

IN THE HOUSE OF REPRESENTATIVES U. S., }  
 June 20, 1868. }

Arkansas.

The President of the United States having returned to the House of Representatives, in which it originated, the bill entitled "An act to admit the State of Arkansas to representation in Congress," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same; and

*Resolved*, That the said bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. MCPHERSON,  
*Clerk H. R. U. S.*

IN SENATE OF THE UNITED STATES, }  
 June 22, 1868. }

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to admit the State of Arkansas to representation in Congress," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate, with the message of the President returning the bill:

*Resolved*, That the bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

GEO. C. GORHAM,  
*Secretary of the Senate.*

CHAP. LXX. — *An Act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to Representation in Congress.* June 25, 1868.

WHEREAS the people of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida have, in pursuance of the provisions of an act entitled "An act for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, and the acts supplementary thereto, framed constitutions of State government which are republican, and have adopted said constitutions by large majorities of the votes cast at the elections held for the ratification or rejection of the same: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That each of the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, shall be entitled and admitted to representation in Congress as a State of the Union when the legislature of such State shall have duly ratified the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress, and known as article fourteen, upon the following fundamental conditions: That the constitutions of neither of said States shall ever be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote in said State, who are entitled to vote by the constitution thereof herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: *Provided*, That any alteration of said constitution may be made with regard to the time and place of residence of voters; and the State of Georgia shall only be entitled and admitted to representation upon this further fundamental condition: that the first and third subdivisions of section seventeen of the fifth article of the constitution of said State, except the proviso to the first subdivision, shall be null and void, and that the general assembly of said State by solemn public act shall declare the assent of the State to the foregoing fundamental condition.

Preamble.  
 1867, ch. 153.  
 Vol. XIV. p. 428.  
*Ante*, pp. 2, 14,  
 41.

North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to be admitted to representation in Congress, when, &c. Conditions. Constitutions not to be so changed as, &c.

What alterations may be made. Further condition to the admission of Georgia.

First meeting of the legislatures of such States.

SEC. 2. *And be it further enacted*, That if the day fixed for the first meeting of the legislature of either of said States by the constitution or ordinance thereof shall have passed or have so nearly arrived before the passage of this act that there shall not be time for the legislature to assemble at the period fixed, such legislature shall convene at the end of twenty days from the time this act takes effect, unless the governor elect shall sooner convene the same.

First section of this act when to take effect as to other States;

SEC. 3. *And be it further enacted*, That the first section of this act shall take effect as to each State, except Georgia, when such State shall, by its legislature, duly ratify article fourteen of the amendments to the Constitution of the United States, proposed by the Thirty-ninth Congress, and as to the State of Georgia when it shall in addition give the assent of said State to the fundamental condition hereinbefore imposed upon the same; and thereupon the officers of each State duly elected and qualified under the constitution thereof shall be inaugurated without delay; but no person prohibited from holding office under the United States, or under any State, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided in said amendment; and it is hereby made the duty of the President within ten days after receiving official information of the ratification of said amendment by the legislature of either of said States to issue a proclamation announcing that fact.

when as to Georgia.

Proceedings thereupon.

Who not eligible to office.

Duty of President as to proclaiming ratification, &c.

SCHUYLER COLFAX,

*Speaker of the House of Representatives.*

B. F. WADE,

*President of the Senate pro tempore.*

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*Resolved*, That the bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

GEO. C. GORHAM,

*Secretary of the Senate.*

CHAP. LXXI. — *An Act to provide for Appeals from the Court of Claims, and for other Purposes.* June 25, 1868.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an appeal to the Supreme Court of the United States shall be allowed on behalf of the United States from all the final judgments of the said court of claims adverse to the United States, whether such judgments shall have been rendered by virtue of the general or any special power or jurisdiction of said court under the limitations now provided by law for other cases of appeal from said court.

Appeal allowed to Supreme Court, from all judgments of court of claims adverse to the United States.

SEC. 2. *And be it further enacted,* That said court of claims, at any time while any suit or claim is pending before or on appeal from said court, or within two years next after the final disposition of any such suit or claim, may, on motion on behalf of the United States, grant a new trial in any such suit or claim and stay the payment of any judgment therein, upon such evidence (although the same may be cumulative or other) as shall reasonably satisfy said court that any fraud, wrong, or injustice in the premises has been done to the United States; but until an order is made staying the payment of a judgment, the same shall be payable and paid as now provided by law.

New trials, within what time and for what cause.

SEC. 3. *And be it further enacted,* That whenever it shall be material in any suit or claim before any court to ascertain whether any person did or did not give any aid or comfort to the late rebellion, the claimant or party asserting the loyalty of any such person to the United States during such rebellion, shall be required to prove affirmatively that such person did, during said rebellion, consistently adhere to the United States, and did give no aid or comfort to persons engaged in said rebellion; and the voluntary residence of any such person in any place where, at any time during such residence, the rebel force or organization held sway, shall be prima facie evidence that such person did give aid and comfort to said rebellion and to the persons engaged therein.

Party asserting the loyalty of any person during the rebellion to prove the same affirmatively.

Voluntary residence in rebel State to be prima facie evidence of giving aid, &c. to the rebellion.

SEC. 4. *And be it further enacted,* That no plaintiff or claimant, or any person from or through whom any such plaintiff or claimant derives his alleged title, claim or right against the United States, or any person interested in any such title, claim, or right shall be a competent witness in the court of claims in supporting any such title, claim, or right, and no testimony given by such plaintiff, claimant, or person shall be used: *Provided,* That the United States shall, if they see cause, have the right to examine such plaintiff, claimant, or person as a witness under the regulations and with the privileges provided in section eight of the act passed March third, eighteen hundred and sixty-three, entitled "An act to amend an act to establish a court for the investigation of claims against the United States," approved February twenty-fourth, eighteen hundred and fifty-five.

Claimants and persons interested in claims to be incompetent witnesses,

may be examined by the United States. 1863, ch. 92, § 8 Vol. xii p. 766.

SEC. 5. *And be it further enacted,* That from and after the first day of July, eighteen hundred and sixty-eight, the Attorney-General of the United States for the time being shall, with his assistants, attend to the prosecution and defence of all matters and suits in the court of claims on behalf of the United States. There shall be appointed by the President, by and with the advice and consent of the Senate, two assistant attorneys-general, who shall hold their offices for four years respectively, unless sooner lawfully removed, and whose salaries shall be four thousand dollars each, per year, payable quarterly, and who shall be in lieu of the solicitor, assistant solicitor, and deputy solicitor of the court of claims, and of the assistant attorney-general now provided for by law; and the existing offices of solicitor, assistant solicitor, and deputy solicitor, of the court of claims, and of assistant attorney-general, are hereby abolished from and after the first day of July, eighteen hundred and sixty-eight. The Attorney-General shall have power to appoint two

Attorney-general and assistants to prosecute, &c all suits in court of claims for the United States.

Two assistant attorneys-general authorized; term of office, salary, &c.

Offices of solicitor, assistant and deputy solicitor, and assistant attorney-general abolished.