge to be appointed for each judicial circuit; his residence, powers, &c.

CHAP. XXII. — *An Act to amend the Judicial System 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 Supreme Court of the United States shall hereafter consist of the Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum; and for the purposes of this act there shall be appointed an additional associate justice of said court.

SEC. 2. *And be it further enacted,* That for each of the nine existing judicial circuits there shall be appointed a circuit judge, who shall reside in his circuit, and shall possess the same power and jurisdiction therein as the justice of the Supreme Court allotted to the circuit. The circuit courts in each circuit shall be held by the justice of the Supreme Court

allotted to the circuit, or by the circuit judge of the circuit, or by the district judge of the district sitting alone, or by the justice of the Supreme Court and circuit judge sitting together, in which case the justice of the Supreme Court shall preside, or in the absence of either of them by the other, (who shall preside,) and the district judge. And such courts may be held at the same time in the different districts of the same circuits, and cases may be heard and tried by each of the judges holding any such court sitting apart by direction of the presiding justice or judge, who shall designate the business to be done by each. The circuit judges shall each receive an annual salary of five thousand dollars.

Circuit courts in each circuit, how and by whom to be held.

Cases may be tried by each judge sitting apart. Salary of judges.

SEC. 3. *And be it further enacted*, That nothing in this act shall affect the powers of the justices of the Supreme Court as judges of the circuit court, except in the appointment of clerks of the circuit courts, who in each circuit shall be appointed by the circuit judge of that circuit, and the clerks of the district courts shall be appointed by the judges thereof respectively: *Provided*, That the present clerks of said courts shall continue in office till other appointments be made in their place, or they be otherwise removed.

Powers of justices of Supreme Court, not affected, except, &c.

Clerks of the courts.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Chief Justice and of each justice of the Supreme Court to attend at least one term of the circuit court in each district of his circuit during every period of two years.

Justices of Supreme Court to attend what terms of circuit courts.

SEC. 5. *And be it further enacted*, That any judge of any court of the United States, who, having held his commission as such at least ten years, shall, after having attained to the age of seventy years, resign his office, shall thereafter, during the residue of his natural life, receive the same salary which was by law payable to him at the time of his resignation.

Certain judges of United States courts, upon resigning, to receive salary for life.

SEC. 6. *And be it further enacted*, That this act shall take effect on the first Monday of December, eighteen hundred and sixty-nine.

When act takes effect.

APPROVED, April 10, 1869.

CHAP. XXIII. — *An Act regulating the Rights of Property of Married Women in the District of Columbia.* April 10, 1869.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the District of Columbia the right of any married woman to any property, personal or real, belonging to her at the time of marriage, or acquired during marriage in any other way than by gift or conveyance from her husband, shall be as absolute as if she were femme sole, and shall not be subject to the disposal of her husband, nor be liable for his debts; but such married woman may convey, devise, and bequeath the same, or any interest therein, in the same manner and with like effect as if she were unmarried.

Right of married women to property in the District of Columbia;

disposition thereof.

SEC. 2. *And be it further enacted*, That any married woman may contract, and sue and be sued in her own name, in all matters having relation to her sole and separate property in the same manner as if she were unmarried; but neither her husband nor his property shall be bound by any such contract nor liable for any recovery against her in any such suit, but judgment may be enforced by execution against her sole and separate estate in the same manner as if she were sole.

Married woman may contract, sue and be sued, &c.

Husband and his property not bound.

APPROVED, April 10, 1869.

CHAP. XXIV. — *An Act to renew certain Grants of Land to the State of Alabama.* April 10, 1869.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the grant of lands made to the State of Alabama by the act of Congress approved June three, eighteen hundred and fifty-six, entitled "An act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State," as were granted to assist

1871, ch. 128. Post, p. 580.

Grant of public lands to Alabama for railroads renewed, subject, &c.

1866, ch. 41. Vol. xi. p. 17.