

Repeal.

SEC. 2. That all acts and parts of acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved, December 21, 1898.

December 21, 1898.

CHAP. 34.—An Act To authorize Commissioners of District of Columbia to extinguish alley in square four hundred and sixty-five.

District of Columbia.  
Extinguishment of  
alley in square 465.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to abandon the alley abutting the south thirty-six feet by a width of three and thirty-three one-hundredths feet of subplot eighty-six, and the west sixteen and thirty one-hundredths feet by a width of three and five-tenths feet of subplot eighty-five, square four hundred and sixty-five, city of Washington, the said land to revert to the present owner of said lots eighty-five and eighty-six, Charles Schafer, his heirs and assigns, provided he pays an amount equal to the sum that would have been assessed against the land embraced within the area of said alley from the time it was laid out to the time it is extinguished.

Approved, December 21, 1898.

December 21, 1898.

CHAP. 35.—An Act Making an appropriation to execute certain provisions of the Act of Congress for the protection of the people of the Indian Territory.

Indian Territory.  
Protection of people  
of.  
Appropriation.  
*Ante*, p. 495.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled;* That there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of ten thousand dollars, to execute certain provisions of the "Act for the protection of the people of the Indian Territory, and for other purposes," approved June twenty-eighth, eighteen hundred and ninety-eight.

Approved, December 21, 1898.

December 21, 1898.

CHAP. 36.—An Act To amend sections sixteen hundred and ninety-seven, sixteen hundred and ninety-eight, and seventeen hundred and thirty-four of the Revised Statutes of the United States relating to consul and vice-consul generals, consuls and vice-consuls, and commercial agents.

Consular service.  
R. S., sec. 1697, p. 303,  
amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section sixteen hundred and ninety-seven of the Revised Statutes of the United States be, and the same is, amended to read as follows:

Bonds of consular  
officers.

"SEC. 1697. Every consul-general, consul, and commercial agent, before he receives his commission, or enters upon the duties of his office, shall give a bond to the United States, with such sureties, who shall be permanent residents of the United States, as the Secretary of State shall approve, in a penal sum not less than one thousand dollars, and in no case less than the annual compensation allowed to such officer, and not more than ten thousand dollars, and in such form as the President shall prescribe, conditioned for the true and faithful accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property which shall come to his hands, or to the hands of any other person, to his use as such consul-general, consul, or commercial agent under any law, now or hereafter enacted, or by virtue of his office; and for the true and faithful performance of all other duties, now or hereafter lawfully imposed upon him as such consul-general, consul, or commercial agent. The bond herein mentioned shall be deposited with the Secretary of the Treasury. In case of a breach of any such bond, any person thereby injured may

—Secretary of State  
to approve.

—form, etc.

—deposit with Secretary  
of the Treasury.

—suit on.

institute, in his own name and for his sole use, a suit on said bond, and thereupon recover such damages as shall be legally assessed, with costs of suit, for which execution may issue for him in due form; but if such party fails to recover in the suit, judgment shall be rendered and execution may issue against him for costs in favor of the defendant, and the United States shall, in no case, be liable for the same. The said bond shall remain, after any judgment rendered thereon, as a security for the benefit of any person injured by a breach of the condition of the same until the whole penalty has been recovered; and the proceeding shall always be as directed in this section."

SEC. 2. That section sixteen hundred and ninety-eight of the Revised Statutes of the United States be, and the same is, amended to read as follows:

"SEC. 1698. Every vice-consul-general or vice-consul shall, before he enters on the execution of his trust, give bonds, with such sureties, who shall be permanent residents of the United States, as shall be approved by the Secretary of State, in a sum not less than two thousand dollars nor more than ten thousand dollars, conditioned for the true and faithful discharge of the duties of his office according to law, and for truly accounting for all moneys, goods, and effects which may come into his possession by virtue of his office. The bond shall be lodged in the office of the Secretary of the Treasury. In case of a breach of any such bond, any person thereby injured may institute, in his own name and for his sole use, a suit on said bond, and thereupon recover such damages as shall be legally assessed, with costs of suit, for which execution may issue for him in due form; but if such party fails to recover in the suit, judgment shall be rendered and execution may issue against him for costs in favor of the defendant, and the United States shall in no case be liable for the same. The said bond shall remain after any judgment rendered thereon as a security for the benefit of any person injured by a breach of the condition of the same until the whole penalty has been recovered; and the proceedings shall always be as directed in this section. That when suit is brought upon the bond prescribed in this or the preceding section, if the principal in the bond resides in a foreign country, the summons, or other process, may be served upon him by filing a certified copy of the same with the Secretary of the Treasury, which service shall be deemed sufficient to give the court jurisdiction over the person and property of the defendant; and the bond prescribed in this and the preceding section shall contain a condition to accept such service as sufficient to give the court jurisdiction as aforesaid. The principal shall have ninety days from the time of such service in which to enter his appearance in the action. When a copy of such summons or other process has been filed with the Secretary of the Treasury, he shall at once mail a copy thereof to the principal at his last known place of residence."

Bonds of vice-consular officers.  
R. S., sec. 1698, p. 308, amended.

-suit on, etc.

Service on principal in foreign country.

Appearance, etc.

SEC. 3. That section seventeen hundred and thirty-four of the Revised Statutes of the United States be, and the same is, amended to read as follows:

"SEC. 1734. Every consular officer who willfully neglects to render true and just quarterly accounts and returns of the business of his office, and of moneys received by him for the use of the United States, or who neglects to pay over any balance of said moneys due to the United States at the expiration of any quarter, before the expiration of the next succeeding quarter, or who shall receive money, property, or effects belonging to a citizen of the United States and shall not within a reasonable time after demand made upon him by the Secretary of State or by such citizen, his executor, administrator, or legal representative, account for and pay over all moneys, property, and effects, less his lawful fees, due to such citizen, shall be deemed guilty of embezzlement, and shall be punishable by imprisonment for not more than five years, and by a fine of not more than two thousand dollars."

Embezzlement.  
R. S., sec. 1734, p. 308, amended.

-penalty.

Approved, December 21, 1898.