

1846, ch. 21.
Vol. ix. p. 12.

ization of a company of sappers and miners, and pontoniers, approved May *sixteenth*, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

Vacancies in commissioned officers of volunteers, how filled.

SEC. 3. *And be it further enacted*, That vacancies hereafter occurring among the commissioned officers of the volunteer regiments shall be filled by the Governors of the States respectively in the same manner as original appointments. And so much of the tenth section of the act approved July twenty-second, eighteen hundred and sixty-one, as is inconsistent herewith be, and the same is hereby, repealed.

1861, ch. 9, § 10.
Ante, p. 270.

Two additional inspectors-general authorized.

SEC. 4. *And be it further enacted*, That the President of the United States is hereby authorized to appoint two additional inspectors-general for the United States army; said inspectors-general to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

Superintendents of national armories to be ordnance officers.

1854, ch. 267,
§ 1.

Vol. x. p. 578.

SEC. 5. *And be it further enacted*, That so much of the first section of the act approved August fifth, eighteen hundred and fifty-four, as authorizes the appointment of civilians to superintend the national armories be, and the same is hereby, repealed, and that the superintendents of these armories shall be appointed hereafter from officers of the Ordnance Department.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LVIII. — *An Act to authorize an Increase in the Corps of Engineers and Topographical Engineers.*

Increase of field officers in corps of engineers and topographical engineers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

Company of soldiers added to topographical engineers.

SEC. 2. *And be it further enacted*, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners, and pontoniers, approved May *sixteenth*, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

1846, ch. 21.
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Two additional inspectors-general authorized.

SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to appoint two additional inspectors-general of the United States army, to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LIX. — *An Act to provide for holding the District and Circuit Courts in Judicial Districts during a temporary Vacancy of the Judgeship.*

In case of temporary vacancy in office of district judge, in a State where there are two judicial districts, how courts are to be held.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of a vacancy in the office of district judge of any judicial district of the United States in any State in which there are two judicial districts, it shall be lawful for the district judge of the other district in said State to hold the district court or circuit court in case of sickness or the absence of the circuit judge, and discharge all the judicial duties of the district judge of such vacant district so long as such vacancy shall continue; and all the acts and proceedings in said courts, or by or before the said district judge of

the adjoining district, shall have the same force, effect, and validity as if done and transacted by and before a judge appointed for such district.

APPROVED, August 6, 1861.

CHAP. LX. — *An Act to confiscate Property used for Insurrectionary Purposes.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

When property used in aiding insurrection may be confiscated.

SEC. 2. *And be it further enacted,* That such prizes and capture shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, or into which they may be taken and proceedings first instituted.

In what courts to be condemned.

SEC. 3. *And be it further enacted,* That the Attorney-General, or any district attorney of the United States in which said property may at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

Who to institute proceedings for condemnation, and for whose use.

SEC. 4. *And be it further enacted,* That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States, or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any fort, navy yard, dock, armory, ship, entrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

When claims to persons held to service and labor to be forfeited.

APPROVED, August 6, 1861.

CHAP. LXI. — *An Act relative to Appeals to the Supreme Court of the United States.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of appeal,