

CHAP. XXXII. — *An Act to provide for the Payment of Pensions.*

Feb. 5, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall be, and he is hereby, authorized to establish agencies for the payment of pensions granted by the United States, wherever, in his judgment, the public interests and the convenience of the pensioners require, and, by and with the advice and consent of the Senate, to appoint all pension agents, who shall hold their offices for the term of four years and until their successors shall have been appointed and qualified, and who shall give bond, with good and sufficient sureties, for such amount and in such form as the Secretary of the Interior may approve: *Provided,* That the number of pension agencies in any State or Territory shall, in no case, be increased hereafter so as to exceed three, and that no such agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceding shall not have exceeded the sum of five hundred thousand dollars: *And provided further,* That the term of office of all pension agents appointed since the first day of July, A. D. eighteen hundred and sixty-six, shall expire at the end of thirty days from the passage of this act; and the commissions of all other pension agents now in office shall continue for four years from the passage of this act, unless such agents are sooner removed.

Agencies for payment of pensions may be established.

Pension agents, their appointment, term of office, bond.

Limit of number of pension agencies in any State or Territory.

Official term of present pension agents.

APPROVED, February 5, 1867.

CHAP. XXXIV. — *An Act authorizing the Secretary of the Treasury to receive into the Treasury the residuary Legacy of James Smithson, to authorize the Regents of the Smithsonian Institution to apply the Income of the said Legacy, and for other Purposes.*

Feb. 8, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to receive into the Treasury, on the same terms as the original bequest, the residuary legacy of James Smithson, now in United States bonds, in the hands of said Secretary, namely: twenty-six thousand two hundred and ten dollars and sixty-three cents, together with such other sums as the regents may from time to time see fit to deposit, not exceeding, with the original bequest, the sum of one million dollars.

Residuary legacy of James Smithson may be received on same terms as the original bequest.

SEC. 2. *And be it further enacted,* That the increase which has accrued, or which may hereafter accrue, from said residuary legacy, shall be applied by the Board of Regents of the Smithsonian Institution in the same manner as the interest on the original bequest, in accordance with the provisions of the act of August tenth, eighteen hundred and forty-six, establishing said Institution.

Interest of such legacy, how to be applied.

1846, ch. 178. Vol. ix. p. 102

APPROVED, February 8, 1867.

CHAP. XXXVI. — *An Act for the Admission of the State of Nebraska into the Union.*

Feb. 9, 1867

WHEREAS, on the *twenty-first* [nineteenth] day of *March*, [April], anno Domini eighteen hundred and sixty-four, Congress passed an act to enable the people of Nebraska to form a constitution and State government, and offered to admit said State, when so formed, into the Union, upon compliance with certain conditions therein specified; and whereas it appears that the said people have adopted a constitution which, upon due examination, is found to conform to the provisions and comply with the conditions of said act, and to be republican in its form of government, and that they now ask for admission into the Union: Therefore—

Preamble. 1864, ch. 59. vol. xiii. p. 47

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the constitution and State government which the people of Nebraska have formed for themselves be,

Nebraska declared to be one

of the United States of America.

The State to be entitled to the privileges and subject to the conditions of the enabling act.

1864, ch. 59. Vol. xiii. p. 47.

Fundamental conditions of this act.

Elective franchise not to be denied, &c.

Assent of State to be declared by solemn act and copy transmitted to the President, who shall proclaim the fact.

Admission then to be complete.

State legislature to be convened within thirty days.

and the same is hereby, accepted, ratified, and confirmed, and that the said State of Nebraska shall be, and is hereby declared to be, one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States in all respects whatsoever.

SEC. 2. *And be it further enacted*, That the said State of Nebraska shall be, and is hereby declared to be, entitled to all the rights, privileges, grants, and immunities, and to be subject to all the conditions and restrictions, of an act entitled "An act to enable the people of Nebraska to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April nineteenth, eighteen hundred and sixty-four.

SEC. 3. *And be it further enacted*, That this act shall not take effect except upon the fundamental condition that within the State of Nebraska there shall be no denial of the elective franchise, or of any other right, to any person, by reason of race or color, excepting Indians not taxed; and upon the further fundamental condition that the legislature of said State, by a solemn public act, shall declare the assent of said State to the said fundamental condition, and shall transmit to the President of the United States an authentic copy of said act; upon receipt whereof the President, by proclamation, shall forthwith announce the fact, whereupon said fundamental condition shall be held as a part of the organic law of the State; and thereupon, and without any further proceeding on the part of Congress, the admission of said State into the Union, shall be considered as complete. Said State legislature shall be convened by the territorial governor within thirty days after the passage of this act, to act upon the condition submitted herein.

SCHUYLER COLFAX,

Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,

President of the Senate pro tempore.

IN SENATE OF THE UNITED STATES, }
February 8, 1867. }

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act for the admission of the State of Nebraska into the Union," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and

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

Attest:

J. W. FORNEY,

Secretary of the Senate,

by W. J. McDONALD,

Chief Clerk.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, }
February 9, 1867. }

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act for the admission of the State of Nebraska into the Union," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill —

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

Attest:

EDWD. McPHERSON,

Clerk.