March 3, 1878.

CHAP. CCLVI. — An Act to authorize the continued Employment of an Agent and Counsel of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, in his discretion, to continue the appointment and employment of the present agent and counsel of the United States, under articles twelve to seventeen, inclusive, of the treaty between the United States and Great Britain, concluded May eighth, eighteen hundred and seventy-one, and for said agent and counsel to act under such continued appointment and employment; notwithstanding the election of the said agent and counsel as a representative in the forty-third Congress: Provided, That such appointment and employment shall not continue after said agent and counsel shall have taken the oath of office as such representative.

APPROVED, March 3, 1878.

March 3, 1878.

CHAP. CCLVII. — An Act supplemental to an Act entitled "An Act to incorporate the Texas Pacific Railroad Company, and to aid in the Construction of its Road, and for other Purposes," approved March third, eighteen hundred and seventy-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the face value of all bonds hereafter issued by the Texas and Pacific Railroad Company, under the provisions of an act approved March third, eighteen hundred and seventy-one, shall, at the option of the company, be either in gold, or other lawful money of the United States, bearing interest, at like option of the company, either in gold or other lawful money of the United States; and any mortgage heretofore executed by said company, securing bonds payable in any lawful money of the United States other than gold, and the bonds recited therein, and to secure which, said mortgage was given, are hereby legalized, and said mortgage and bonds shall have the same effect as though they had been authorized by the act to which this is a supplement. Provided, That in all other respects the requirements of that law in regard to such mortgage and bonds have been fully complied with

APPROVED, March 3, 1878.

March 3, 1878.

CHAP. CCLVIII. — An Act for the Suppression of Trade in, and Circulation of, Obscene Literature and Articles of Immoral Use.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever, within the District of Columbia or any of the Territories of the United States, or other place within the exclusive jurisdiction of the United States, shall sell, or lend, or give away, or in any manner exhibit, or shall offer to sell, or to lend, or to give away, or in any manner to exhibit, or shall otherwise publish or offer to publish in any manner, or shall have in his possession, for any such purpose or purposes, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion, or shall advertise the same for sale, or shall write or print, or cause to be written or printed, any card, circular, book, pamphlet, advertisement, or notice of any kind, stating when, where, how, or of whom, or
by what means, any of the articles in this section hereinbefore mentioned, can be purchased or obtained, or shall manufacture, draw, or print, or in any wise make any of such articles, shall be deemed guilty of a misdemeanor, and, on conviction thereof in any court of the United States having criminal jurisdiction in the District of Columbia, or in any Territory or place within the exclusive jurisdiction of the United States, where such misdemeanor shall have been committed; and on conviction thereof, he shall be imprisoned at hard labor in the penitentiary for not less than six months nor more than five years for each offense, or fined not less than one hundred dollars nor more than two thousand dollars, with costs of court.

Sec. 2. That section one hundred and forty-eight of the act to revise, consolidate, and amend the statutes relating to the Post-office Department, approved June eighth, eighteen hundred and seventy-two, be amended to read as follows:

"Sec. 148. That no obscene, lewd, or lascivious book, pamphlet, picture, paper, print, or other publication of an indecent character, or any article or thing designed or intended for the prevention of conception or procuring of abortion, nor any article or thing intended or adapted for any indecent or immoral use or nature, nor any written or printed card, circular, book, pamphlet, advertisement or notice of any kind giving information, directly or indirectly, where, or how, or of whom, or by what means either of the things before mentioned may be obtained or made, nor any letter upon the envelope of which, or postal-card upon which indecent or scurrilous epithets may be written or printed, shall be carried in the mail, and any person who shall knowingly deposit, or cause to be deposited, for mailing or delivery, any of the hereinafore-mentioned articles or things, or any notice, or paper containing any advertisement relating to the aforesaid articles or things, and any person who, in pursuance of any plan or scheme for disposing of any of the hereinafore-mentioned articles or things, shall take, or cause to be taken, from the mail any such letter or package, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall, for every offense, be fined not less than one hundred dollars nor more than five thousand dollars, or imprisoned at hard labor not less than one year nor more than ten years, or both, in the discretion of the judge."

Sec. 3. That all persons are prohibited from importing into the United States, from any foreign country, any of the hereinafore-mentioned articles or things, except the drugs hereinbefore-mentioned when imported in bulk, and not put up for any of the purposes before mentioned; and all such prohibited articles in the course of importation shall be detained by the officer of customs, and proceedings taken against the same under section five of this act.

Sec. 4. That whoever, being an officer, agent, or employee of the government of the United States, shall knowingly aid or abet any person engaged in any violation of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall, for every offense, be punished as provided in section two of this act.

Sec. 5. That any judge of any district or circuit court of the United States, within the proper district, before whom complaint in writing of any violation of this act shall be made, to the satisfaction of such judge, and founded on knowledge or belief, and, if upon belief, setting forth the grounds of such belief, and supported by oath or affirmation of the complainant, may issue, conformably to the Constitution, a warrant directed to the marshal, or any deputy marshal, in the proper district, directing him to search for, seize, and take possession of any such article or thing hereinbefore mentioned, and to make due and immediate return thereof, to the end that the same may be condemned and destroyed by proceedings, which shall be conducted in the same manner as other proceedings in case of
municipal seizure, and with the same right of appeal or writ of error: Provided, That nothing in this section shall be construed as repealing the one hundred and forty-eighth section of the act of which this act is amendatory, or to affect any indictments heretofore found for offenses against the same, but the said indictments may be prosecuted to judgment as if this section had not been enacted.

Approved, March 8, 1878.

March 8, 1878. CHAP. CCLIX. — An Act to establish a Board of local Inspectors of Steam-vessels for the Customs District of Michigan, in the State of Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be a local board of inspectors designated and appointed for the customs district of Michigan, in the State of Michigan, and the inspector of hulls and the inspector of boilers, composing the said board, shall receive a salary of nine hundred dollars a year each.

Approved, March 8, 1878.

March 8, 1878. CHAP. CCLX. — An Act to amend an Act entitled "An Act to provide for the Redemption and Sale of Lands held by the United States under the several Acts levying direct Tunes, and for other Purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of an act entitled "An act to provide for the redemption and sale of lands held by the United States under the several acts levying direct taxes, and for other purposes," approved June eighth, eighteen hundred and seventy-two, be amended so that it will read as follows:

"SEC. 6. That all money derived from the sale of school-farm lands under the provisions of section eight of an act entitled "An act to continue in force and to amend an act entitled "An act to establish a bureau for the relief of freedmen and refugees and for other purposes."") approved July sixteenth, eighteen hundred and sixty-six; and all bonds purchased with the proceeds of such sales, and all moneys derived from the leases of said school-farm lands by the direct-tax commissioners for the district of South Carolina, under the instructions of President Lincoln, dated September sixteenth, eighteen hundred and sixty-three, shall be turned over to the Secretary of the Treasury in the said parishes, and the disbursement of the proceeds thereof."

Interest of such bonds, how to be expended by commissioners.

Appointment, &c., of commissioners.

Acts of direct-tax commissioners confirmed.