COMMERCIAL AND FINANCIAL.

PITTSBURGH MARKETS.

[Reported Specially for the Pittsburgh Gazette.]

MONDAY, July 25, 1864.

WHEAT—There has not been a buoyant feeling in the market during the present week, and the sales of 1 car prime red at $2,37, second hands—on Saturday—at $2,37.

CORN—The demand is fair and the market steady, although prices are unchanged. Sales of ear shelled at $1,45; 3 do do at $1,50, and small sales from store at $1,60 and small parcels from store at $1,65.

OATS—Offerings are active quite freely, and our market is now good well supplied. Sale of 1 car at $1,03, and small sales from store at $1,08.

RYE—There is no new feature in the market worthy of notice. The demand continues quite active, while offerings are not materially changed. The market is firm at $1,25 for prime. Flour is fair and steady.

GROCERIES—The decline in gold has tendered the New York grocery market somewhat, and, with the duty to lower rates there, buyers have been holding off in anticipation of a decline. As yet, however, there has been no material change in prices.

SUGARS—The demand has fallen off somewhat, and while the market is a shade easier, prices remain substantially as last quoted.

CHEESE—Has still further advanced, and we now quote prime qualities at 22c, sales of 40 by single sellers at 22 Western reserve at 22c.

EGGS—Very dull with a supply largely in excess of the demand, and we reduce our quotations to 17c.

BUTTER—In fair demand, and strictly prime Roll would sell readily at 35. Packed firkin stuff is quoted at 32c.

HIDES—Sale of 400 Dry Flint at 24c per lb.

HAY—Is firm but unchanged; sales 7 loads prime at $18 ton.

LARD—Steady with sales of prime city rendered at 18c.

SALT—Is held firmly though there has been no change in prices. We continue to quote at $2,00 per bbl for Kanawha, and $2,10 delivered.

GREEN APPLES—Small sales at prices ranging from $5,50 to $6,00 per bbl, as to quality.

DRIED FRUIT—Unchanged; sales of Apples at 10@12c per pound, and Peaches at 18@20.

Petroleum Market.

JULY 25—The most prominent feature in the Petroleum market is the continued dullness which was everywhere apparent, and what is worse still, there seems to be but little prospect of any immediate improvement. For Crude, the demand continues exceedingly light, and with an extremely dull market tending thereto, holders are anxious to sell and they offer at a material concession. Quotations may be fairly given at 40@41 bbls returned; and 45@46, bbls included. Refined is dull at 150 bbls at 46c. There is no difference over doing in Refined, and, in the present precarious condition of the market, it is impossible to give quotations. This but proper to remark, however, that in order to effect sales, holders would have to make concessions from the prices quoted. Naphtha is dull and neglected, and may be quoted nominal at 85c. Residuum is firm and would sell readily at full quotations.

The receipts by the Allegheny river during the past three days are as follows:

J. S. Osborn	4 bbls	J B S Duncan 150
A B David	125	Jas Wilkins 131
Joe Lindsay	130	Fentress, Hall & Co. 250
Total		1,000

Confusion in the Internal Revenue Department.

The difficulty of even the authorities at Washington, and government officials generally, to comprehend fully the Internal Revenue Law, which went into operation on the 1st inst, and their neglect to make any provision for it, has produced great perplexities of doing business. The difficulties of domestic produce, we understand, yet especially in the article of manufactured tobacco, Petroleum, &c. Since the law took effect, the manufacturers of tobacco have been unable to bond any of their goods, and as a natural consequence manufacture has almost ceased. The export business has ceased, only a few packages which were bonded before the law took effect having been exported, during the current month. It is stated that, though departures from the trade have relieved Washington in order to expedite matters, full one to some understanding with the authorities, by which business might be conducted as usual, no arrangements have yet been made for the Internal Revenue Department by which manufactured tobacco may be bonded and shipped under the provisions of the new law. And what is worse still, no one seems to know anything about when or in what way a better state of affairs is to be brought about. Taxpayers seem to be that no forms have been prepared in accordance with the new law, and that the authorities will not permit of the bill being taken while they are being completed—hence the deadlock in the export trade. Should the difficulties the bonded warehouses are all full, and a proposition to make every tobacco store a temporary bonded store, in order to facilitate matters, until such time as the new passage can be put aided, and in effect, opened. The export trade is consequently completely destroyed, sales have in numerous instances been negatived, transferred parties, with the goods, cancelled, &c. But the strangest part of all is that, while the New York Custom House authorities cannot or will not do anything to facilitate matters, tobacco is being freely exported from Boston, where commerce is supposed to be governed by the same general laws, and we hear that tobacco which was bonded a clearance here was quite readily cleared and shipped. What an anomaly!

To say the least, such deflection of blundering ignorance is to be severely exposed, highly discreditable to the Government officials, whether stigated in the New York Custom House or in Washington. Three weeks have elapsed since the new law went into effect—yet no steps have been taken, so far as we can learn, looking to the removal of the deadlock in the export trade in which important articles as manufactured tobacco, Petroleum, &c. That such things should be allowed to drag, and it is not at all surprising that it should cause general complaint.—*N. Y. Shipping List.*

Weekly Review of the New York Petroleum Market.

(Reported Expressly for the Pittsburgh Gazette.)

NEW YORK, July 23, 1864.

The week just ended has one of the most irregular—so far as Petroleum Trade is concerned—that we have known for some time past. On the whole the market has been very dull—the difficulty in negotiating foreign exchange has interfered greatly with the export trade. The demand has in one or two instances been so active as to occasion an advance in Gold which unlocked the exchange market and started sales in a lively manner—but taken as a whole, the week has been a dull one, and prices are very much lower, especially for Refined bonded and free. The month is now in an actual state—sales of free in a considerable extent have been made for export at 81c—follow low for bonded.

The receipts for the week are heavy—and one of the leading speculators appears to be doomed to heavy losses. They have bought very heavily for August—clearly at 66c for Crude and $1,08@1,12½ for Free. Crude now sells at 40@41c, Gold and Free is nominal at 80@85—about 30c below the contract prices. It is probable that the bears hold contracts to the extent of 24,000@40,000 bbls, in view of the heavy receipts it may be a matter of kind of management, the oil may be all delivered on these contracts. But, if even any considerable part be delivered—somebody will shoot up—or be shot right up—time is late. A good deal of caution is exercised by the regular dealers—and some of them will not sell to the speculators at any price. August will make or break more than one Petroleum firm in this city.

The sales for the week comprise about 60,000 barrels, including 20,000 bbls on the spot—of which about 10,000 bbls for future delivery at 66c for all July, 84c@70c for August and 65 to 63½c for September. The market for Gold was steady with a good demand at 49@50 cents.

The sales of Refined in bond comprise about 12,000 bbls at 80 cents for Bloomfield, and eighty to 87½ cents for prime White, on the spot—and a small portion for August at 90@95. The market for Gold was steady with a good demand at 49@50 cents.

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Crude is dull and nominally lower—the sales of Crude have been small, and the market is very dull. Refined is dull and lower—the sales of Refined have been small, and the market is very dull. Naphtha is dull and nominally lower—the sales of Naphtha have been small, and the market is very dull. Residuum is dull and nominally lower—the sales of Residuum have been small, and the market is very dull.

Cleveland Market

JULY 25—Flour—Market dull and drooping. Nominal at $10@10,50 for good to fancy XX red; $10,50@11 for fancy XX white. Wheat—Dull and lower. Sales on Monday morning at $2,30 on track at $2,35 after Chase, $2,35 for Kentucky red, and $2,40 for white. Corn—Dull and nominally lower. Sales at $1,45 on track. Oats—Dull and nominally lower. Sales at $1,05 on track. Rye—Dull and nominally lower. Sales at $1,25 on track. Provisions—Market dull and nominally lower. Mess Pork, $24,50. Lard, 18c. Bulk Meats—Dull and nominally lower. Sides, 15c. Whiskey—Dull and nominally lower. Sales at 90c.

Boston Wool Market.

JULY 23—The wool market has ruled rather quiet during the past week, owing to the many difficulties of getting out gold, and sales to consumers have been light, though at very full prices. Among the trade considerable alarm has changed hands at irregular rates, the majority of the financial situation being to continue the small stock on the market in few and firm hands. In cases, however, where the necessity of holders have induced them to offer larger lots, buyers have indeed been to the extent of their purchases, which holders have been forced into the market, and have revealed the extent of their burthens with a corresponding which betokens the strongest confidence in the future of this commodity.

Thus far, with all expressed influences combined against it, the market has exhibited no signs of weakness. Stocks have not begun to accumulate, though the receipts of fine fully have been liberal for the season. But in Philadelphia, Cleveland, Chicago, Detroit and other markets, nearer the points of production, particularly in the Western States, these adverse influences are falling with considerable effect, and wool in hand with a little less firmness and offered more freely from second hands than a week or two ago.

In the matter of imports when we take into current consideration the immense capital required to carry a large stock of this staple at present rates, and the liberal exportations of specie and the scarcity of the precious metals, the new clip of the west was not only bought up early from first hands, but a large portion of it was offered for peaning changed hands on the spot, at a constant advance, without going at all into the market for consumption. It has been gradually rolled up into large lots remarkably higher than those ruling in the Eastern markets, and these have at length fell to be so large as to have leaving that they will have to be materially broken by reversing the process of inflation, unless some speedy relief is offered—the money market and its customers. In the meantime, and by the aid of Eastern capital, this year's supply will the sooner find its way into the regular commercial channels.

Prices did not exchange began to fall off. Western holders have abated somewhat of their price notions, and have ceased selling quite freely at Saint to all parts of Ohio and Michigan, where the transactions have been of large nature, the past week at all the principal shipping points. In Pennsylvania, Ohio, Indiana and Michigan, the sales were quite large, and we learn that the wool was purchased by many dealers as well as local operators, who commenced buying early and had accumulated large stocks, sold quite on the spot at a good profit. Other holders, neglected to actually forward, and, having full confidence that the chances in the future are better for higher than lower rates of wool.

The better grades of foreign staple, which had been quite withdrawn from the market or held above the views of buyers, are now being offered with less returns but at no concession in prices. Wool now carried exchange went up to 300 and over, a strong disposition to export was manifested, and we believe several cargoes of Cape, stored in government bonded warehouses, were actually reshipped to London. But this movement has been checked by the reaction in gold, and this disposition is now being placed upon the market to small lots and readily taken at very full figures, as it is relatively cheaper and better for some uses than domestic fleece.

Sales of domestic for the week, to actual consumers, foot up not over 175,000 lbs, at a range of $1,40 both for fleece and pulled; the outside figures for equal to fine Pennsylvania of the old clip. We also hear of a small sale of extra pulled at high as $1,55 per lb, but this was exceptional. Of fine fleece, Ohio fair to good sold at $1,40@1,45; Vermont and New York fleece are selling at about $1,40@1,45, and fine Ohio and Michigan at $1,40@1,45. In Canada, we hear of a sale of 150,000 lbs mixed, at $1,25 per lb, gold, and fine combing and clothing grades, at $1,35 per lb, gold. Fine fleece combing do held at $1,40 in foreign, sales 650 bales all descriptions, including 450 Cape, at 55@77½c, mostly at 70c, and the outside price for a superior lot, very light and fine.

Chicago Market—Mail Report.

JULY 22—The Breadstuffs markets, and in fact all other markets were dull to-day, and in many cases prices were lower. Wheat was in limited request, and ruling quite decline. Sale prices closing quite at 2,20@2,25 for No 2, and at 2,15 for No 3. Winter wheat was quiet but steady at 2,30 for No 1, 2,25 for No 2, and at $1,60 for rejected red.

The demand for corn was slight and at the opening the market ruled easier, but it closed steady at $1,20 for No 2 spring. Oats ruled easier for fine, closing at $1,30 for No 2 and at $1,27 for rejected; a small lot of prime fine corn sold at $1,33 delivered.

There was more firmness in the corn market, and prices advanced 1@2c, with sales at 93@95c for No 2 closing at 92c.

There was nothing done in other rye or barley, and prices for both articles must be quoted entirely nominal.

High wines were altogether neglected, and the market was nominal at 85@87c.

The wool market was inactive and dull at 60@70 for common fine fleece.

Provisions were generally lower, the prices of Pork were and the market quiet. Mess pork sold at $24,00@24,25, and 300 bbls changed hands on Wednesday, Lard sold at 18c in original packages, and at 18c in retail terms.

Boston Fish Market.

JULY 23—The receipts of new Dalfish do not come up to the anticipated standard as to quantity, still, with an unusually large and constantly increasing demand both for export and consumption, stocks do not accumulate and prices are well sustained. Sales Grand Bank at $6,50@7,50; Bay Fundy, $7@7,50; Georges new, $7@8; small $4,50@5 boxes, and $5,25@5,50 packed. Item Hadock quoting $1,87@2; Haddock, $2@2,25; Cusk, $3@3,25; Pollock, $3@3,25; Hake, $3@3,25; Halibut, $8@10 for Eastern, and $12@14 for Western. Mackerel—Since this fair has not been satisfactory, and the receipts continue light. Old Nor'ns and Capes are selling at $20 per bbl; Bay Fundy, $18 advanced, with sales of No 1 large at $22@23, and medium at $18@19; No 2 large, $16@18; Medium $14@15; No 3 large, $13@14; Medium $11@12; Pickled Herring are nominal at $5,50 for Bay shore, $6@6,50 for Eastern, and $7@8 for Western; Salmon is dull at $18@19 for No 1 quality.

Imports by Railroad.

PITTSBURGH, FT. WAYNE AND CHICAGO R.R., July 23—Sundries—200 bbls Salt 20 kgs 3 cords Bits castor oil, 8 A Pabenstock, 2 pkgs 27 bbls 12 kgs 7 Ayer, 10 bbls Brooms, 5000 Brass, 300 Hides, Delaware & Co, 100 do Cole, Dalzell & Sargent, 40 do do Hitchcock, Hulse & Co, 1000 do Sawyer & Bro, 2 Trees do do, 2 do Wood & Son, 10 bales tow, C F Kingsley, 165 bags wheat, J S Liggett & Co, 15 bbls flour, S Burkhardt & Co, 100 sacks 25 do corn, H Lane & Co, 10 bbls highwines, Miller & Nicholson; 4 pkgs lard, J S Calhoun, 100 pkgs flour, Patterson & Alexander, 1 Hydraulic Ram, 2 pkgs 20 hides, J H Laughlin; 4 chs leaf pipe, A Gordon; 16 sks rags, Howard & Cottrell, 2 bbls rags, Hood & Bleyer; 1 Hide rag, Jacking & Co; 1 bbl rags, Alex Flacons, Fel & co; 25 bgs oats, H & F Ecorn; 6 bbls ales, John Miller; 2 kgs oil, R E Sellers; 6 bbls pickles, Dryer Richards & Co; 20 pkgs mdse, J Heaton; 2 cars metal, John Boothman; 10 bbls whisky, G W Smith & co; 1 hide tur, Jas Gardner; 10 bbls, Bingham, Pittsburgh.

ALLEGHENY STATION, July 22—150 bgs wheat, D F Kennedy & Bro; 100 hides, C Grotzinger & Son; 1 car staves, Lanyon & Co; 140 sks wheat, Hope & Sons; 6 pkgs leaf tobacco, Parr & Hughes; 200 hides, John Schmidt; 20 bbls apples, Eldred & Hodge; 10 bbls flour, J Anderson; 10 pkgs produce, Wilson; 75 hides, A C Taggart; 144 sks wheat, Noble & Angel, and 500 mill feed, J S Wilson; 3 pkgs apples, Owens & Kennedy; 14 bbls cheese, Wm Seddon.

CLEVELAND AND PITTSBURGH RAILROAD, July 21—260 bgs mill feed, J S Wilson; 40 bgs rye, Thos Blair; 198 sheaves, 198 shooks, Hussey, Wells & Co; 150 do Singer, Nimick & Co; 200 bbls paper, Perkins & co; 60 bbls oats, Fleming & Shields; 27 bbls apples, L H Hughes & co; 48 bbls potatoes, Thos Arbuckle; 10 bbls flour, D P Mantle; 40 bbl shorts, J H Caldwell; 1 bbl eggs, N Angel; 4 car metal, Nimick & co.

CARPETS, OIL CLOTHS, &c.

CANTON MATTING.

M'FARLAND, COLLINS & CO.,

No. 71 AND 73 FIFTH STREET,

Six Doors to P. O., second door.

Have just received a small invoice of FRESH CANTON STRAW MATTING, of the celebrated B. F. W. importation. The quality of these goods is so superior to the ordinary of matting imported, and the limited quantity renders them very desirable.

McF., C & CO., have also just received a few exceedingly rich and handsome styles of

Fancy Plaid Mattings.

All of which have just been landed, and are the finest in the FREHEST MATTINGS IN THE MARKET.

Our general stock of goods is still unsurpassed in extent or variety, and we at all times offer our patrons the lowest prices the market will afford.

SUMMER GOODS,

CHEAP CARPETING,

MATTINGS

We have now open a splendid assortment of

WHITE, CHECK and FANCY MATTINGS.

All prices lower than the Eastern cities retail.

The attention of the public is called to the above Goods, as they

SURPASS,

IN WEAR AND STYLE,

any other CHEAP CARPETING in the market.

OLIVER M'CLINTOCK & CO.

21 FIFTH STREET.

FOURTH STREET

NEW STYLES

OF

WINDOW SHADES

RECEIVED THIS DAY.

NEW SPRING STOCK

OF

CARPETS,

WELL SEASONED

OIL CLOTH,

AT M'CALLUM'S

CARPET STORE,

No. 57 FOURTH STREET.

M'CALLUM'S CARPET STORE.

OFFICIAL.

LAWS OF THE UNITED STATES.

Passed at the First Session of the Thirty-eighth Congress.

[PUBLIC—No. 132.]

AN ACT to provide for the public instruction of youth in the county of Washington, District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the school districts in the county of Washington, District of Columbia, without the limits of the cities of Washington and Georgetown, shall be and remain as now laid down according to law, subject to revision and alteration by the levy court of said county, and that the school commissioners now in office shall be and remain so till all others are appointed.

SEC. 2. *And be it further enacted*, That the levy court shall annually, on the first Monday in May, appoint one person from each school district as a commissioner of primary schools, of which appointment the clerk of the levy court shall immediately notify the person so appointed; and whenever a vacancy shall occur in the board of commissioners, the levy court, as soon as may be thereafter, shall fill the same; and all appointments made by or resolutions of said court concerning said commissioner shall be forthwith communicated by the clerk of said court to the clerk of the said board of commissioners, and each of said commissioners shall hold the office until a successor is appointed.

SEC. 3. *And be it further enacted*, That each of the said commissioners, before he enters upon the execution of his office, and within fifteen days after notice of his appointment, shall take and subscribe before some justice of the peace of said county the following oath, (or affirmation, as the case may be) *I solemnly swear (or affirm, as the case may be) that I will in all things, to the best of my knowledge and ability, well and truly execute the trust reposed in me as commissioner of primary schools for the county of Washington, District of Columbia, without prejudice and according to law*" and every justice of the peace, before whom such oath shall be taken, shall certify the same in writing, and within eight days thereafter transmit or deliver said certificate to the clerk of the levy court for record.

SEC. 4. *And be it further enacted*, That the said board of commissioners shall make and keep a record of all its official acts, and a strict and particular account of all moneys received or paid out by its order, a statement of which, with the vouchers relating thereto, as well as the record of the board, shall be subject at all times to the inspection of the levy court of said county, and to any tax payer, and said record, or a copy thereof, certified to be correct by any one of said commissioners, attested by the signature of the clerk of said board, shall be prima facie evidence of their acts in all proceedings, judicial or otherwise; and the said board shall appoint a capable person as their clerk, (who may be one of their own members, or otherwise,) prescribe his duties and allow him a reasonable compensation for his service.

SEC. 5. *And be it further enacted*, That the said board of commissioners shall hold a biennial meeting in January, April, July, and October of each and every year, at such times and places as they may appoint, and such other meetings as circumstances may require; but at least four members are present at any one meeting no business shall be done, except to adjourn to a future day; and at the stated meetings in April and October the treasurer of the school funds and the collector of taxes shall render in writing a full statement of their accounts respectively for the next preceding half year.

SEC. 6. *And be it further enacted*, That the clerk of the levy court of said county shall annually, on or before the first Monday in April, furnish to the said board of commissioners all statistical lists of the owners of property in each school district, according to the last county assessment, and a summary of the total amount of property assessed to each school district, exhibiting the school tax thereon according to the last levy made by the levy court for school purposes.

SEC. 7. *And be it further enacted*, That the said board of commissioners shall have power annually to appoint two persons in each school district as trustees of that district, who with the commissioner of such district, shall have charge of the local concerns of the schools therein, and act in concert with the board of commissioners in carrying out all the rules and regulations ordained by the said board, and together may permit the school house or houses in their district to be used for public worship, and for other purposes of general benefit to the residents of the district.

SEC. 8. *And be it further enacted*, That the said board of commissioners shall have power, and it shall be their duty—

First. To receive and disburse any fund which may be provided for the purchase of sites and the erection and support of primary schools in said county and district.

Second. To regulate the number of children to be taught in each of said schools, and the price of tuition.

Third. To select upon a thorough examination such teachers as are competent, giving to each a certificate of qualifications, without which no teacher shall be entitled to receive pay, and to fix their salaries and terms of service.

Fourth. To suspend or expel, from any school, with the advice of the commissioner and trustees of the school district, any pupil who will not submit to the reasonable and ordinary rules of order and discipline therein.

Fifth. To prescribe the course of study and the text books to be used in the schools, to regulate and control the purchase and distribution of books, maps, globes, stationery and other things necessary for the use of the same, and generally to prescribe rules and regulations for the management, good government, and well ordering of said schools.

Sixth. To report to the levy court, at the close of each school year, the amount of all expenditures on account of schools in the several districts during the previous school year, and the manner in which the same shall have been expended, specifying what portion and amount thereof has been expended for the services of teachers, and also shall particularly set forth the number of pupils taught, and their average attendance and progress, and such other statistics as the levy court may require.

Seventh. To select, purchase, or otherwise procure, suitable sites for school houses in each district, to adopt plans, and cause to be built, kept in repair, and furnished, such school houses, to supply the same with necessary fuel, books, stationery, and appendages, and to defray the necessary expenses of the board: *Provided*, That the pay of teachers shall always have preference.

SEC. 10. *And be it further enacted*, That for the purpose of supporting said schools, and providing suitable sites, houses, and equipments therefor, the levy court shall, annually, on the first Monday in March, impose and levy a school tax not exceeding one fourth of one per centum on all the assessed property of said county within the limits of Washington and Georgetown, which tax shall be due at the same time, and be collected by the county collector in the same manner, and under the same regulations and restrictions, as may prescribed by law in relation to the collection of the county taxes, and which are hereby made applicable to the collection of the school tax imposed by this act, and when collected shall be paid to the treasurer of the school fund, and the treasurer of the levy court is hereby constituted treasurer of the school fund, and the said treasurer and collector shall be qualified by making oath or affirmation faithfully to discharge the duties required of them, and they shall give bonds respectively to the said board of commissioners, in a sum to be fixed by the levy court, with two sufficient sureties, conditioned for the faithful discharge of the duties required of them by this act, which bonds, being approved by the said board of commissioners, shall be filed with the clerk of the Supreme Court of the District of Columbia, who is hereby required to file the same, under seal of said court, either of said bonds, under seal of said court, shall be sufficient evidence of the making thereof, and the said treasurer shall be paid such compensation for his services as the said board of commissioners may allow, and the said collector the same fees as are allowed by the said levy court for collecting the county tax.

SEC. 11. *And be it further enacted*, That the whole amount standing to the credit of the school fund, when the aforesaid levying is to be made, shall be taken into the account in determining the amount of tax necessary to meet the current expenses of the school year, which amount shall be levied as aforesaid, and no more; and the fund of commissioners shall apportion the school fund, after deducting such part thereof as the provisions of this act assign to the education of colored children, among the several school districts, giving to each one seventh of the whole amount of school taxes collected and then in hand after deducting the sum so paid for the use of the board, and one seventh of all other funds paid in, after deducting as before provided for the education of colored children, until an amount shall have accumulated sufficient to purchase a site and erect and furnish a school house in each district, the cost of which shall not exceed fifteen hundred dollars, (besides by private subscription,) except when the number of scholars is sufficiently large to require two schools, in which case the sum may reach three thousand dollars, after that it shall be apportioned according to the number of children in each district between the ages of six and seventeen years: *Provided*, That not more than the actual expenses of each district shall be paid: *And provided, further*, That more than one school house may be established in any one district if the funds are procured.

SEC. 12. *And be it further enacted*, That in case the said commissioner should not be able to purchase suitable sites for the erection of school houses they shall have power to condemn and value a suitable site or sites for that purpose, not exceeding one acre of land in each site, by giving ten days' notice in writing to the proprietors thereof, except in cases where notice cannot be served, and in cases of minors, lunatics, or persons non compos mentis, or if a notice cannot be served, it shall be lawful for the said commissioners, and it is made their duty, by their president and clerk, to issue their warrant to the marshal of the District of Columbia, commanding him to summon a jury of five freeholders, not interested in the matter, to appear on a day to be appointed by the said commissioners, on the premises, and after having each taken an oath (which the marshal or any one of said commissioners is authorized to administer,) that he will, without favor or prejudice, assess the damages accordingly; and if the amount assessed by the said jury shall not be greater than the amount assessed by the said commissioners, the whole costs of the proceedings shall be chargeable to the appellant, to be paid by the said commissioners, and deducted from the pro rata fund in settlement therefor; otherwise the said board of commissioners shall pay the expenses incurred by reason of such appeal, the marshal's and jurors' fees to be computed according to the act of Congress approved March three, eighteen hundred and sixty-three, defining the duties of the levy court.

SEC. 13. *And be it further enacted*, That the said jury, immediately after they shall have completed their inquiry, and before they shall dismiss, shall make out a written verdict, setting forth a full and distinct description of the land and premises and the valuation or damages assessed therefor, which shall be signed by them, or a majority of them, and having first assessed the costs, shall be immediately returned to the clerk of the levy court of the county of Washington, District of Columbia, and shall be final; and the said damages having been paid, to the said proprietors, the title to such land shall pass to and be vested in "The Board of commissioners of Primary Schools of Washington County, District of Columbia, and the verdict of the jury shall be recorded in the land records of Washington county, District of Columbia: *Provided*, That it shall be optional with the said commissioners to abide by said verdict, and occupy the said land or abandon it without being subject to damages therefor.

SEC. 14. *And be it further enacted*, That it shall not be lawful to locate any site for a school house in any orchard or garden, nor within three hundred yards of any dwelling house, without the consent of the proprietor of such dwelling house, and in order to obtain such consent or refusal, thirty days notice shall be given to said proprietor by the said commissioners, notifying such proprietor of their intention; and if, within thirty days, no answer is returned to said commissioners duly signed by said proprietor, it shall be taken for consent, and the said commissioners may proceed to erect their school house without let or hindrance.

SEC. 15. *And be it further enacted*, That if the treasurer or collector, having any school funds in his hands, or neglecting or refusing to obtain such funds as by law authorized and directed, shall refuse to pay for two weeks any order of the said commissioners drawn in conformity with the requisitions of this act, such treasurer or collector shall be liable, on proof before any court of justice or justice of the peace, having cognizance, and without stay of execution, to pay the full amount of said order and interest thereon, at the rate of twenty per centum per annum from the first request, until the day of payment, by way of damages. If any collector appointed or acting under the provisions of this act shall in any case collect more than is due, the person aggrieved shall have his remedy against such collector by suit or warrant, and if he recover, he shall have judgment for double the amount illegally and unjustly exacted from him, and costs. The levy court of Washington county shall exercise a general supervision over the proceedings of said commissioners, may examine their books and papers, and shall prosecute for any illegalities or violations of their duty. It shall not be lawful for a member of the levy court of said county, or a commissioner of primary schools or trustee of any of the school districts, nor for any person to be at the same time commissioner and trustee in aforesaid.

SEC. 16. *And be it further enacted*, That any white resident of said county shall be privileged to place his or her child or ward at any one of the schools provided for the education of white children in said county, he or she may think proper to select, with the consent of the trustees of both districts, and any colored resident shall have the same rights with respect to colored schools: *Provided*, That it shall be duty of the said commissioners to provide suitable and convenient houses or rooms for holding schools for colored children, to employ such teachers therefor, and to appropriate a proportion of the school funds, to be determined by the numbers of white and colored children between the ages of six and seventeen years, to the payment of teachers' wages, to the building or renting of school rooms and other necessary expenses pertaining to said schools, to exercise a general supervision over them, to establish proper discipline, and to enforce or procure a thorough, equitable and practical examination of colored children in said county, or it shall be lawful for such commissioners to impose a tax not more than fifty cents per month for such tuition on the parents or guardians of such children attending said schools, to be applied to the payment of expenses of the school in which said child shall have attended, and in the exercise of this power the commissioners may, from time to time, discontinue the payment, altogether, or may graduate the tax according to the ability of the said tax-payers and the wants of the school: *Provided*, That no child shall be excluded from such school on account of the inability of the parent or guardian to pay said tax. And said commissioners are authorized to receive any donations or contributions that may be made for the benefit of schools by persons disposed to aid in the elevation of the colored population in the District of Columbia, and to apply the same in such manner as in their opinion shall be best calculated to effect the object of the donors, said commissioners being required to account for all funds received by them, and to report to the levy court in accordance with the provisions of section nine of this act.

SEC. 18. *And be it further enacted*, That the first section of the act of Congress entitled "An act providding for the education of colored children in the cities of Washington and Georgetown, District of Columbia, and for other purposes," be, and the same is hereby, repealed; and that from and after the passage of this act it shall be the duty of the municipal authorities of the cities of Washington and Georgetown, in the District of Columbia, to set apart each year, from the whole fund, received from all sources, by such authorities, applicable, under existing provisions of law, to purposes of public education, such a proportionate part thereof as the number of colored children, between the ages of six and seventeen years, in the respective cities bear to the whole number of children thereof, for the purpose of establishing and sustaining public schools in said cities for the education of colored children; that the said proportion shall be ascertained by the last reported census of the population of said cities made pursuant to the apportionment, and shall be regulated at all times thereby, and that the said fund shall be paid to the trustees appointed under the act of Congress approved July twelfth, eighteen hundred and sixty-two, entitled "An act relating to schools for the education of colored children in the cities of Washington and Georgetown, in the District of Columbia," to be disbursed by them in accordance with the provisions of the said act.

SEC. 19. *And be it further enacted*, That one-fourth part of all the moneys now in the hands of the marshal of the District of Columbia, or of any other officer of said District, which have accrued from fines, penalties, and forfeitures imposed for the violations of the laws of the United States within said District, shall be by such officer or officers paid to the "Board of Commissioners of Primary Schools of Washington County, District of Columbia," one fourth part to the Mayor of the city of Washington, and the remaining two fourths thereof to the Mayor of the city of Washington, the said sums to be paid to the said commissioners and the said mayors to constitute in their hands funds for the support of primary schools within the said county and public schools in said cities in the proportions aforesaid: And it shall be the duty of said marshal and other officers to pay over, every three months, from and after the passage of this act, all money coming into their hands in the manner aforesaid, for the use of the said primary and public schools, any law to the contrary notwithstanding: *Provided*, That the funds thus obtained for educational purposes shall be applied to the education of both white and colored children, in the proportion of the numbers of each between the ages of six and seventeen years as determined by the latest census report: That shall have been made for the purpose of apportionment; and the mayors of the aforenamed cities of Georgetown and Washington are hereby authorized and instructed to pay over such part thereof as may be applicable under the provisions of this section and the proviso thereto to the education of colored children in the aforenamed cities, to the trustees appointed under the act of July twelfth, eighteen hundred and sixty-two, entitled "An act relating to schools for the education of colored children in the cities of Washington and Georgetown, in the District of Columbia," to be used for the education of colored children according to the provisions of law, and the aforenamed officers failing to pay over the moneys as aforesaid shall be liable to the penalty imposed by the second section of the act of Congress approved July twelfth, eighteen hundred and sixty-two, entitled "An act to provide for the payment of fines and penalties collected by and paid the justices of the peace in the District of Columbia, under the acts of Congress approved the third and fifth of August, eighteen hundred and sixty-one, and for other purposes."

SEC. 20. *And be it further enacted*, That every person in the said District of Columbia, having under his or her control a child between the ages of eight and fourteen years, shall, annually, during the continuance of such control, and such child to some public school in the city or ward said District in which he or she at the time resides, at least twelve weeks, six of which shall be consecutive, and for every neglect of such duty the party offending shall forfeit to the use of the school of that division of said District or ward, the sum not exceeding twenty dollars, to be recovered before any justice of the peace of the said District: *Provided*, That if it be made to appear to said justice that the party so offending was not able for any cause to send such child to school, or that such child has been attending any other school for a like period of time, of that such child by reason of bodily or mental infirmity was not fit to attend such school, such penalty shall not be enforced.

SEC. 21. *And be it further enacted*, That the trustees or commissioners having charge of the schools in the said District shall not admit into such schools any child who shall not have been duly vaccinated or otherwise protected against the small-pox, and make such arrangements for the purpose of ascertaining whether any children within the ages prescribed in the preceding section are living in the public schools, as they shall deem best for the purpose of enforcing the attendance of such children upon said schools under the provisions of such section, and for enforcing the penalty therein prescribed.

SEC. 22. *And be it further enacted*, That this act be and the same is hereby declared a public act, and shall be construed by all the courts of justice according to the equity thereof, and no proceedings of the inhabitants or of the trustees of any school district, or of the commissioners of primary schools, or of any other officer created under the provisions of this act, shall be set aside or adjudged to be void for defect of form, or for any irregularity therein, so that the requisitions of the said act are substantially complied with.

SEC. 23. *And be it further enacted*, That the act of Congress entitled "An act to provide for the public instruction of youth in primary schools throughout the county of Washington, in the District of Columbia, without the limits of Washington and Georgetown," except the first and third sections, approved May twenty, eighteen hundred and sixty-two be, and the same is hereby repealed.

Approved June 25, 1864.

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