the care and formality of an indictment; language utterly inconsistent with the idea that the accused is entitled to them at the time of his original arrest.

There is no more urgent reason why a naval officer put in arrest should, at the time, be given a copy of the charges and specifications against him than in the case of an army officer; yet article 71 of section 1242, Revised Statutes, provides that in case of an arrest of an army officer a copy of the charges shall be served upon him within eight days after his arrest. I have no doubt that both the spirit and the letter of the articles for the government of the Navy require that a copy of such charges and specifications be furnished within a reasonable time after the first arrest; and what would be such reasonable time would depend on the circumstances of each case. Whether they were so furnished in this particular case, or whether the convening of the court-martial was too long delayed, are questions with which I have nothing to do. It would seem, however, that, in any event, those objections would go only to the regularity of the proceedings—not to the jurisdiction of the court. But, waiving that point, all I am called upon to decide is whether article 43 of section 1624 is imperative in the requirement that the person accused shall be furnished with "a true copy of the charges, with the specifications, at the time he is put under arrest" in the first instance, and that question, in my opinion, should be answered in the negative.

Respectfully yours,

W. H. H. MILLER.

The SECRETARY OF THE NAVY.

PARDON.

The President has power to grant a pardon to a prisoner undergoing punishment for a contempt of court.

DEPARTMENT OF JUSTICE,

January 30, 1890.

SIR: I have examined the question made by you as to your power to grant a pardon to a prisoner undergoing a sentence for contempt of court. I find that the existence of such a
TO THE PRESIDENT.

No Man's Land.

power has been affirmed in opinions by several of my predecessors, as follows: First, by Mr. Gilpin (3 Opin., 622); second, by Mr. Mason (4 Opin., 458); third, by Mr. Crittenden (5 Opin., 579).

I also find that the same thing has been adjudged by the United States circuit court (17 Blatchford, 230); also, by the supreme court of Mississippi in *ex parte Hickey* (12 Miss., 75). It has been decided over and over again that contempt of court is an offense against the United States.

I think, therefore, so far as the existence of your power is concerned, there need be no hesitation to act in the premises; indeed, I know beyond question that the power exists.

I return you herewith the papers in the case.

Respectfully yours,

W. H. H. MILLER.

The President.

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NO MAN'S LAND.

Upon re-examination of the question whether the territory called "No Man's Land" lies within the boundaries of any judicial district of the United States: Advised (1) that from January 6, 1883, to March 1, 1889, said territory was included within the boundaries of the judicial district for the northern district of Texas; (2) that since March 1, 1889, it has been and is included in the judicial district for the eastern district of Texas; thus dissenting from the opinion of Attorney-General Garland of November 15, 1887 (ante, p. 66).

Violations of laws of the United States committed within that territory are properly cognizable in the circuit and district courts of the United States for the eastern district of Texas.

DEPARTMENT OF JUSTICE,
January 31, 1890.

Sir: I have the honor to acknowledge the receipt of your letter of January 7, 1890, inclosing a copy of a letter from the Commissioner of Internal Revenue, a copy of a letter of December 30, 1889, from N. F. Acers, collector of internal revenue for the district of Kansas, all relating to affairs in "No Man's Land." I am requested to inform you whether it is now held that the United States courts have jurisdiction over "internal revenue" offenses committed in that land; also respecting a