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BUREAU
OF
INDUSTRIAL SAFETY
OFFICE RELATING TO
NONCONTIGUOUS
TERRITORY

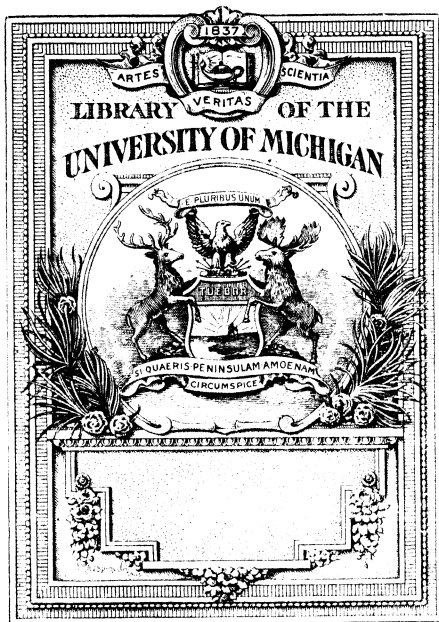
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ACTS OF CONGRESS
TREATIES AND PROCLAMATIONS

RELATING TO

NONCONTIGUOUS TERRITORY,
CUBA AND SANTO DOMINGO

AND TO MILITARY AFFAIRS

SIXTIETH CONGRESS—MARCH 4, 1907, TO MARCH 3, 1909

COMPILED IN THE
BUREAU OF INSULAR AFFAIRS
WAR DEPARTMENT



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WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Document No. 353.

NOTE.

Senate Document, No. 105, Fifty-eighth Congress, second session, comprises:

First. All legislation enacted by the Congress of the United States during the period embraced between March 4, 1897, the beginning of the first session of the Fifty-fifth Congress, and March 3, 1903, the date of the adjournment of the Fifty-seventh Congress, concerning the Philippines, Hawaii, Porto Rico, the Samoan Islands, Guam, and Cuba, the late Spanish-American war, and the Army and Navy of the United States.

Second. All proclamations issued by the President, and treaties entered into by the United States during the said period, concerning any of the above-mentioned islands, together with the treaty providing for "Lease to the United States by the Government of Cuba of certain areas of land and water for naval or coaling stations in Guantanamo and Bahía Honda," ratified October 6, 1903, and the proclamation of the President, dated December 17, 1903, of the "Commercial Convention between the United States and Cuba."

Senate Document No. 204, Fifty-ninth Congress, second session, contains:

First. All legislation enacted by the Fifty-eighth Congress of the United States, March 4, 1903–March 3, 1905, pertaining to Alaska, Cuba, Guam, Hawaii, the Isthmian Canal Zone, the Midway Islands, the Philippine Islands, Porto Rico, and Samoa (Tutuila).

Second. All treaties and conventions entered into by the United States during the same period which affect any of the above territory.

Third. All proclamations issued by the President during the same period concerning any of the above territory.

Fourth. All claims originating during the Spanish-American war or in any of the territory mentioned, the payment of which was authorized by said Congress.

Fifth. All legislation enacted by the Fifty-eighth Congress pertaining to the Spanish Treaty Claims Commission and to such claims as have been finally adjudicated by it.

Sixth. Certain legislation enacted by said Congress affecting the organization and discipline of the Army and Navy.

Seventh. A list of leading cases, with statements and syllabi, which arose in or relate to the insular and isthmian possessions of the United States, and Cuba, heard and decided in the Supreme Court of the United States between January 1, 1898, and December 3, 1906.

Senate Document No. 47, Sixty-first Congress, first session, includes:

First. All data similar to that contained in Senate Document No. 204, Fifty-ninth Congress, second session, during the period from March 4, 1905, to March 3, 1907, the term of the Fifty-ninth Congress, and the several treaties, *modus vivendi*, and proclamation, between January 1, 1898, and July 25, 1907, showing the relations between the United States and the Dominican Republic.

Second. A list of leading cases, with statements and syllabi, which arose in or relate to the noncontiguous territory and isthmian possessions of the United States, Alaska, and Cuba, heard and decided in the Supreme Court of the United States between January 1, 1907,^a and June 1, 1909.

^a No cases bearing on the subjects embraced in this compilation were decided between December 3, 1906, and January 1, 1907.

Third. Official opinions of the Attorney-General of the United States rendered during the period from January 1, 1898, to June 17, 1908, upon questions of interest to the noncontiguous territory of the United States, and Cuba.

Fourth. A list of the principal officials of the Philippine Islands, Porto Rico, Hawaii, Alaska, Guam, Tutuila (Samoa), and Cuba on December 1, 1908.

The present volume contains:

First. All legislation enacted by the Sixtieth Congress, March 4, 1907–March 3, 1909, pertaining to the noncontiguous territory of the United States.

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An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. (March 4, 1909, Public No. 328, chap. 299, 35 Stat. L., pt. 1, p. 945)-----	171
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An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. (May 27, 1908, Public No. 147, chap. 206, 35 Stat. L., pt. 1, p. 406)-----	180
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ACTS OF CONGRESS, TREATIES, AND PROCLAMATIONS

RELATING TO

NONCONTIGUOUS TERRITORY, CUBA AND SANTO DOMINGO, AND MILITARY AFFAIRS.

ALASKA.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 27.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

Feb. 15, 1908.
[H. R. 14766.]

[Public, No.
24.]
35 Stat. L.,
pt. 1, p. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Urgent deficiencies appropriations.

* * * * *

UNDER THE TREASURY DEPARTMENT.

* * * * *

REVENUE-CUTTER SERVICE.

To reimburse the appropriation "Special repairs to revenue steamers, nineteen hundred and eight," United States Revenue-Cutter Service, the amount required to make urgent and necessary repairs to the United States revenue cutter Manning, which vessel, while performing duty in Bering Sea, struck an uncharted rock off the eastern shore of Knights Island, Prince William Sound, twenty-three thousand dollars.

Steamer
Manning.
Repairs.

* * * * *

DEPARTMENT OF THE INTERIOR.

GEOLOGICAL SURVEY.

Alaska.
Investigating
mineral re-
sources.

For continuation of the investigation of the mineral resources of Alaska, eighty thousand dollars, to continue available during the fiscal year nineteen hundred and nine.

Mar. 11, 1908.
[S. 4351.]

CHAP. 80.—An Act For the relief of the Alaska Pacific Railway and Terminal Company.

[Public, No.
50.]
35 Stat., L.,
pt. 1, p. 41.
Alaska Pa-
cific Railway
and Terminal
Company.
Time extend-
ed for complet-
ing road.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time of the Alaska Pacific Railway and Terminal Company to comply with the provisions of sections four and five of chapter two hundred and ninety-nine of the laws of the United States, entitled "An Act extending the homestead laws and providing for the right of way for railroads in the district of Alaska, and for other purposes," approved May fourteenth, eighteen hundred and ninety-eight, in acquiring and completing its railroad now under construction in Alaska is hereby extended, as follows:

Filing maps,
etc.

First. The time to file the map and profile of definite location of its second section of at least twenty miles with the register of the land office in the district of Alaska, as provided in said sections four and five, is hereby extended to and including the eighteenth day of March, nineteen hundred and nine.

Completion
of 20 miles of
first section.
Time extend-
ed to Mar. 18,
1909.

Second. The time to complete the first section of at least twenty miles of its railroad, as provided in said section five, is hereby extended to and including the eighteenth day of March, nineteen hundred and nine, and such railroad company shall be entitled to all the benefits conferred upon it by the provisions of such Act upon its due compliance with all the provisions thereof, excepting only the provisions thereof relating to the filing of the map and profile of definite location of its second section of not less than twenty miles of its road: *Provided*, That it shall have, successively, one year each after said eighteenth day of March, nineteen hundred and nine, in which to file the map and profile of its definite location of the succeeding sections of not less than twenty miles each: *And provided further*, That it shall have five years in which to complete its entire line.

Provisos.
Filing map of
other sections.

Time of com-
pletion of en-
tire line.

CHAP. 145.—An Act To increase the efficiency of the personnel of the Revenue-Cutter Service. Apr. 16, 1908. [S. 24.]

* * * * *

SEC. 12. * * * ; and that commanding officers of vessels of the Revenue-Cutter Service be, and are hereby, authorized to administer oaths generally in Alaska. pt. 1, p. 61.

* * * * *

CHAP. 149.—An Act Relating to the liability of common carriers by railroad to their employees in certain cases. Apr. 22, 1908. [H. R. 20310.]

(Applicable to Alaska. See p. 196.)

[Public, No. 100.] 35 Stat. L., pt. 1, p. 65.

CHAP. 153.—An Act Making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and nine. Apr. 30, 1908. [H. R. 15219.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices the salaries for which are specially provided for herein for the service of the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

Indian Department appropriations.

* * * * *

UNDER THE COMMISSIONER.

* * * * *

For collection and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them, with the consent of their parents, under the care and control of such suitable white families as may in all respects be qualified to give such pupils moral, industrial, and educational training, seventy-five thousand dollars: *Provided*, That not exceeding five thousand dollars of this amount may be used, under direction of the Commissioner of Indian Affairs, in the transportation and placing of Indian pupils in positions where remunerative employment can be found for them in industrial pursuits. The provisions of this section shall apply to native pupils brought from Alaska.

Transporting pupils.

Proviso. Positions for pupils.

Alaska natives.

* * * * *

GENERAL OFFICERS AND EMPLOYEES.

* * * * *

POLICE.

Police.

For services of officers at twenty-five dollars per month each, and privates at twenty dollars per month each, of Indian police, to be employed in maintaining order and prohibiting illegal traffic in liquor on the several Indian reservations and within the Territory of Alaska, in the discretion of the Secretary of the Interior, for the purchase of equipments, and for the purchase of rations for policemen at nonration agencies, two hundred thousand dollars.

* * * * *

May 11, 1908.
[H. R. 14789.]

CHAP. 162.—An Act To amend an Act entitled "An Act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two.

[Public, No.
111.]

35 Stat. L.,
pt. 1, p. 102.
Alaska.

Protection of
game in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act for the protection of game in Alaska, and for other purposes," approved June seventh, nineteen hundred and two, be amended to read as follows:

Wanton de-
struction of,
prohibited.

"From and after the passage of this Act the wanton destruction of wild game animals or wild birds, except eagles, ravens, and cormorants, the destruction of nests and eggs of such birds, or the killing of any wild birds, other than game birds, except eagles, for the purposes of selling the same or the skins or any part thereof, except as hereinafter provided, is hereby prohibited.

Exceptions.

"Game ani-
mals."

"GAME DEFINED.—The term 'game animals' shall include deer, moose, caribou, mountain sheep, mountain goats, brown bear, sea lions, and walrus. The term 'game birds' shall include water fowl, commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan.

Fur-seal laws
not affected.

"EXEMPTIONS.—Nothing in this Act shall affect any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal to prevent the killing of any game animal or bird for food or clothing at any time by natives, or by miners or explorers, when in need of food; but the game animals or birds so killed during close season shall not be shipped or sold.

Shipping,
etc., prohibited.

Open game
seasons in dif-
ferent lati-
tudes.

"SEC. 2. SEASON.—That it shall be unlawful for any person in Alaska to kill any wild game animals or birds, except during the season hereinafter provided: North of latitude sixty-two degrees, brown bear may be killed at any time; moose, caribou, sheep, walrus, and sea lions

Animals.

from August first to December tenth, both inclusive; south of latitude sixty-two degrees, moose, caribou, and mountain sheep from August twentieth to December thirty-first, both inclusive; brown bear from October first to July first, both inclusive; deer and mountain goats from April first to February first, both inclusive; grouse, ptarmigan, shore birds, and waterfowl from September first to March first, both inclusive: *Provided*, That no caribou shall be killed on the Kenai Peninsula before August twentieth, nineteen hundred and twelve: *And provided further*, That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations prohibiting the sale of any game in any locality modifying the close seasons hereinbefore established, providing different close seasons for different parts of Alaska, placing further restrictions and limitations on the killing of such animals or birds in any given locality, or prohibiting killing entirely for a period not exceeding two years in such locality.

Birds.

Provisos.
Caribou on
Kenai Peninsula.

Secretary of
Agriculture to
prescribe rules,
etc.

"SEC. 3. NUMBER.—That it shall be unlawful for any person to kill any female or yearling moose or for any one person to kill in any one year more than the number specified of each of the following animals: Two moose, one walrus or sea lion, three caribou, three mountain sheep, three brown bear, or to kill or have in his possession in any one day more than twenty-five grouse or ptarmigan or twenty-five shore birds or waterfowl.

Killing limited.

"GUNS AND BOATS.—That it shall be unlawful for any person at any time to hunt with dogs any of the game animals specified in this Act; to use a shotgun larger than number ten gauge, or any gun other than that which can be fired from the shoulder; or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds.

Hunting restrictions.

"SEC. 4. SALE.—That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals or game birds in Alaska, or to sell, offer for sale, or purchase, or offer to purchase, any game animals or game birds, or parts thereof, during the time when the killing of such animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession game animals or game birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

Sale of hides, etc., prohibited.

Proviso.
Game legally
killed.

"SEC. 5. LICENSES.—That it shall be unlawful for any nonresident of Alaska to hunt any of the game animals protected by this Act, except deer and goats, without first obtaining a hunting license, or to hunt on the Kenai Peninsula without a registered guide, and such license shall not be transferable and shall be valid only during the calendar year in which issued. Each applicant shall

Requirements.

License for nonresidents.

Registered guide on Kenai Peninsula.

License fee.

- pay a fee of one hundred dollars for such license, unless he be a citizen of the United States, in which case he shall pay a fee of fifty dollars. Each license shall be accompanied by coupons authorizing the shipment of two moose if killed north of latitude sixty-two degrees, four deer, three caribou, three mountain sheep, three goats, and three brown bear, or any part of said animals, but no more of any one kind.
- Shipments restricted.** “A resident of Alaska desiring to export heads or trophies of any of the game animals mentioned in this Act shall first obtain a shipping license, for which he shall pay a fee of forty dollars, permitting the shipment of heads or trophies of one moose, if killed north of latitude sixty-two degrees, four deer, two caribou, two sheep, two goats, and two brown bear, but no more of any one kind; or a shipping license, for which he shall pay a fee of ten dollars, permitting the shipment of a single head or trophy of caribou or sheep; or a shipping license, for which he shall pay a fee of five dollars, permitting the shipment of a single head or trophy of any goat, deer, or brown bear. Any person wishing to ship moose killed south of latitude sixty-two degrees must first obtain a special shipping license, for which he shall pay a fee of one hundred and fifty dollars, permitting the shipment of one moose, or any part thereof. Not more than one general license and two special moose licenses shall be issued to any one person in one year: *Provided*, That before any trophy shall be shipped from Alaska under the provisions of this Act the person desiring to make such shipment shall first make and file with the customs office at the port where such shipment is to be made an affidavit to the effect that he has not violated any of the provisions of this Act; that the trophy which he desires to ship has not been bought or purchased and has not been sold and is not being shipped for the purpose of being sold, and that he is the owner of the trophy which he desires to ship, and if the trophy is that of moose, whether the animal from which it was taken was killed north or south of latitude sixty-two degrees: *Provided further*, That any resident of Alaska prior to September first, nineteen hundred and eight, may without permit or license ship any head or trophy of any of the game animals herein mentioned upon filing an affidavit with the customs office at the port where such shipment is to be made that the animal from which said head or trophy was taken was killed prior to the passage of this Act. Any affidavit required by the provisions of this Act may be subscribed and sworn to before any customs officer or before any officer competent to administer an oath.
- Shipping licenses.** “The governor of Alaska is hereby authorized to issue licenses for hunting and shipping big game. On issuing a license he shall require the applicant to state whether the heads or trophies to be obtained or shipped under said license will pass through the ports of entry at
- Fees.**
- Provisos. Affidavit.**
- Animals killed prior to May 11, 1908.**
- Big game. License for hunting, etc., of.**

Seattle, Washington, Portland, Oregon, or San Francisco, California, and he shall forthwith notify the collector of customs at the proper port of entry as to the name of the holder of the license and the name and address of the consignee. All proceeds from licenses, except one dollar from each fee, which shall be retained by the clerk issuing the license to cover the cost of printing and issue, shall be paid into the Treasury of the United States as miscellaneous receipts; the amount necessary for the enforcement of this Act shall be estimated for annually by the Agricultural Department and appropriated for including the employment and salaries to be paid to game wardens herein authorized. And the governor shall annually make a detailed and itemized report to the Secretary of Agriculture, in which he shall state the number and kind of licenses issued, the money received, which report shall also include a full statement of all trophies exported and all animals and birds exported for any purpose.

Use of license fees.

Annual estimates for enforcement of law.

Report by governor.

“And the governor of Alaska is further authorized to employ game wardens, to make regulations for the registration and employment of guides, and fix the rates for licensing guides and rates of compensation for guiding. Every person applying for a guide license shall, at the time of making such application, make and file with the person issuing such license an affidavit to the effect that he will obey all the conditions of this Act and of the regulations thereunder, that he will not violate any of the game laws or regulations of Alaska, and that he will report all violations of such laws and regulations that come to his knowledge. Any American citizen or native of Alaska, of good character, upon compliance with the requirements of this Act, shall be entitled to a guide license. Any guide who shall fail or refuse to report any violation of this Act, or who shall himself violate any of the provisions of this Act, shall have his license revoked, and in addition shall be liable to the penalty provided in section seven of this Act, and shall be ineligible to act as guide for a period of five years from the date of conviction.

Employment of game wardens, etc.

Guide licenses.

Affidavit of applicant.

Persons entitled to license.

Failure to report violations.

Penalty.

“SEC. 6. That it shall be unlawful for any persons, firm, or corporation, or their officers or agents, to deliver to any common carrier, or for the owner, agent, or master of any vessel, or for any other person, to receive for shipment or have in possession with intent to ship out of Alaska, any wild birds, except eagles, or parts thereof, or any heads, hides, or carcasses of brown bear, caribou, deer, moose, mountain sheep, or mountain goats, or parts thereof, unless said heads, hides, or carcasses are accompanied by the required license or coupon and by a copy of the affidavit required by section five of this Act: *Provided*, That nothing in this Act shall be construed to prevent the collection of specimens for scientific purposes, for the capture or shipment of live animals and birds for ex-

Shipments of wild game. Requirements.

Proviso. Collections for scientific purposes, etc.

hibition or propagation, or the export from Alaska of specimens under permit from the Secretary of Agriculture, and under such restrictions and limitations as he may prescribe and publish.

Consignments of game.
Duties of collectors of customs, etc.

“It shall be the duty of the collector of customs at Seattle, Portland, and San Francisco to keep strict account of all consignments of game animals received from Alaska, and no consignment of game shall be entered until due notice thereof has been received from the governor of Alaska or the Secretary of Agriculture, and found to agree with the name and address on the shipment. In case consignments arrive without licenses they shall be detained for sixty days, and if a license be not then produced said consignments shall be forfeited to the United States and shall be delivered by the collector of customs to the United States marshal of the district for such disposition as the court may direct.

Detention of consignments.

Penalties for violation.

“SEC. 7. PENALTIES.—That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished for each offense by a fine of not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court. Any person making any false or untrue statements in any affidavit required by this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all trophies in his possession, and shall be punished by a fine in any sum not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court.

False affidavits.
Penalty.

Duties of marshals, etc.

“ENFORCEMENT.—It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs, all officers of revenue cutters, and all game wardens to assist in the enforcement of this Act.

Arrests, etc., without warrant.

Any marshal, deputy marshal, or warden in or out of Alaska may arrest without warrant any person found violating any of the provisions of this Act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person in or out of Alaska, and any collector or deputy collector of customs, or warden, or licensed guide, or any person authorized in writing by a marshal shall have the power above provided to arrest persons found violating this Act or said regulations and seize said property without warrant to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treas-

ury, upon request of the governor or Secretary of Agriculture, to aid in carrying out the provisions of this Act.

"SEC. 8. That all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed." Repeal.

CHAP. 163.—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nine. May 11, 1908.
[H. R. 17288.]

(Signal service of the army in Alaska; Conveyance of lot at Fairbanks in Alaska for telegraph office; Washington-Alaska military cable and telegraph system; Military and post roads in Alaska; Extra pay for enlisted men in Alaska. See pp. 62, 63, 67, 68.) [Public. No. 112.]
35 Stat. L.,
pt. 1, p. 106.

CHAP. 166.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 13, 1908.
[H. R. 20471.]

(Expenses, electric lights and heating, marine barracks, Sitka; Sales of provisions to civilian employees in Alaska; Repairs, barracks at Sitka, Alaska. See pp. 74, 75, 76.) [Public. No. 115.]
35 Stat. L.,
pt. 1, p. 127.

CHAP. 180.—An Act Authorizing the construction of bridges across navigable waters, and to extend the time for the construction of bridges across navigable waters, and to legalize the construction of bridges across navigable waters. May 20, 1908.
[S. 4809.]

* * * * *

That the Copper River Railway Company, a corporation organized and existing under the laws of the State of Washington, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate two bridges across the Copper River, in the Territory of Alaska, below the Abercrombie Canyon, to be located as follows: The first, or lower bridge, to cross the said Copper River at a point below Childs Glacier; and the second, or upper bridge, to cross said Copper River at some point between Childs Glacier and Miles Glacier, and slightly upstream from the location that has been selected as a bridge crossing by the Alaska Pacific Railway and Terminal Company, and a sufficient distance therefrom to avoid interference with the construction or operation of the bridge across said river that may lawfully be erected by said last-named company. Copper River,
Alaska.
Copper River
Railway Com-
pany may
bridge.
Two bridges;
locations.

That the Copper River and Northwestern Railway Company, a corporation organized and existing under the laws of the State of Nevada, be, and is hereby, authorized to construct, operate, and maintain a bridge and its approaches thereto across Bering Lake, in the Territory of Alaska. Bering Lake,
Alaska.
Copper River
and Northwest-
ern Railway
Company may
bridge.

* * * * *

May 21, 1908. **CHAP. 183.**—An Act Making appropriations for the diplomatic
 [H. R. 20345.] and consular service for the fiscal year ending June thirtieth, nine-
 [Public, No. 127.] teen hundred and nine.

35 Stat. L.,
 pt. 1, p. 171.

Diplomatic
 and consular
 appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated in full compensation for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

* * * * *

SCHEDULE A.

* * * * *

BOUNDARY LINE, ALASKA AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto, between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, and draftsmen as are necessary to reduce field notes, seventy-five thousand dollars, to be immediately available, together with the unexpended balance of the previous appropriation for this object.

* * * * *

(Relief and protection of American seamen. See p. 198.)

May 22, 1908. **CHAP. 186.**—An Act Making appropriations for the legislative,
 [H. R. 16882.] executive, and judicial expenses of the Government for the fiscal
 [Public, No. 130.] year ending June thirtieth, nineteen hundred and nine, and for
 35 Stat. L., other purposes.

pt. 1, p. 184.

Legislative,
 executive, and
 judicial ex-
 penses, appro-
 priations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and nine, for the objects hereinafter expressed, namely:

* * * * *

LEGISLATIVE.

* * * * *

(Pay of Delegates from the Territories. See p. 198.)

* * * * *

GOVERNMENT IN THE TERRITORIES.

DISTRICT OF ALASKA: For governor, five thousand dollars; three judges, at five thousand dollars each; three attorneys, at three thousand dollars each; three marshals, at four thousand dollars each; three clerks, at three thousand five hundred dollars each; in all, fifty-one thousand five hundred dollars.

Alaska.

For incidental and contingent expenses, clerk hire, not to exceed two thousand dollars; traveling expenses of the governor while absent from Juneau on official business; rent of office and quarters in Juneau, stationery, lights, and fuel to be expended under the direction of the governor, five thousand five hundred dollars.

That the appropriation for incidental and contingent expenses of the office of the governor of Alaska for the fiscal year nineteen hundred and eight shall be available for the purchase and repair of furniture in the governor's office and quarters at Juneau, Alaska, and for alterations and repairs of buildings occupied as office and quarters.

Furniture,
etc., for gov-
ernor's office.

DEPARTMENT OF THE INTERIOR.

* * * * *

MINE INSPECTORS: * * *

* * * * *

For continuing the work authorized by the Act approved March third, eighteen hundred and ninety-one, and for the protection of the lives of miners in the Territories and in the District of Alaska, and for conducting investigations as to the causes of mine explosions with a view to increasing safety in mining, to be immediately available, one hundred and fifty thousand dollars, of which sum not more than fifty thousand dollars may be used for salaries.

Protection of
miners' lives.

* * * * *

SURVEYORS-GENERAL AND THEIR CLERKS.

For surveyor-general and ex officio secretary of the district of Alaska, four thousand dollars; clerks in his office, seven thousand dollars; in all, eleven thousand dollars.

For rent of offices for surveyor-general, pay of messenger, stationery, printing, binding, drafting instruments, typewriters, books of reference for office use, fur-

niture, fuel, lights, and other incidental expenses, two thousand dollars.

* * * * *

DEPARTMENT OF COMMERCE AND LABOR.

* * * * *

Contingent expenses.

CONTINGENT EXPENSES, DEPARTMENT OF COMMERCE AND LABOR: For contingent and miscellaneous expenses of the offices and bureaus of the Department, including the Alaskan fur-seal fisheries and the Alaskan salmon fisheries services, for which appropriations for contingent and miscellaneous expenses are not specifically made.

* * * * *

May 23, 1908.
[H. R. 19158.]

CHAP. 192.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine.

[Public, No. 136.]

35 Stat. L., pt. 1, p. 251.

(*General expenses of Forestry Service in Alaska; Agricultural Experiment Stations in Alaska.* See pp. 201, 202.)

May 27, 1908.
[H. R. 21260.]

CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

[Public, No. 141.]

35 Stat. L., pt. 1, p. 317.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

Sundry civil expenses appropriations.

Treasury Department.

UNDER THE TREASURY DEPARTMENT.

Public buildings.

PUBLIC BUILDINGS.

* * * * *

Repairs and preservation.

For repairs and preservation of public buildings: Repairs, and preservation of custom-houses, court-houses and post-offices, and quarantine stations, buildings and wharf at Sitka, Alaska, and the other public buildings and the grounds thereof, and of sites acquired for public buildings, under the control of the Treasury Department, and including not exceeding fifty thousand dollars for marine hospital * * *

* * * * *

UNDER THE DEPARTMENT OF COMMERCE
AND LABOR.

* * * * *

LIFE-SAVING SERVICE.

* * * * *

For one superintendent for the life-saving and lifeboat
stations on the coasts of * * * , Alaska * * *

* * * * *

REVENUE-CUTTER SERVICE.

* * * for maintenance of vessels in the protection of Seal fisheries.
the seal fisheries in Bering Sea and the other waters of
Alaska, and the enforcement of the provisions of law in
Alaska * * *

* * * * *

LIGHT-HOUSE ESTABLISHMENT.

* * * * *

(*Post lights in Alaskan waters.* See p. 202.)

* * * * *

COAST AND GEODETIC SURVEY.

* * * * *

(*For surveys of Alaskan coast.* See p. 203.)

* * * * *

BUREAU OF FISHERIES.

OFFICE OF COMMISSIONER: * * * inspector of fish-
eries in Alaska, one thousand eight hundred dollars.

* * * * *

Yes Bay (Alaska) Hatchery: Superintendent, one thou-
sand five hundred dollars; fish culturist, nine hundred
dollars; two skilled laborers, at seven hundred and eighty
dollars each; three laborers, at seven hundred and twenty
dollars each; cook, nine hundred dollars; in all, seven
thousand and twenty dollars.

Yes Bay,
Alaska.

Afognak (Alaska) Station: Superintendent, one thou-
sand five hundred dollars; fish culturist, nine hundred
dollars; two skilled laborers, at seven hundred and eighty
dollars each; three laborers, at seven hundred and twenty

Afognak,
Alaska.

dollars each; cook, nine hundred dollars; in all, seven thousand and twenty dollars.

* * * * *

Salmon fisheries, agents.

Agents at salmon fisheries in Alaska: For one agent, two thousand five hundred dollars; and one assistant agent, two thousand dollars; in all, four thousand five hundred dollars.

* * * * *

Vessel for salmon fisheries.

Steam vessel for Alaska: For purchase or construction of a steam vessel for use in the Alaska salmon inspection and in connection with the propagation of salmon in Alaska, twenty thousand dollars.

MISCELLANEOUS OBJECTS, DEPARTMENT OF COMMERCE AND LABOR.

Alaskan seal fisheries. Agents' salaries, etc.

ALASKAN SEAL FISHERIES: For salaries of agents at seal fisheries in Alaska, as follows: For one agent, three thousand six hundred and fifty dollars; one assistant agent, two thousand nine hundred and twenty dollars; two assistant agents, at two thousand one hundred and ninety dollars each; janitor service at the Government buildings at the Pribilof Islands, not exceeding four hundred and eighty dollars; in all, eleven thousand four hundred and thirty dollars.

Food, etc., for natives.

To enable the Secretary of Commerce and Labor to furnish food, fuel, and clothing and other necessities of life to the native inhabitants on the islands of Saint Paul and Saint George, Alaska, nineteen thousand five hundred dollars.

* * * * *

SURVEYING THE PUBLIC LANDS.

Rates.

For surveys and resurveys of public lands, four hundred and twenty-five thousand dollars, at rates not exceeding nine dollars per linear mile for standard and meander lines, seven dollars for township and five dollars for section lines: *Provided*, That in expending this appropriation preference shall be given, first, in favor of surveying townships occupied, in whole or in part, by actual settlers and of lands granted to the States by the Acts approved February twenty-second, eighteen hundred and eighty-nine, and the Acts approved July third and July tenth, eighteen hundred and ninety; and, second, to surveying under such other Acts as provide for land grants to the several States and Territories, except railroad land grants and such indemnity lands as the several States and Territories may be entitled to in lieu of lands granted them for educational and other purposes which may have been sold or included in some reservation or otherwise disposed of, and other surveys shall be confined to lands adapted to agriculture and lines of reserva-

Provisos. Preferences.

tions, and lands within boundaries of forest reservations, except that the Commissioner of the General Land Office may allow for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth rates not exceeding thirteen dollars per linear mile for standard and meander lines, eleven dollars for township and seven dollars for section lines, and in cases of exceptional difficulties in the surveys, where the work can not be contracted for at these rates, compensation for surveys and resurveys may be allowed by the said Commissioner, with the approval of the Secretary of the Interior, at rates not exceeding eighteen dollars per linear mile for standard and meander lines, fifteen dollars for township and twelve dollars for section lines: *Provided further*, That in the States of * * * and the district of Alaska there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding twenty-five dollars per linear mile for standard and meander lines, twenty-three dollars for township and twenty dollars for section lines; the provisions of section twenty-four hundred and eleven, Revised Statutes of the United States, authorizing allowance for surveys in California and Oregon are hereby extended to all of the above-named States and Territories and district. And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation, not exceeding six dollars per day, except in the district of Alaska, where a compensation not exceeding ten dollars per day may be allowed one such surveyor and such per diem allowance, in lieu of subsistence, not exceeding three dollars, while engaged in field examinations, as he may prescribe, said per diem allowance to be also made to such clerks who are competent surveyors who may be detailed to make field examinations, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal fields, and timber districts, and for making, by such competent surveyors, fragmentary surveys and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States: *Provided further*, That the sum of not exceeding twenty-five thousand dollars of the amount hereby appropriated may be expended by the Commis-

Extra rates,
heavily timbered,
etc., lands.

Resurveys,
etc.

Per diem.

Inspecting
mineral, etc.,
lands.

Monuments for section corners. sioner of the General Land Office, with the approval of the Secretary of the Interior, for the purchase of metal monuments to be used for public land survey corners wherever practicable.

* * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF THE INTERIOR.

* * * * *

Alaska. Care of insane. CARE AND CUSTODY OF THE INSANE OF ALASKA: For the care and custody of persons legally adjudged insane in the district of Alaska, including transportation and other expenses, twenty-eight thousand dollars.

Education of natives. EDUCATION IN ALASKA: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska; for erection, repair, and rental of school buildings not including hospital buildings; for text-books and industrial apparatus; for pay and necessary traveling expenses of general agent, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special

Provisos. Limit of pay. heads, two hundred thousand dollars: *Provided*, That any person or persons employed hereunder as special agents or inspectors, or to perform any special or unusual duty in connection herewith, shall not receive as compensation exceeding two hundred dollars per month, in addition to actual traveling expenses and per diem not exceeding four dollars in lieu of subsistence, when absent on duty from their designated and actual posts of duty: *Provided*, That of the sum hereby appropriated not exceeding seven thousand dollars may be expended for personal services in the District of Columbia.

Services, Washington, D. C. That all expenditure of money appropriated herein for school purposes in Alaska shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditure of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Supervision of expenditures. That all expenditure of money appropriated herein for school purposes in Alaska shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditure of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Reindeer. REINDEER FOR ALASKA: For the support of reindeer stations in Alaska, and for the instruction of Alaskan natives in the care and management of the reindeer, fifteen thousand dollars; and all reindeer owned by the United States in Alaska shall, as soon as practicable, be turned over to missions in or natives of Alaska, to be held and used by them under such conditions as the Secretary of the Interior shall prescribe. The Secretary of the Interior may authorize the sale of surplus male reindeer and make regulations for the same. The proceeds of such sale shall be turned into the Treasury of the United States.

Suppressing liquor traffic. To enable the governor of Alaska, under the direction of the Secretary of the Interior, to take action to sup-

press the traffic in intoxicating liquors among the natives of Alaska, six thousand dollars.

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UNDER THE WAR DEPARTMENT.

* * * * *

NATIONAL CEMETERIES.

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(Bringing home the remains of officers, soldiers, and civil employees of the Army who die abroad, including the remains of soldiers who die on transports. See p. 77.)

* * * * *

UNDER THE DEPARTMENT OF JUSTICE.

* * * * *

INCIDENTAL EXPENSES, DISTRICT OF ALASKA: For furniture, fuel, books, stationery, and other incidental expenses, for the offices of the marshals and attorneys, six thousand dollars. Alaska. Incidental expenses.

TRAVELING EXPENSES, DISTRICT OF ALASKA: For the actual and necessary expenses of the judges and clerks in the district of Alaska when traveling in the discharge of their official duties, five thousand dollars. Traveling expenses.

* * * * *

JUDICIAL.

UNITED STATES COURTS.

(Expenses of the district court of Alaska. See p. 204.)

* * * * *

For payment of such miscellaneous expenses as may be authorized by the Attorney-General, for the United States courts and their officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and moving of records, five hundred and sixty thousand dollars: *Provided*, That in so far as it may be deemed necessary by the Attorney-General, this appropriation shall be available for such expenses in the district of Alaska. Miscellaneous expenses.

Provido.
Alaska.

* * * * *

UNDER THE DEPARTMENT OF STATE.

FISHERIES CONVENTION, UNITED STATES AND CANADA: Canadian Fisheries Convention. For the payment of the compensation of a commissioner on the part of the United States under the convention between the United States and Great Britain concerning Commissioners, etc., under.

the fisheries in waters contiguous to the United States and the Dominion of Canada, signed at Washington on April eleventh, nineteen hundred and eight, and of the share of the United States of the expenses that may be incurred in putting into operation and carrying out the convention during the fiscal year ending June thirtieth, nineteen hundred and nine, ten thousand dollars, or so much thereof as may be necessary.

* * * * *

ALASKA-YUKON-PACIFIC EXPOSITION.

Alaska - Yukon-Pacific Exposition. Articles for exposition may be imported free.

SEC. 10. That all articles that shall be imported from foreign countries for the sole purpose of exhibition at the Alaska-Yukon-Pacific Exposition, to be held at Seattle, State of Washington, in the year nineteen hundred and nine, upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell for delivery at the close thereof any goods or property imported for and actually on exhibition in the exposition buildings or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale, use, or withdrawal.

Sales permitted.

Proviso.
Duty on articles sold, etc.

Smithsonian and National Museum. Exhibit by.

SEC. 11. That there shall be exhibited at said Exposition by the Government of the United States from the Smithsonian Institution and the National Museum such articles and material of an historical nature as will impart a knowledge of our national history, especially that of Alaska, Hawaii and the Philippine Islands and that part of the United States west of the Rocky Mountains. There shall be exhibited from the Executive Departments of the United States such exhibits as will illustrate their principal administrative functions and their educational value in connection with the development of commerce in the countries bordering upon the Pacific Ocean; the preservation of forests; the reclamation and irrigation of arid and semiarid lands; the improving and enlarging of transportation facilities and the safeguards of navigation; and the economic value of the investiga-

Department exhibit. Character.

tions and operations of the Government with reference to public health, geology, experiment stations, coast and geodetic survey, and public roads. To secure a complete and harmonious arrangement of such Government exhibit a United States Government board of managers is hereby authorized to be appointed to be charged with the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition and return of such articles and materials as the heads of the several Departments, the Secretary of the Smithsonian Institution, the Superintendent of the National Museum respectively decide shall be embraced in the Government exhibit herein authorized. The President of the United States may also designate additional articles of peculiar interest for exhibition in connection with the said Government exhibit. Said Government board of managers shall be composed of three persons now in the employ of the Government and shall be appointed by the President, one of whom shall be designated by the President as chairman of the said board and one as secretary and disbursing officer. The members of said Government board, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board. Officers of the Army and Navy shall receive said allowance in lieu of the subsistence and mileage now allowed by law; and the Secretary of War and the Secretary of the Navy may, in their discretion, detail retired Army or Navy officers for such duty. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with said Alaska-Yukon-Pacific Exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine, and such employees may be selected and appointed by said board. The disbursing officer shall give bond in such sum as the Secretary of the Treasury may determine for the faithful performance of his duties, said bond to be approved by said Secretary. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as he may prescribe, a sum of money from the appropriation for the Government exhibit herein authorized, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibit as authorized by the United States Government board herein created. The Secretary of the Treasury is hereby author-

Government
board of man-
agers.
Duties.

Composition.

Allowances.

Details per-
mitted.

Pay of em-
ployees.

Disbu r si n g
officer.

Life - saving
exhibit.

ized and directed to place on exhibition, in connection with the exhibit of his Department, upon such grounds as shall be allotted for this purpose, one of the life-saving stations authorized to be constructed on the Pacific coast of the United States by existing law, and to cause the same to be fully equipped with all apparatus, furniture, and appliances now in use in life-saving stations in the United States. The Secretary of Commerce and Labor is hereby authorized and directed to place on exhibition, in connection with the exhibit of his Department, in such building or aquarium as shall be allotted for this purpose, a complete exhibit of the fish and fisheries of the United States, paying special attention to the fish and fisheries of the Pacific Ocean, with a view to demonstrating, in the fullest manner possible, the economic value of such fish and fisheries: *Provided*, That the cost of said exhibit herein authorized, including the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of the articles and materials so exhibited, shall not exceed the sum of two hundred thousand dollars, which sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Fish a qua -
rium.

Proviso.
Limit of ex -
penses.

Appropriation.

Alaska and
Hawaii.
Exhibits
from.

Provisos.
Limit of ex -
penses.

Appropriation.

Total for
Hawaiian ex-
hibit.

Philippine Is-
lands.
Aid to ex -
hibit from.

SEC. 12. That the Secretary of the Interior is hereby authorized and directed to aid the people of the district of Alaska and of the Territory of Hawaii in providing and maintaining appropriate and creditable exhibits of the products and resources of Alaska and Hawaii at the said Alaska-Yukon-Pacific Exposition, and for that purpose he is authorized to appoint one or more persons to supervise the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles as may be exhibited from said Territories at said exposition: *Provided*, That the total expenditure for said exhibit for said district of Alaska on the part of the Government, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited, shall not exceed the sum of one hundred thousand dollars, which sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *And provided further*, That the total expenditure for said exhibit for the Territory of Hawaii on the part of the Government, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of twenty-five thousand dollars, which sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 13. That the Secretary of War is hereby authorized and directed to aid the people of the Philippine Islands in providing and maintaining an appropriate

and creditable exhibit of the products and resources of the Philippine Islands at the said Alaska-Yukon-Pacific Exposition, and for that purpose he is authorized to appoint one or more persons to supervise the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles as may be exhibited from said Philippine Islands at said exposition: *Provided*, That the total expenditures for said exhibit on the part of the Government, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited, shall not exceed the sum of twenty-five thousand dollars, which sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Proviso.
Limit of ex-
penses.

Appropriation.

SEC. 14. That the Secretary of the Treasury shall cause suitable buildings to be erected on the site of said Alaska-Yukon-Pacific Exposition for said Government exhibit, including an irrigation and biograph building; also a fisheries building complete, with mechanical apparatus; also buildings, for the exhibits of the district of Alaska, the Territory of Hawaii, and the Philippine Islands; also buildings for such other purposes in connection with the exhibits herein authorized as in the judgment of the Secretary of the Treasury may be necessary. Said buildings shall be erected from plans prepared by the Supervising Architect of the Treasury, to be approved by the Secretary of the Treasury, and the Secretary of the Treasury is hereby authorized and directed to contract for said buildings in the same manner and under the same regulations as for other public buildings of the United States, but the contract for said buildings, including the preparation of ground therefor and the approaches thereto, and the interior and exterior decorative wiring and lighting thereof shall not exceed the sum of two hundred and fifty thousand dollars, which sum or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated. The Secretary of the Treasury is authorized and required to dispose of said buildings, or the materials composing the same, at the close of the exposition, giving preference to the State of Washington or to the Alaska-Yukon-Pacific Exposition corporation or to the city of Seattle to purchase the same at an appraised value to be ascertained in such manner as the Secretary of the Treasury may determine.

Government
exhibit
Buildings,
etc., author-
ized.

Preparation
of plans, etc.

Appropriation.

Disposal at
close of exposi-
tion.

SEC. 15. That the allotment of space for exhibitors in the building or buildings erected under authority of this Act for the use of the district of Alaska, the Territory of Hawaii, and the Philippine Islands shall be done and performed without charge to exhibitors by the Government board created by this Act.

Allotment of
space in Alas-
ka, Hawaii,
and Philippine
buildings.

Dies for commemorative medal to be made at mint.

SEC. 16. That dies for medals bearing appropriate devices, emblems, and inscriptions commemorative of said Alaska-Yukon-Pacific Exposition and of the awards to be made to the exhibitors thereat shall be prepared by the Secretary of the Treasury at some mint of the United States for the board of trustees of Alaska-Yukon-Pacific Exposition, a corporation, subject to the provisions of the fifty-second section of the coinage Act of eighteen hundred and seventy-three, and upon the payment by said Alaska-Yukon-Pacific Exposition of a sum not less than the cost thereof; said medals shall be coined by the coining press located in and being part of the Government exhibit, and without cost to the Alaska-Yukon-Pacific Exposition: *Provided*, That said Alaska-Yukon-Pacific Exposition shall furnish free of charge the electric power necessary to operate said coining press and all provisions of law against the counterfeiting or imitating of coins of the United States shall apply to the medals issued under this Act. Said Alaska-Yukon-Pacific Exposition shall furnish without cost to the United States all materials used by the printing and engraving presses exhibited by the Government at said exposition in the production of the usual souvenirs of appropriate design, and said Alaska-Yukon-Pacific Exposition is hereby authorized, through any agent, employee, privilege holder, or concessionaire appointed by its proper officer, to vend and sell at or near the place of manufacture any medal, print, or engraving authorized under the provisions of this Act: *Provided*, That the vending and selling of all such medals, prints, and engravings shall be subject to the approval of the Secretary of the Treasury.

Coining press at exposition.

Provisos.
Power, etc.

Materials for souvenirs.

Sales.

Approval by Secretary of the Treasury.

Liability of United States limited to Government exhibit.

SEC. 17. That the United States shall not be liable on account of said exposition for any expenses incident to or growing out of the same, except for the construction of the building or buildings hereinbefore authorized and for the purpose of paying the expense incident to the selection, preparation, purchase, installation, transportation, care, custody, and safe return of the exhibits made by the Government and for the employment of proper persons as officers and assistants by the Government board created by this Act, and for other expenses, and for the maintenance of said building or buildings and other contingent expenses to be approved by the chairman of the Government board, or, in the event of his absence or disability, by such officer as the board may designate, and the Secretary of the Treasury, upon itemized accounts and vouchers: *Provided*, That no liability against the Government shall be incurred and no expenditure of money appropriated by this Act shall be made until the president of said exposition shall have furnished to the satisfaction of the Secretary of the Treasury proof that there has been obtained for the purpose of completing and opening said exposition bona fide subscriptions to the

Provisos.
Appropriations not available until exposition has obtained \$1,000,000.

stock of Alaska-Yukon-Pacific Exposition (a corporation), by responsible parties, contributions, donations, and appropriations, from all sources, aggregating a sum not less than one million dollars: *Provided*, That no appropriation made by any State or Territory, and no appropriation herein made, shall be considered as any part of said million dollars.

Contributions excluded.

SEC. 18. That the United States shall not in any manner or under any circumstances be liable for any of the acts, doings, or representations of said Alaska-Yukon-Pacific Exposition (a corporation), its officers, agents, servants, or employees, or any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any stock certificates, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses, of any kind or nature whatever, attending such exposition corporation, or accruing by reason of the same.

United States not liable for acts, etc., of exposition corporation.

SEC. 19. That nothing in this Act shall be construed so as to create any liability upon the part of the United States, directly or indirectly, for any debt or obligation incurred or for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said United States Government board in excess of appropriations herein made.

Liability in excess of appropriations disclaimed.

SEC. 20. That the United States shall not in any manner or under any circumstances make any loan, directly or indirectly, to the Alaska-Yukon-Pacific Exposition or for the benefit of said exposition or for any of the purposes thereof, and shall not appropriate for any purpose whatsoever in connection with said exposition any sum of money other than that provided in this act.

Aid to exposition specially limited.

CHAP. 206. An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 27, 1908. [H. R. 18347.]

[Public, No. 147.]
35 Stat. L., pt. 1, p. 406.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated for the service of the Post-Office Department, in conformity with the Act of July second, eighteen hundred and thirty-six, as follows:

Postal service appropriations.

* * * * *

OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

For inland transportation by star routes, including temporary service to newly established offices, seven million two hundred thousand dollars: *Provided*, That no part of this appropriation shall be expended for continuance of any star-route service the patronage of which

Transportation. Star routes. *Provisos.* Discontinue if served by rural delivery.

shall be served entirely by the extension of rural delivery service nor shall any of said sum be expended for the establishment of new star-route service for a patronage which is already entirely served by rural delivery service: *Provided*, That out of this appropriation the Postmaster-General is authorized to provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable without advertising therefor.

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(*Equipments for postal service in Alaska.* See p. 205.)

May 28, 1908. **CHAP. 211.**—An Act To encourage the development of coal deposits in the Territory of Alaska.
[S. 6805.]

[Public, No.
151.]
35 Stat. L.,
pt. 1, p. 424.
Alaska.
Development
of coal depos-
its in.
Consolidation
of claims, etc.,
permitted.
Limit of acre-
age.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons, their heirs or assigns, who have in good faith personally or by an attorney in fact made locations of coal land in the Territory of Alaska in their own interest, prior to November twelfth, nineteen hundred and six, or in accordance with circular of instructions issued by the Secretary of the Interior May sixteenth, nineteen hundred and seven, may consolidate their said claims or locations by including in a single claim, location, or purchase not to exceed two thousand five hundred and sixty acres of contiguous lands, not exceeding in length twice the width of the tract thus consolidated and for this purpose such persons, their heirs or assigns, may form associations or corporations who may perfect entry of and acquire title to such lands in accordance with the other provisions of law under which said locations were originally made: *Provided*, That no corporation shall be permitted to consolidate its claims under this Act unless seventy-five per centum of its stock shall be held by persons qualified to enter coal lands in Alaska.

Proviso.
Restriction.

Preference
right to pur-
chase product
for army and
navy reserved.

Price fixed by
the President.
Litigation.

SEC. 2. That the United States shall, at all times, have the preference right to purchase so much of the product of any mine or mines opened upon the lands sold under the provisions of this Act as may be necessary for the use of the Army and Navy, and at such reasonable and remunerative price as may be fixed by the President; but the producers of any coal so purchased who may be dissatisfied with the price thus fixed shall have the right to prosecute suits against the United States in the Court of Claims for the recovery of any additional sum or sums they may claim as justly due upon such purchase.

Unlawful
trust, etc., for-
bidden.

SEC. 3. That if any of the lands or deposits purchased under the provisions of this Act shall be owned, leased, trustee, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any

manner whatsoever so that they form part of, or in any way effect any combination, or are in anywise controlled by any combination in the form of an unlawful trust, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by any individual, partnership, association, corporation, mortgage, stock ownership, or control, in excess of two thousand five hundred and sixty acres in the district of Alaska, the title thereto shall be forfeited to the United States by proceedings instituted by the Attorney-General of the United States in the courts for that purpose.

Forfeiture.

SEC. 4. That every patent issued under this Act shall expressly recite the terms and conditions prescribed in sections two and three hereof.

Patents.

CHAP. 227.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

May 30, 1908.
[H. R. 21946.]
[Public, No. 167.]
35 Stat. L.,
pt. 1, p. 478.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Deficiencies appropriations.

* * * * *

DEPARTMENT OF JUSTICE.

* * * * *

For the payment to Guard P. S. Petersen, at Fairbanks, Alaska, eight hundred and thirty-three dollars.

P. S. Petersen.
Payment to.

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LEGISLATIVE.

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(For compensation of Delegate from Alaska. See p. 210.)

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SIXTIETH CONGRESS, SECOND SESSION.

Jan. 11, 1909. **CHAP. 15.**—An Act Providing for the hearing of cases upon
 [H. R. 13649.] appeal from the district court for the district of Alaska in the
 circuit court of appeals for the ninth circuit.

[Public, No.
 188.]
 35 Stat. L.,
 pt. 1, p. 585.

Alaska.
 Appeals, etc.,
 from district
 court of.
 Hearings at
 San Francisco,
 Cal., Portland,
 Oreg., Seattle,
 Wash.

Proviso.
 Attorneys to
 designate place
 of hearing.

*Be it enacted by the Senate and House of Representa-
 tives of the United States of America in Congress assem-
 bled,* That hereafter all appeals, writs of error, and other
 cases coming from the district court for the district of
 Alaska to the circuit court of appeals for the ninth circuit
 shall be entered upon the docket and heard at San Fran-
 cisco, in the State of California, or at Portland, in the
 State of Oregon, or at Seattle, in the State of Washing-
 ton, as the trial court before whom the case was tried be-
 low shall fix and determine: *Provided, however,* That at
 any time before the hearing of any appeal, writ of error,
 or other case, the parties thereto, through their respective
 attorneys, may stipulate at which of the above-named
 places the same shall be heard, in which case the case
 shall be remitted to and entered upon the docket at the
 place so stipulated and shall be heard there.

Feb. 6, 1909. **CHAP. 78.**—An Act Authorizing the sale of lands at the head
 [S. 6418.] of Cordova Bay, in the Territory of Alaska, and for other purposes.

[Public, No.
 214.]
 35 Stat. L.,
 pt. 1, p. 598.

Cordova Bay,
 Alaska.
 Cordova Bay
 Harbor and Im-
 provement and
 Town-Site
 Company may
 purchase land
 at head of.

Price per
 acre.
 Limit.

Location.

*Be it enacted by the Senate and House of Representa-
 tives of the United States of America in Congress assem-
 bled,* That a corporation to be hereafter duly organized
 under the name and style of the Cordova Bay Harbor
 Improvement and Town-Site Company and composed of
 the following-named persons, to wit: John H. McGraw,
 Edward Lewin, and Donald A. McKenzie, or any of
 them, and such others as may hereafter become associated
 with them as incorporators, shall be permitted to pur-
 chase at the price of two dollars and fifty cents per acre
 not to exceed two thousand acres of such nonmineral
 lands of the United States as may be selected by said
 corporation and approved by the Secretary of the In-
 terior, including tide or mud flats, situated at the head of
 Cordova Bay, at approximately latitude sixty degrees
 and thirty minutes north, and longitude one hundred
 and forty-six west of Greenwich, in the district of
 Alaska, the same to be located in as nearly compact form
 as possible with a front of not to exceed two miles on the

wharfage and dock area to be reserved by the Secretary of War as provided in section three of this Act, in order to effect the improvement of said lands for town-site purposes and for the promotion and convenience of commerce with foreign nations and among the several States: *Provided, however,* That the Secretary of the Interior is hereby authorized and directed to withdraw from all forms of location or entry not to exceed three thousand acres to be selected by him and surrounding the land hereby made purchasable, subject to future disposition by the Congress.

Purpose.

Proviso.
Land with-
drawn from
entry, etc.

SEC. 2. That no land covered by any valid existing claim or right heretofore initiated or recognized under any law of the United States shall be subject to purchase under this Act until all rights thereunder have been transferred to said corporation or relinquished to the United States.

Prior rights
protected.

SEC. 3. That the Secretary of War, as soon as practicable after the passage of this Act, shall establish a wharfage and dock area extending along the entire water front of the land proposed to be bought by said corporation and one thousand feet in width, thereby fixing the seaward line of said wharfage and dock area, and the area thus established is hereby reserved and shall remain under the control of the United States, in trust, however, for the future State which may be created, including the same or any part thereof within its boundaries: *Provided,* That wharves, docks, slips, and waterways may be constructed and maintained within such wharfage and dock area in accordance with plans approved and terms and conditions prescribed from time to time by the Secretary of War, but the public at all times shall have the use of all such wharves, docks, slips, and waterways upon the payment of such reasonable charges, and under such regulations as may from time to time be fixed and prescribed by the Secretary of War.

Land re-
served for
dock, etc., pur-
poses.

Proviso.
Plans.

SEC. 4. That the right of eminent domain may, after the issuance of patent hereunder, be exercised over any lands purchased under this Act, whether such lands may have been included within streets and alleys or otherwise, under any law applicable to lands held in private ownership in the district of Alaska, and no exclusive right of way shall be granted to any person, company, or corporation over the lands purchased under this Act.

Right of em-
inent domain.

Exclusive
right of way
prohibited.

SEC. 5. That the corporation named in section one of this Act shall, within six months after the approval hereof, file with the register and receiver of the land district within which the lands applied for are situated, an application to purchase under this Act, which application shall particularly describe the lands applied for and be accompanied with a certified copy of the field notes and plat of the survey of the boundaries of such lands,

Application,
etc., to pur-
chase.
Time limit.

made under the direction and supervision of the surveyor-general of the district of Alaska.

Plan of town site, etc., to be filed.

SEC. 6. That the corporation named in section one of this Act shall, within twelve months after the approval of the application named in the foregoing section, subject to the approval and under the direction of the Secretary of the Interior, file with the said Secretary a detailed plan of a town site, embracing the lands applied for, upon which shall be delineated adequate streets, alleys, lots, blocks, wharves, docks, slips, and waterways, and such reservations as the said Secretary may deem necessary and suitable for public use as parks and sites for public and school buildings and coaling stations: *Provided*, That the reservations for public parks shall, in addition to such other lands as may be needed for that purpose, include all of said lands which can not be reasonably utilized as sites for building purposes; and said corporation shall, after patent, dedicate and convey all of the said reservations for such public uses.

Proviso. Public park reservations, etc.

Payment of purchase price.

SEC. 7. That the corporation named in section one of this Act, or its assigns, shall, within six months from the approval of the plan mentioned in the preceding section, pay to the proper receiver the full purchase price of the lands applied for; and within five years after the issuance of patent said corporation shall do all things necessary to render three hundred and twenty acres of the land purchased suitable and available for wharfage and town-site purposes in accordance with the plan thereof submitted as required in section six of this Act, and shall within two years from the approval of the plan mentioned in the preceding section construct within said wharfage and dock area a public dock, wharf, or pier, with suitable approaches on the land side and with not less than thirty-four feet of water at mean low tide leading to and surrounding the same, so as to enable ocean steamers to approach, dock, discharge and take on cargo thereat; that patent for said lands shall recite that they are issued under the provisions of this Act and are subject to cancellation and the land therein granted to forfeiture as herein provided; and if said corporation or its assigns shall fail to comply with any of the terms and conditions of this Act, either before or after the issuance of patent, all interests, rights, or title which may have accrued or vested under this Act shall be forfeited to the United States, and the application under which they accrued, or the patent under which they vested, shall be canceled: *Provided*, That the Secretary of the Interior may, on satisfactory showing, reasonably extend the time within which any of the Acts enumerated in this Act may be performed.

Preparing reservation for wharfage and town-site purposes.

Construction of dock, pier, etc.

Cancellation of patent.

Forfeiture.

Proviso. Extension of time.

Confining waters of Cordova Creek, etc.

SEC. 8. That said corporation shall have the right to confine the waters of Cordova Creek to one channel and to straighten and deepen the same in such manner as may be prescribed by the Secretary of War.

CHAP. 80.—An Act Relating to affairs in the Territories.

Feb. 6, 1909.
[H. R. 21957.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[Public No. 216.]
35 Stat. L., pt. 1, p. 600.
Territories omnibus act.

ALASKA.

That the incorporated town of Valdez, Alaska, is hereby authorized and empowered to issue its bonds in any sum not exceeding fifteen thousand dollars for the purpose of constructing dikes, dams, and other protection to keep the waters from the Valdez Glacier from running into, over, and upon the town of Valdez.

Valdez may issue bonds to construct dikes, etc.

SEC. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the town of Valdez, at which election the question whether such bonds shall be issued shall be submitted to the qualified electors of said town of Valdez, whose names appear on the last assessment roll of said town for municipal taxation. Thirty days' notice of any such election shall be given by publication thereof in a newspaper printed and published and of general circulation in said town before the day fixed for such election.

Special election.

SEC. 3. That the registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon the condition that a majority of the votes cast at such election in said town shall be in favor of issuing said bonds.

Registration for election, etc.

Majority votes required.

SEC. 4. That the bonds above specified, when authorized to be issued as hereinbefore provided, shall bear interest at a rate not to exceed six per centum per annum, payable semiannually, and shall not be sold for less than their par value with accrued interest and shall be in denominations not exceeding one thousand dollars each, the principal to be due in ten years from date thereof: *Provided, however,* That the common council of said town of Valdez may reserve the right to pay off such bonds in their numerical order at the rate of five thousand dollars thereof per annum from and after the expiration of five years from their date. Principal and interest shall be payable in lawful money of the United States of America at the office of the town treasurer of the town of Valdez, Alaska, or at such bank in the city of New York, in the State of New York, or such place as may be designated by the common council of the town of Valdez; the place of payment to be mentioned in said bonds: *And provided further,* That each and every such bond shall have the written signature of the mayor and clerk of said town of Valdez and also bear the seal of said town.

Interest payments.

Denomination.

Proviso. Payment of bonds.

Signatures to bonds.

Restri-
on use of pro-
ceeds.

SEC. 5. That no part of the funds arising from the sale of said bonds shall be used for any purpose other than that specified in this Act.

Sale and dis-
bursements.

SEC. 6. That said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed under the limitations hereinbefore imposed and under the order and direction of said common council from time to time as the same may be required for the purposes aforesaid.

Insane per-
sons.
Bids for care,
etc., of.

SEC. 7. That the Secretary of the Interior shall hereafter, as in his judgment may be deemed advisable, advertise for and receive bids for the care and custody of persons legally adjudged insane in the district of Alaska, and in behalf of the United States shall contract, for one or more years, as he may deem best, with a responsible asylum or sanitarium west of the main range of the Rocky Mountains submitting the lowest and best responsible bid for the care and custody of persons legally adjudged insane in said district of Alaska, the cost of advertising for bids, executing the contract, and caring for the insane to be paid from appropriations to be made for such service upon estimates to be submitted to Congress

"Alaska
fund."
Use of, for
care, etc., of
insane, re-
pealed.

annually. So much of the Act approved January twenty-seventh, nineteen hundred and five, entitled "An Act to provide for the construction and maintenance of roads, establishment and maintenance of schools, and care and support of insane persons in the district of Alaska, and for other purposes," as provides that five per centum of the license moneys collected outside of incorporated towns in the district of Alaska shall be devoted to the care and maintenance of such insane persons is hereby repealed, and such five per centum, or so much thereof as may be necessary, shall hereafter be applied to and used for the establishment and maintenance of public schools in said district, under the supervision of the governor.

To be used
for school pur-
poses.

Liquor li-
censes.

SEC. 8. That sections four hundred and sixty-four, four hundred and sixty-five, and four hundred and sixty-eight, of an Act entitled "An Act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district," approved March third, eighteen hundred and ninety-nine, be, and the same are hereby, amended to read as follows:

Consent to
issue by resi-
dents over 21
years of age
required.

"SEC. 464. That before any license is granted, as provided in this Act in relation to intoxicating liquor, it shall be shown to the satisfaction of said court that a majority of the white male and female citizens over the age of twenty-one years, within two miles of the place where intoxicating liquor is to be manufactured, bartered, sold, and exchanged or bartered, sold, and exchanged, have, in good faith, consented to the manufacture, barter, sale, and exchange or the barter, sale, and exchange of the same; and the burden shall be upon the applicant or applicants to show to the satisfaction of said court that a ma-

majority of the white male and female citizens of twenty-one years of age or more have consented thereto, and no license shall be granted in the absence of such evidence:

Provided, That no license shall be granted for the manufacture, barter, sale, or exchange of intoxicating liquors except within incorporated towns, and such other towns, settlements, or communities in which a duly appointed United States commissioner or deputy marshal shall reside, except that the respective district judges may in their discretion grant licenses to the keepers of regularly established road houses on main traveled post-roads and post trails in the district: *And provided*, That when it is made to appear that a majority of said white male and female citizens over the age of twenty-one years, of any one place have consented to the manufacture, barter, sale, and exchange or the barter, sale, and exchange of intoxicating liquor, no further proof of the consent of the citizens of the place where such intoxicating liquor is to be manufactured, bartered, sold, and exchanged or bartered, sold, and exchanged, will be required for twelve months thereafter.

Provisos.
Limited to
incorporated
towns.

Road houses.
No further
proof of con-
sent required
for one year.

"SEC. 465. That every person applying for a license to sell intoxicating liquors in said district shall file with the clerk of the court a petition for such license, verified by the applicant's oath, and such petition shall be considered and acted upon by the court in the order in which the same was filed and numbered. Said petition shall contain:

License peti-
tion to be filed.

Oath of ap-
plicant.

"First. The name and residence of the applicant, and how long said applicant has resided there.

Contents of
petition.

"Second. The particular place for which license is desired, designating the same by reference to street, locality, or settlement in such manner that the exact location at which such sale of liquor is proposed may be clearly and definitely determined from the description given.

"Third. The statement that said applicant is a citizen of the United States, or has declared his intention to become such; that said applicant is not less than twenty-one years of age, and that such applicant has not been, since the passage of this Act, adjudged guilty of violating the laws governing the sale of intoxicating liquors, or laws for the prevention of crime in said district.

"Fourth. That said applicant intends to, and if so licensed will, carry on such business for himself and not as agent for any other person.

Business lim-
ited to appli-
cant.

"Fifth. That said applicant intends to, and if so licensed will, superintend in person the management of the business licensed.

Personal
management
required.

"Sixth. That said applicant will not conduct, maintain, or permit the maintenance of any gambling, dance hall, or bawdy house on or in connection with the premises, nor permit any female or minor in or about the rooms where liquor is sold or served.

Gambling,
etc., prohibited.

- Punishment for perjury.** "That if any false material statement is made in any part of such petition or affidavit the petitioner or petitioners shall be deemed guilty of perjury, and upon conviction thereof said license shall be revoked and said licensee shall be subject to the penalties provided by law for the crime of perjury.
- Application to be denied.** "That should it appear to the district judge that any of the statements above enumerated, required to be made in the petition, are untrue at the time of application for such license, such application shall be denied.
- Revocation.** "That should it appear to the district judge, after the granting of any such license, that any of the statements above enumerated, required to be made in the petition, are untrue, or that the applicant is permitting any of the things to be done or exist on or about the premises contrary to the statements required in the petition, it shall be the duty of such judge to forthwith enter an order revoking such license, and all license moneys deposited by the applicant shall be thereby forfeited, and it shall be the duty of the United States marshals and their deputies and the United States attorneys and their deputies in said district to investigate and report to the district judge any violations of any of the provisions of this section: *Provided*, That this Act shall not be so construed as to prevent any innkeeper or any person operating a hotel in good faith from receiving as guests women and minors.
- Forfeiture of deposit.**
- Proviso. Women and minors.**
- Licenses, wholesale and retail.** "SEC. 468. That the liquor licenses authorized and provided for by this Act shall be of two classes, namely, wholesale and barroom. Every applicant for a license shall deposit the amount of the license fee with the clerk of the court at the time of filing his application therefor; and if upon consideration of such application by the court, as provided for in this Act, the court shall determine to grant the license prayed for, it shall notify the clerk of the court and the applicant in writing and the applicant shall thereupon receive his license.
- Fees.** "That the fee for a wholesale license shall be two thousand dollars per annum, and for a barroom or retail license one thousand dollars per annum: *Provided*, That the fee for a retail license for road houses on regular post roads or trails where the population within two miles of the place where the business is to be conducted does not exceed fifty people, or for a steamboat or steamer operating on the inland rivers of Alaska during the season of open navigation, shall be five hundred dollars per annum: *Provided*, That said steamboat or steamer shall not be authorized to sell intoxicating liquor while in port or dock: *And provided*, That the words towns, camps, or settlements, as used in this Act shall be construed to embrace the population within a radius of two miles of the place wherein the business is to be conducted under the license.
- Provisos. Steamboats, etc.**
- Sale of intoxicants while in port prohibited. Towns, etc., defined.**

“ That a retail or barroom license shall be required for every hotel, tavern, boat, barroom, or other place in which intoxicating liquors are sold at retail. Retail license.

“ That a wholesale license shall only authorize the licensee to sell distilled, malt, or fermented liquors, wines, and cordials in quantities not less than four gallons, not to be drunk upon the premises where sold; and no such license shall be granted until it is satisfactorily shown that the place where it is intended to carry on such business is properly arranged for selling such liquor as merchandise. Wholesale liquor business restrictions.

“ That every place where distilled, malt, or fermented wines, liquors, or cordials are sold in quantities as prescribed for retail dealers by section thirty-two hundred and forty-four of the Revised Statutes of the United States, to be drunk upon the premises, shall be regarded as a barroom; and the possession of malt, distilled, fermented, or any other intoxicating liquors, with the means and appliances for carrying on the business of dispensing the same to be drunk where sold, shall be prima facie evidence of a barroom within the meaning of this Act, and the license therefor shall be known as a barroom license: *Provided*, That no license shall be granted for the sale of liquors at either wholesale or retail in any other than a substantial building which shall have cost for construction not less than five hundred dollars.” Meaning of barroom. R. S. sec. 3244.

SEC. 9. That section one hundred and forty-two of said Act of March third, eighteen hundred and ninety-nine, be, and the same is hereby, amended to read as follows: Proviso. Building where sold.

“ SEC. 142. That if any person shall, without the authority of the United States, or some authorized officer thereof, sell, barter, or give to any Indian or half-breed who lives and associates with Indians, any spirituous, malt, or vinous liquor or intoxicating extracts, such person shall be fined not less than one hundred nor more than five hundred dollars or be imprisoned in the penitentiary for a term not to exceed two years. Sale of liquor to Indians.

“ That the term ‘ Indian ’ in this Act shall be construed to include the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood, who have not become citizens of the United States. Liquors, intoxicating extracts, etc. prohibited.

“ That section nineteen hundred and fifty-five of the Revised Statutes of the United States and all that part of section fourteen of ‘ An Act providing a civil government for Alaska, ’ approved May seventeenth, eighteen hundred and eighty-four, after the word ‘ provided, ’ is hereby repealed.” Penalty.

SEC. 10. That it shall be unlawful for any person to practice medicine or surgery, or any of the departments thereof, within the Territory of Alaska, until he or she shall have first obtained a license therefor as hereinafter in this Act prescribed. Meaning of word ‘ Indian. ’

**Require-
ments.** SEC. 11. That no person shall receive a license to practice medicine or surgery, or any of the departments thereof, within the Territory of Alaska until he or she shall have, first, submitted a diploma issued by some legally chartered medical school authorizing the holder thereof to practice medicine or surgery, the requirements for graduation of which medical school shall have been at the time of granting said diploma in no particular less than those prescribed by the Association of American Medical Colleges for that year, or, second, submitted proof of having practiced medicine or surgery, or both, for a period of not less than three successive years continuously prior to the passage of this Act and within the jurisdiction of one of the judicial districts of Alaska.

Applications. SEC. 12. That any person desiring to obtain a license to practice medicine or surgery within the Territory of Alaska shall first make application therefor to the clerk of the court of the district in which he desires to practice. The application shall be in writing, and shall state the name of the applicant, his age, his residence, the name and location of the college whence his diploma issued, the length of time, if at all, he has practiced medicine, and where, giving specifically the names of places wherein he has so practiced medicine. The application shall be accompanied by the diploma of the applicant, or duly authenticated copy, as must also an affidavit setting forth that he or she is the person therein named, and that the diploma was procured in the regular manner after the regular course of study prescribed by the medical school granting the same, without fraud or misrepresentation.

**License to
resident prac-
titioners.** SEC. 13. That any applicant for license to practice medicine or surgery within the Territory of Alaska, not in possession of the credentials specified in section three of this Act, may obtain a license at the discretion of the clerk of the district court to whom he applies upon furnishing a properly attested statement, to wit: That he or she is a bona fide resident of Alaska, and has been engaged in the practice of medicine exclusively within the Territory of Alaska for a period of not less than three successive years immediately prior to the passage of this Act. The application shall be accompanied by the written recommendation of three bona fide residents of the judicial district wherein the applicant desires to practice, one of whom must be a physician holding a license under section three of this Act, and shall state in a general way applicant's character and professional ability.

**Require-
ments.**

**Recording li-
cense, etc.** SEC. 14. That every person receiving a license to practice medicine or surgery within the Territory of Alaska shall have such license recorded in the office of the clerk of the court of the district wherein he is practicing, or proposes to practice, within thirty days from date of issuance. And when such licentiate moves into another district for the purpose of continuing the practice of

medicine, he shall first file for record with the clerk of the court of the district to which he moves a certified copy of the license.

SEC. 15. That any person shall be regarded as practicing medicine within the meaning of this Act who shall within the Territory of Alaska append the letters M. D. to his name, or who shall prescribe or administer or make known his ability or willingness to prescribe or administer drugs, medicines, electricity, magnetism, hydrotherapy, or perform any operation or manipulation, or apply any apparatus or appliance for the cure, alleviation, correction, or reduction of any human disease, ill, deformity, defect, wound, or injury, including midwifery for hire, fee, compensation, or reward, promise, offered, or accepted, directly or indirectly. The doing of any of the acts of this section above mentioned shall be taken to be prima facie evidence on the part of the person so doing to represent himself or herself as engaged in the practice of medicine or surgery or both. But nothing in this Act shall be so construed as to inhibit service in case of emergency, medical or surgical relief of natives of Alaska by employees of the Bureau of Education, or to the domestic administration of family remedies, nor to legally qualified dentists when engaged exclusively in the practice of dentistry. Nor shall this Act apply to any commissioned medical officer in the United States Army or Marine-Hospital Service or Bureau of Education in the discharge of his professional duties, or to any ship's doctor attached to any vessel plying or operating in Alaska.

Prima facie evidence of practice.

Emergency cases.

Commissioned medical officers, etc.

SEC. 16. That applications for license to practice medicine within the Territory of Alaska shall be recorded by the clerk of the district court in which they are presented within five days of date of presentation. Said record shall specify under which section of this Act the license be issued, if issued, and the date thereof. The record containing said applications shall be accessible to the public during office hours of the clerk of the court for inspection. A fee of ten dollars shall accompany each application for license.

Recording licenses, etc.

Fee.

SEC. 17. That every person who shall practice, or shall attempt to practice medicine within the meaning of this Act without having first obtained a license therefor as prescribed in this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment for not less than thirty nor more than one hundred days, or by both fine and imprisonment, and each day of such practice shall constitute a distinct and separate offense.

Penalty for violation.

SEC. 18. That all moneys collected from licenses or fines under this Act shall be disposed of in the manner already provided for by law applicable to the Territory of Alaska.

Disposition of funds.

* * * * *

Feb. 9, 1909.
[H. R. 26399.]

CHAP. 101.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine.

[Public, No. 222.]
35 Stat. L.,
pt. 1, p. 614.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, namely:

Urgent deficiencies appropriations.

* * * * *

DEPARTMENT OF THE INTERIOR.

* * * * *

UNITED STATES GEOLOGICAL SURVEY.

* * * * *

Alaska. Investigation of mineral resources.

For continuation of the investigation of the mineral resources of Alaska, ninety thousand dollars, to continue available during the fiscal year nineteen hundred and ten.

* * * * *

Mar. 1, 1909.
[H. R. 26305.]

CHAP. 232.—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

[Public, No. 290.]
35 Stat. L.,
pt. 1, p. 660.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated for the service of the Post-Office Department, in conformity with the Act of July second, eighteen hundred and thirty-six, as follows:

Postal service appropriations.

* * * * *

OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

Transportation. Star routes. Provisos. Discontinuance if served by rural delivery.

For inland transportation by star routes, including temporary service to newly established offices, seven million sixty thousand dollars: *Provided,* That no part of this appropriation shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of rural delivery service, nor shall any of said sum be expended for the establishment of new star-route service for a patronage which is already entirely served by rural delivery service: *Provided,* That out of this appropriation the Postmaster-General is authorized to provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable without advertising therefor.

Alaska emergency service.

* * * * *

(Postal equipments for Alaska. See p. 220.)

* * * * *

CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 2, 1909.
[H. R. 27523.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

[Public, No. 292.]
35 Stat. L., pt. 1, p. 672.
Diplomatic and consular appropriations.

* * * * *

BOUNDARY LINE, ALASKA AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto, between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaska Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, and draftsmen as are necessary to reduce field notes, one hundred thousand dollars, to be immediately available, together with the unexpended balance of the previous appropriation for this object. Boundary, Alaska and Canada.

* * * * *

FISHERIES CONVENTION, UNITED STATES AND CANADA.

For the payment of the compensation of a commission on the part of the United States under the convention between the United States and Great Britain concerning the fisheries in waters contiguous to the United States and the Dominion of Canada, signed at Washington on April eleventh, nineteen hundred and eight, and of the share of the United States of the expenses that may be incurred in putting into operation and carrying out the convention during the fiscal year ending June thirtieth, nineteen hundred and ten, ten thousand dollars, or so much thereof as may be necessary. Fishery Commission, Canadian. Treaties.

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RELIEF AND PROTECTION OF AMERICAN SEAMEN.

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(*In Alaska.* See p. 221.)

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CHAP. 237.—An Act To extend the time for the completion of the Alaska Central Railway, and for other purposes. Mar. 2, 1909.
[H. R. 27068.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for filing the map of definite location of the Alaska Central Railway, as required by the provisions of chapter two hundred and ninety-nine of the [Public, No. 294.]
35 Stat. L., pt. 1, p. 683.
Alaska Central Railway.
Time extended for completion.

Laws of the United States, entitled "An Act extending the homestead laws and providing for the right of way for railroads in the District of Alaska, and for other purposes," approved May fourteenth, eighteen hundred and ninety-eight, be, and the same is hereby, extended for three years from the date of the passage of this Act, and that the time for completion of said Alaska Central Railway be, and the same is hereby, extended for three years from the expiration of the period provided for in the Act entitled "An Act to extend the time for the completion of the Alaska Central Railway, and for other purposes," approved June thirtieth, nineteen hundred and six: *Provided*, That nothing herein contained shall be held or construed to affect any lawfully accrued rights.

Proviso.
Legal rights
not affected.

Mar. 2, 1909.
[H. R. 25823.]
[Public. No.
296.]
35 Stat. L.,
pt. 1, p. 684.

CHAP. 239.—An Act To amend an Act entitled "An Act to extend the time for the completion of the Valdez, Marshall Pass and Northern Railroad, and for other purposes," approved February twenty-first, nineteen hundred and seven.

Alaska.
Valdez, Mar-
shall Pass and
Northern Rail-
road Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to extend the time for the completion of the Valdez, Marshall Pass and Northern Railroad, and for other purposes," approved February twenty-first, nineteen hundred and seven, be, and the same is hereby, amended to read as follows:

Time extend-
ed for complet-
ing road.

"That the time for the compliance of the Valdez, Marshall Pass and Northern Railroad Company with the provisions of sections four and five of the Act entitled 'An Act extending the homestead laws and providing for the right of way for railroads in the district of Alaska, and for other purposes,' approved May fourteenth, eighteen hundred and ninety-eight, by locating and completing its railroad in Alaska, is hereby extended—

Further ex-
tension.

"First. Said company shall have four years from the passage of this Act within which to complete the first twenty miles of its railroad, by way of Keystone Canyon, Marshall Pass to Copper River, and from thence to Tanana River, and six years from the date of the passage of this Act within which to complete said railroad to the Tanana River, all to be within such rights as it possesses and not in any way affecting or contravening any vested rights of any other company or person or the rights of the Government, provided said company carry out the requirements of law.

License tax
exemption.

"Second. Said company shall be exempt from license tax during the period of construction and for four years thereafter: *Provided*, That the total period of exemption shall not exceed ten years from the time of the passage of this Act: *And provided further*, That this exemption shall

Provisos.
Time.
Condition.

exist and operate only during the continuance of the construction of said road in good faith, and in the event of unnecessary delay and failure in the construction and completion of said road the exemption from taxation herein provided shall cease and said tax shall be collectible as to so much of said road as shall have been completed.

“Third. Congress reserves the right to alter, amend, or repeal this Act.” Amendment.

CHAP. 252.—An Act Making appropriations for the support of the army for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 3, 1909.
[H. R. 26915.]

(Washington-Alaska military cable and telegraph system; Construction and maintenance of military and post roads, etc., in Alaska; Extra pay to enlisted men of the Signal Corps employed in Alaska. See pp. 104, 106, 107.)

[Public, No.
305.]
35 Stat. L.,
pt. 1, p. 732.

CHAP. 255.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. Mar. 3, 1909.
[H. R. 26394.]

(Marine barracks at Sitka, Alaska; Sale of naval stores to officers and men and civilians in Alaska. (See p. 111.)

[Public, No.
308.]
35 Stat. L.,
pt. 1, p. 753.

CHAP. 260.—An Act To extend the time for construction and beginning construction of the Alaska Short Line Railroad in Alaska. Mar. 3, 1909.
[H. R. 23717.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in consideration of the construction of the Alaska Short Line Railroad in Alaska being actually commenced prior to June first, nineteen hundred and ten, the time for the completion of the survey and construction of said railroad be, and the same is hereby, extended to a period of three years from said first day of June, anno Domini nineteen hundred and ten: *Provided,* That said company shall file with the Secretary of the Interior maps of definite location of its line of road, prior to the beginning of the construction of any twenty-mile section thereof, the same to be approved by the Secretary of the Interior, as is now required by the Act approved May fourteenth, eighteen hundred and ninety-eight, providing for right of way for railroads in the district of Alaska.

[Public, No.
313.]
35 Stat. L.,
pt. 1, p. 780.

Alaska.
Time extended for construction of Alaska Short Line Railroad in.

Proviso.
Map of definite location.

Mar. 3, 1909.
[H. R. 26916.]
[Public, No.
316.]
35 Stat. L.,
pt. 1, p. 781.

CHAP. 263.—An Act Making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and ten.

Indian Department appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices the salaries for which are specially provided for herein for the service of the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

* * * * *

UNDER THE COMMISSIONER.

* * * * *

Transporting pupils.

For collection and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them, with the consent of their parents, under the care and control of such suitable white families as may in all respects be qualified to give such pupils moral, industrial, and educational training, seventy-five thousand dollars:

Provisos. Positions for pupils.

Provided, That not exceeding five thousand dollars of this amount may be used, under direction of the Commissioner of Indian Affairs, in the transportation and placing of Indian pupils in positions where remunerative employment can be found for them in industrial pursuits. The provisions of this section shall apply to

Young children.

native pupils brought from Alaska: *Provided,* That no Indian pupil under the age of fourteen years shall be transported at government expense to any Indian school beyond the limits of the State or Territory in which the parents of such child reside or of the adjoining State or

White children admitted to Indian boarding schools.

Territory: *Provided further,* That hereafter white children may, under rules prescribed by the Commissioner of Indian Affairs, be admitted to Indian boarding schools on the payment of tuition fees at a rate to be fixed in said rules: *Provided further,* That all tuition fees paid for white children so enrolled shall be deposited in the United States Treasury to reimburse the fund out of which the school is supported.

Use of tuition fees.

* * * * *

POLICE.

For pay of officers at twenty-five dollars per month each, and privates at twenty dollars per month each, of Indian police, to be employed in maintaining order and

prohibiting illegal traffic in liquor on the several Indian reservations and within the Territory of Alaska, in the discretion of the Secretary of the Interior, for the purchase of equipments, and for the purchase of rations for policemen at nonration agencies, two hundred thousand dollars.

* * * * *

CHAP. 266.—An Act Authorizing the Attorney-General to appoint as special peace officers such employees of the Alaska school service as may be named by the Secretary of the Interior.

Mar. 3, 1909.
[S. 8058.]

[Public, No. 319.]
35 Stat. L., pt. 1, p. 837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney-General shall have power to appoint, in his discretion, any person employed in the Alaska school service who may be designated by the Secretary of the Interior as a special peace officer of the division of the district of Alaska in which such person resides; and such special peace officer shall have authority to arrest, upon warrant duly issued, any native of the district of Alaska charged with the violation of any of the provisions of the Criminal Code of Alaska (Act March third, eighteen hundred and ninety-nine, second supplement Revised Statutes, page one thousand and three) or any amendment thereof, or any white man charged with the violation of any of said provisions to the detriment of any native of the district of Alaska; and such peace officer shall also have authority to make such arrests, without warrant, for a crime committed or attempted in his presence, or when the person arrested has committed a felony, although not in his presence, or when a felony has in fact been committed and he has reasonable cause for believing the person arrested to have committed it; and any person so arrested shall be taken, in accordance with such rules and regulations as may be prescribed by the Attorney-General, and without unnecessary delay, before a United States commissioner or other judicial officer for trial: *Provided, however,* That no person so appointed shall be entitled to any fees or emoluments of any character whatsoever for performing any of the services herein mentioned, but may be allowed, in the discretion of the Attorney-General, expenses actually and necessarily incurred in connection with such services.

Alaska. School employees may be designated as special peace officers.
Authorized to arrest persons violating Criminal Code.

Summary arrests.

Trials.

Proviso. Fees, etc., not allowed. Actual expenses.

CHAP. 269.—An Act To amend section eighty-six of an Act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes.

Mar. 3, 1909.
[H. R. 21896.]

[Public, No. 322.]
35 Stat. L., pt. 1, p. 838.

* * * * *

SEC. 2. That section four of chapter one of title one of an Act entitled "An Act making further provision for

Alaska Courts.

a civil government for Alaska and for other purposes," approved June sixth, nineteen hundred, is hereby amended so as to read as follows:

District court established.

"SEC. 4. That there is hereby established a district court for the district of Alaska, with the jurisdiction of circuit and district courts of the United States and with general jurisdiction in civil, criminal, equity, and admiralty causes; and four district judges shall be appointed for the district, each at an annual salary of seven thousand five hundred dollars, who shall during their terms of office reside in the divisions of the district to which they may be respectively assigned by the President.

Four Judges authorized. Salary, residence, etc.

The court shall consist of four divisions, which shall also be recording divisions. Division numbered one shall consist of all that part of the district of Alaska lying east of the one hundred and forty-first meridian of west longitude.

Recording divisions created.

Division No. 1.

Division numbered two shall consist of all that territory lying west of a line commencing on the Arctic coast at the one hundred and forty-eighth meridian; thence extending south along the easterly watershed of the Colville River to a point on the Rocky Mountain divide between the headwaters of Colville River on the north and west and the waters of the Chandlar on the south; thence southwesterly along the divide between the waters of the Colville River, the Kotzebue Sound, and Norton Sound on the north and west and the waters of the Yukon on the south to the one hundred and sixty-first meridian of west longitude; thence along said meridian to the Kuskokwim River; thence southwesterly along the center of the channel of said Kuskokwim River to Bering Sea; the said division to include all the islands lying north of the fifty-ninth parallel of north latitude. Division numbered three shall consist of all that territory lying south and west of the line starting on the coast of the Gulf of Alaska at the one hundred and forty-first meridian of west longitude; thence northerly along said meridian to a point due east from Mount Kimball; thence west to summit of Mount Kimball; thence southwesterly along the southerly watershed of the headwaters of Tanana River; thence westerly along the divide between the waters of the Gulf of Alaska on the south and the waters of the Yukon on the north to the summit of Mount McKinley; thence continuing westerly along the divide between the waters of the Gulf of Alaska and Bristol Bay on the south and the waters of the Yukon and Kuskokwim on the north to the one hundred and fifty-ninth meridian of west longitude; thence northwesterly to the Kuskokwim River on the one hundred and sixty-first meridian of west longitude; thence southwesterly along the center of said river to Bering Sea; said division to include the Alaska peninsula, the Aleutian Islands, and all islands along the coast of this district

Division No. 2.

Division No. 3.

south and west of the said district and all lying south of the fifty-ninth parallel of north latitude. Division numbered four shall consist of all that part of the district of Alaska lying east of the second division and north of the third division. One general term of court shall be held each year at Juneau, and such additional terms at other places in the first division as the Attorney-General may direct. One general term of court shall be held each year at Nome, and such additional terms at other places in the second division as the Attorney-General may direct. One general term of court shall be held each year at Valdez, and such additional terms at other places in the third division as the Attorney-General may direct. One general term of court shall be held each year at Fairbanks, and such additional terms at other places in the fourth division as the Attorney-General may direct. Each of the judges is authorized and directed to hold such special terms of court as may be necessary for the public welfare or for the dispatch of the business of the court at such times and places in their respective districts as any of them, respectively, may deem expedient, or as the Attorney-General may direct; and each shall have authority to employ interpreters and to make allowances for the necessary expenses of his court, and to employ an official court stenographer at such compensation as shall be fixed by the Attorney-General. At least thirty days' notice shall be given by the judge, or the clerk, of the time and place of holding the several terms of the court."

Division
No. 4.

Terms.
Juneau.

Nome.

Valdez.

Fairbanks.

Special
terms.

Interpreters,
etc.

Notice of
term.

SEC. 3. That section seven of said chapter one of title one is hereby amended so as to read as follows:

"SEC. 7. That four clerks shall be appointed for the court, one of whom shall be assigned to each division thereof, and during his term of office shall reside at such place in the division as the Attorney-General may direct. Each clerk shall, in his division of the district, perform the duties required or authorized by law to be performed by clerks of United States courts in other districts, and such other duties as may be prescribed by the laws of the United States relating to the district of Alaska. He shall preserve copies of all laws applicable to the district and shall preserve all records and record all proceedings and official acts of his division of the court. He shall also collect and receive all moneys arising from the fees of his office, from licenses, fines, forfeitures, judgments, or on any other account authorized by law to be paid to or collected by him, and shall apply the same, except the money derived from licenses, to the incidental expenses of the proper division of the district court and the allowance thereof as directed in written orders, duly made and signed by the judge, and shall account for the same in detail, and for any balances on account thereof, under oath, quarterly, or more frequently if required, to the

Four clerks
authorized.

Duties.

Receipt, etc.,
of fees, etc.

Accounting.

Proviso. court, the Attorney-General, and the Secretary of the
 Moneys not Treasury: *Provided*, That moneys accruing from viola-
 available for tions of the customs laws, civil customs cases, or internal-
 court expenses. revenue cases, moneys, not including costs, accruing from
 civil post-office suits, fines in criminal cases for violations
 of the postal laws, the net proceeds of sales of public
 property under section thirty-six hundred and eighteen,
 Revised Statutes as amended, and any other moneys the
 disposition of which is otherwise specially provided for
 by law, shall not be available for the expenses of the court,
 but shall be paid over or deposited as provided by law
 for other districts. And 'after all payments ordered by
 the judge shall have been made, any balances remaining
 in the hands of the clerk shall be by him deposited to
 the credit of the United States and be covered into the
 Treasury of the United States at such times and under
 such rules and regulations as the Secretary of the Treas-
 ury may prescribe. The clerk shall be ex officio recorder
 of instruments as hereinafter provided and also register
 of wills for the division, and shall establish secure offices
 for the safe-keeping of his official records where terms
 of his division of the court are held. He may appoint
 necessary deputies and employ other necessary clerical
 assistance to aid him in the expeditious discharge of the
 duties of his office, with the approval and at compensation
 to be fixed by the court or judge, subject to the approval
 of the Attorney-General. Any person so appointed or
 employed shall be paid by the clerk on the order of the
 judge, as other court expenses are paid.' "

Deposit of
 regular bal-
 ances.

Other duties,
 etc.

Deputies, etc.

SEC. 4. That section eight of said chapter one of title one is hereby amended so as to read as follows:

Four district
 attorneys au-
 thorized.

"SEC. 8. That four district attorneys shall be appointed for the district, one of whom shall be assigned to each division and shall reside at such place in the division as the Attorney-General shall direct. They shall each perform the duties required to be performed by United States district attorneys in other districts, and such other duties as may be required by law; and they shall each receive a salary of five thousand dollars per annum and shall not while in office accept retainers or engage in any other law business in the district than that pertaining to the duties of their office. The Attorney-General may, upon the recommendation of the district attorney, appoint and at pleasure remove one or more assistant district attorneys and one or more clerical assistants, who shall receive such compensation as the Attorney-General may fix, to be paid as other assistant United States district attorneys and clerical assistants are paid. In the case of the death or disability of a district attorney the judge may appoint a suitable person to fill the office until his successor is appointed and qualified or until the disability is removed."

Duties.

Salaries.

Assistants.

Vacancies.

SEC. 5. That section eleven of chapter one, title one, of said Act is hereby amended so as to read as follows:

"SEC. 11. That an accurate detailed account of all fees earned and expenses incurred by commissioners and deputy marshals shall be prepared in duplicate quarterly, duly verified by the oath of the commissioner or deputy marshal rendering the account, and forwarded to the clerk for the proper division of the district court and approved by the judge thereof, if found to be in accordance with law. After approval by the judge the original of each such account shall be forwarded by the clerk to the Department of Justice for revision and the duplicate filed in the court. All net fees earned in excess of the sum of three thousand dollars per calendar year or in excess of that rate for a less period, by any commissioner or deputy marshal, shall be annually paid to the clerk of the proper division of the court to be available for incidental expenses of the district court of the proper division, such payment of such incidental expenses to be accompanied by a verified detailed statement of said clerk."

Accounts of commissioners and deputy marshals.

Quarterly statement to Department of Justice.

Excess of fees to clerk.

SEC. 6. That four United States marshals shall be appointed for the district, one of whom shall be assigned to each division, and shall reside at such place in the division as the Attorney-General shall direct.

Four marshals authorized.

SEC. 7. That section seven hundred and twenty-eight of chapter seventy-four, title two, of said Act is hereby amended so as to read as follows:

"SEC. 728. That each deputy clerk has the power to perform any act or duty relating to the clerk's office that his principal has, and his principal is responsible for his conduct and for all money received by him in his official capacity."

Deputy clerks. Duties.

SEC. 8. That nothing in this Act shall be construed to limit or terminate the term of office of any of the judges, district attorneys, or marshals now serving in Alaska; but each shall serve out the term for which he was appointed unless sooner removed. The judge, district attorney, and marshal now serving in the third division of said district shall hereafter have their residence and hold their respective offices in the fourth division created by this Act: *Provided*, That the President may, in his discretion, change the assignment of any of said officers from one division to another.

Terms of present officers not affected.

Officers in third division.

Proviso. Assignments.

SEC. 9. That section seven hundred and seventy-one of chapter eighty, title two, of said Act, approved June sixth, nineteen hundred, be, and the same is hereby, repealed, and the Attorney-General is authorized and directed to prescribe a schedule of fees for the services rendered by the United States commissioners acting as ex officio probate judges.

Schedule of commissioners' fees repealed.

Vol. 31, p. 454, repealed.

Schedule to be prepared.

SEC. 10. That when, in the opinion of the Attorney-General, it will be impossible for the accounts of any court official or other person whose accounts pertain to the United States courts in Alaska to be transmitted to the Department of Justice within the period prescribed

Modification of time for transmitting accounts allowed.

by law, the Attorney-General may modify, as he may deem proper, any requirement of law concerning the time when such accounts shall be rendered and transmitted.

* * * * *

In effect July 1, 1909.
Repeal.

SEC. 23. That this Act shall take effect and be in force on and after the first day of July, nineteen hundred and nine. In so far only as the provisions of this Act are in conflict with other or prior Acts the other or prior Acts are hereby repealed.

Mar. 4, 1909.
[H. R. 23464.]

CHAP. 297.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

[Public, No. 326.]
35 Stat. L.,
pt. 1, p. 847.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and ten, for the objects hereinafter expressed, namely:

* * * * *

LEGISLATIVE.

* * * * *

(*Pay of Delegate in Congress.* See p. 221.)

* * * * *

GOVERNMENT IN THE TERRITORIES.

Alaska.

DISTRICT OF ALASKA: For governor, five thousand dollars; three judges, at five thousand dollars each; three attorneys, at three thousand dollars each; three marshals, at four thousand dollars each; three clerks, at three thousand five hundred dollars each; in all, fifty-one thousand five hundred dollars.

For incidental and contingent expenses, clerk hire, not to exceed two thousand dollars; traveling expenses of the governor while absent from Juneau on official business; rent of office and quarters in Juneau, stationery, lights, and fuel, to be expended under the direction of the governor, five thousand five hundred dollars.

* * * * *

DEPARTMENT OF THE INTERIOR.

* * * * *

SURVEYORS-GENERAL AND THEIR CLERKS.

For surveyor-general and ex officio secretary of the district of Alaska, four thousand dollars; clerks in his office, seven thousand dollars; in all, eleven thousand dollars. Alaska.

CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine, and for prior years, and for other purposes. Mar. 4, 1909.
[H. R. 28376.]
[Public. No. 327.]
35 Stat. L.,
pt. 1, p. 907.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects herein-after stated, namely:

* * * * *

NAVAL ESTABLISHMENT.

* * * * *

MARINE CORPS.

* * * * *

(For installing electric lights and heating system, marine barracks, Sitka, Alaska. See p. 112.)

* * * * *

INTERIOR DEPARTMENT.

* * * * *

For the care and custody of persons legally adjudged insane in the district of Alaska, including transportation and other expenses, to be expended under the supervision of the Secretary of the Interior, twenty-two thousand dollars. Insane, Alaska.

* * * * *

UNITED STATES COURTS.

* * * * *

SALARIES, GOVERNOR, AND SO FORTH, TERRITORY OF ALASKA: For the increase in the salaries of the existing district judges and district attorneys in the district of Alaska. Increased salaries and new offices.

Alaska, thirteen thousand five hundred dollars; for the salary of the additional district judge for said district, seven thousand five hundred dollars; for the salary of the additional district attorney for said district, five thousand dollars; for the salary of the additional United States marshal for said district, four thousand dollars; for the salary of the additional clerk of court for said district, three thousand five hundred dollars; for the fiscal year nineteen hundred and ten, in all, thirty-three thousand five hundred dollars.

* * * * *

Miscellaneous expenses.

For payment of such miscellaneous expenses as may be authorized by the Attorney-General, for the United States courts and their officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and moving of records: *Provided*, That in so far as it may be deemed necessary by the Attorney-General, this appropriation shall be available for such expenses in the district of Alaska, for fiscal years as follows:

Proviso.
Alaska.

For the fiscal year nineteen hundred and nine, fifteen thousand dollars.

For the fiscal year nineteen hundred and six, three hundred and fifty-five dollars and sixty cents.

For the fiscal year nineteen hundred and five, one hundred and eighty-two dollars and fifteen cents.

For the fiscal year nineteen hundred and four, sixty-one dollars and ninety-six cents.

For the fiscal year nineteen hundred and two, thirty-one dollars and forty cents.

* * * * *

Mar. 4, 1909.
[H. R. 28245.]
[Public, No.
328.]

CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

35 Stat. L.,
pt. 1, p. 945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

* * * * *

UNDER THE TREASURY DEPARTMENT.

PUBLIC BUILDINGS.

* * * * *

Repairs and preservation.

For repairs and preservation of public buildings: Repairs, and preservation of custom-houses, court-houses and post-offices, quarantine stations and marine hospitals, buildings and wharf at Sitka, Alaska, buildings not re-

served by the vendors on sites acquired for buildings or the enlargement of buildings, and other public buildings and the grounds thereof, including necessary wire screens, under the control of the Treasury Department, exclusive of personal services, except for work done by contract, five hundred and fifty thousand dollars: *Provided*, That of this amount not exceeding one hundred thousand dollars may be used for marine hospitals and quarantine stations, including wire screens for same, and not exceeding twelve thousand dollars * * *

Proviso.
Marine hos-
pitals, etc.

* * * * *

LIFE-SAVING SERVICE.

* * * * *

For one superintendent for the life-saving and life-boat station on the coasts of California, Oregon, Wash- ington, and Alaska, two thousand two hundred dollars;

Keepers.

* * * * *

Not exceeding ten thousand five hundred dollars of the unexpended balance of appropriations for establishing new life-saving stations and lifeboat stations on the sea and Lake coasts of the United States authorized by law, or so much as may be necessary, are hereby made immediately available for the construction of a life-saving station suitable for exhibition purposes on the grounds of the Alaska-Yukon-Pacific Exposition.

Exhibit at
Seattle Exposit-
tion.

The United States Government board of managers of the Alaska-Yukon-Pacific Exposition is authorized to rent such workshops, storage and office rooms in the Dis- trict of Columbia as may be required in connection with the preparation, safe-keeping, and return of the govern- ment exhibit authorized by Act of Congress, approved May twenty-seventh, nineteen hundred and eight.

Workshops,
etc., preparing
exhibit.

* * * * *

REVENUE-CUTTER SERVICE.

For expenses of the Revenue-Cutter Service: * * * ; for maintenance of vessels in the protection of seal fisher- ies in Bering Sea and the other waters of Alaska, and the enforcement of the provisions of law in Alaska; * * *

Seal fisher-
les.

* * * * *

UNDER THE DEPARTMENT OF COMMERCE AND LABOR.

LIGHT-HOUSES, BEACONS, AND FOG SIGNALS.

* * * * *

Hinchinbrook Entrance light station, Alaska: For com- pleting Hinchinbrook light and fog signal station, Alaska, fifty thousand dollars.

Hinchin-
brook, Alaska.

* * * * *

Alaskan wa- For establishing, under the direction and supervision
 ters. Necessary of the Light-House Board, such aids to navigation in
 aids. Alaskan waters as may, in the opinion of the Secretary
 of Commerce and Labor, be considered advisable and
 necessary, sixty thousand dollars.

* * * * *

LIGHT-HOUSE ESTABLISHMENT.

* * * * *

(*Lighting of rivers in Alaskan waters.* See p. 222.)

* * * * *

Yes Bay, Yes Bay (Alaska) Hatchery: Superintendent, one thou-
 Alaska. sand five hundred dollars; foreman, one thousand two
 hundred dollars; two skilled laborers, at nine hundred
 and sixty dollars each; three laborers, at nine hundred
 dollars each; cook, nine hundred dollars; in all, eight
 thousand two hundred and twenty dollars.

Afognak, Afognak (Alaska) Station: Superintendent, one thou-
 Alaska. sand five hundred dollars; foreman, one thousand two
 hundred dollars; two skilled laborers, at nine hundred
 and sixty dollars each; three laborers, at nine hundred
 dollars each; cook, nine hundred dollars; in all, eight
 thousand two hundred and twenty dollars.

* * * * *

William L. The accounting officers of the Treasury Department
 Soleau. are hereby authorized and directed to credit in the ac-
 counts. counts of William L. Soleau, disbursing clerk, Depart-
 ment of Commerce and Labor, payments made by him for
 subsistence of regular employees at the United States
 fish hatcheries at Yes Bay, Alaska, and Baker, Washing-
 ton, paid prior to June thirtieth, nineteen hundred and
 eight.

* * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF COMMERCE AND
 LABOR.

Alaskan seal ALASKAN SEAL FISHERIES: For salaries of agents at seal
 fisheries. fisheries in Alaska, as follows: For one agent, three thou-
 Agents' sal- sand six hundred and fifty dollars; one assistant agent,
 aries, etc. sand two thousand nine hundred and twenty dollars; two as-
 sistant agents, at two thousand one hundred and ninety
 dollars each; janitor service at the government buildings
 at the Pribilof Islands, not exceeding four hundred and
 eighty dollars; in all, eleven thousand four hundred and
 thirty dollars.

Food, etc., To enable the Secretary of Commerce and Labor to
 for natives. furnish food, fuel, and clothing and other necessaries of
 life to the native inhabitants on the islands of Saint Paul
 and Saint George, Alaska, nineteen thousand five hundred
 dollars.

Repairs to public buildings on the Pribilof Islands, Alaska: For repairing the government buildings on the fur-seal islands, Saint George and Saint Paul, Alaska, including repairs to guardhouses and coal house, three thousand dollars. Repairs to buildings.

* * * * *

UNDER THE DEPARTMENT OF THE INTERIOR.

* * * * *

PUBLIC LANDS SERVICE.

* * * * *

DEPREDACTIONS ON PUBLIC TIMBER, PROTECTING PUBLIC LANDS, AND SETTLEMENT OF CLAIMS FOR SWAMP LAND AND SWAMP-LAND INDEMNITY: * * * *Provided*, That agents and others employed under this appropriation shall be allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding three dollars per day each and actual necessary expenses for transportation, including necessary sleeping-car fares, except when agents are employed in the district of Alaska, they may be allowed not exceeding six dollars per day each, in lieu of subsistence. Timber depredations, protecting, and swamp-land claims. *Proviso.* Per diem.

* * * * *

Exception.

SURVEYING THE PUBLIC LANDS.

For surveys and resurveys of public lands, four hundred and twenty-five thousand dollars, at rates not exceeding nine dollars per linear mile for standard and meander lines, seven dollars for township and five dollars for section lines: *Provided*, That in expending this appropriation preference shall be given, first, in favor of surveying townships occupied, in whole or in part, by actual settlers and of lands granted to the States by the Acts approved February twenty-second, eighteen hundred and eighty-nine, and the Acts approved July third and July tenth, eighteen hundred and ninety; and, second, to surveying under such other Acts as provide for land grants to the several States and Territories, except railroad land grants and such indemnity lands as the several States and Territories may be entitled to in lieu of lands granted them for educational and other purposes which may have been sold or included in some reservation or otherwise disposed of, and other surveys shall be confined to lands adapted to agriculture and lines of reservations, and lands within boundaries of forest reservations, except that the Commissioner of the General Land Office may allow for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding thirteen dollars per linear mile for standard and meander lines, eleven dollars for township Surveying. Rates. *Provisos.* Preference. Extra rates, heavily timbered, etc., lands.

and seven dollars for section lines, and in cases of exceptional difficulties in the surveys, where the work can not be contracted for at these rates, compensation for surveys and resurveys may be allowed by the said commissioner, with the approval of the Secretary of the Interior, at rates not exceeding eighteen dollars per linear mile for standard and meander lines, fifteen dollars for township, and twelve dollars for section lines: *Provided further*, That in * * * the district of Alaska there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding twenty-five dollars per linear mile for standard and meander lines, twenty-three dollars for township and twenty dollars for section lines; the provisions of section twenty-four hundred and eleven, Revised Statutes of the United States, authorizing allowance for surveys in California and Oregon, are hereby extended to all of the above-named States and Territories and district. And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation, not exceeding six dollars per day, except in the district of Alaska, where a compensation not exceeding ten dollars per day may be allowed one such surveyor and such per diem allowance, in lieu of subsistence, not exceeding three dollars, while engaged in field examinations, as he may prescribe, said per diem allowance to be also made to such clerks who are competent surveyors who may be detailed to make field examinations, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal fields, and timber districts, and for making, by such competent surveyors, fragmentary surveys and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States: *Provided further*, That the sum of not exceeding twenty-five thousand dollars of the amount hereby appropriated may be expended by the Commissioner of the General Land Office, with the approval of the Secretary of the Interior, for the purchase of metal monuments to be used for public-land survey corners wherever practicable.

Lands in California, etc.

R. S., sec. 2411.

Resurveys, etc.

Per diem.

Inspecting mineral, etc., lands.

Monuments for section corners.

* * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF THE INTERIOR.

* * * * *

CARE AND CUSTODY OF THE INSANE OF ALASKA: For the care and custody of persons legally adjudged insane in the district of Alaska, including transportation and other expenses, fifty thousand dollars.

Alaska.
Care of in-
sane.

EDUCATION IN ALASKA: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska; for erection, repair, and rental of school buildings; for textbooks and industrial apparatus; for pay and necessary traveling expenses of general agent, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, two hundred thousand dollars, so much of which sum as may be necessary for the purchase of supplies shall be immediately available: *Provided*, That no person employed hereunder as special agent or inspector, or to perform any special or unusual duty in connection herewith, shall receive as compensation exceeding two hundred dollars per month, in addition to actual traveling expenses and per diem not exceeding four dollars in lieu of subsistence, when absent on duty from their designated and actual posts of duty: *Provided*, That of the sum hereby appropriated not exceeding seven thousand dollars may be expended for personal services in the District of Columbia.

Education of
natives.

Books, etc.

Providos.
Limit of pay.Services,
Washington,
D. C.

All expenditures of money appropriated herein for school purposes in Alaska shall be under the supervision and direction of the Commissioner of Education and in conformity with such conditions, rules and regulations as to conduct and methods of instruction and expenditure of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Supervision
of expendi-
tures.

REINDEER FOR ALASKA: For the support of reindeer stations in Alaska, and for the instruction of Alaskan natives in the care and management of the reindeer, twelve thousand dollars; and all reindeer owned by the United States in Alaska shall, as soon as practicable, be turned over to missions in or natives of Alaska, to be held and used by them under such conditions as the Secretary of the Interior shall prescribe. The Secretary of the Interior may authorize the sale of surplus male reindeer and make regulations for the same. The proceeds of such sale shall be turned into the Treasury of the United States.

Reindeer.

PROTECTION OF GAME IN ALASKA: For carrying out the provisions of an Act approved May eleventh, nineteen hundred and eight, entitled "An Act for the protection of game in Alaska, and for other purposes," including

Protection of
game.

salaries, traveling expenses of game wardens, and all other necessary expenses, ten thousand dollars, to be expended under the direction of the governor of Alaska.

* * * * *

UNDER THE WAR DEPARTMENT.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(Bringing home remains of officers and soldiers who die abroad. See p. 113.)

* * * * *

UNDER THE DEPARTMENT OF JUSTICE.

* * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

* * * * *

Alaska.
Incidental ex-
penses.

INCIDENTAL EXPENSES, DISTRICT OF ALASKA: For furniture, fuel, books, stationery, and other incidental expenses, for the offices of the marshals and attorneys, six thousand dollars.

Traveling ex-
penses.

TRAVELING EXPENSES, DISTRICT OF ALASKA: For the actual and necessary expenses of the judges and clerks in the district of Alaska when traveling in the discharge of their official duties, five thousand dollars.

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JUDICIAL.

* * * * *

(Expenses, U. S. courts in district of Alaska. See p. 224.)

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DEPARTMENT OF STATE.

* * * * *

Bureau of
American Re-
publics.

Exhibit at
Alaska-Yukon
Exposition by

BUREAU OF AMERICAN REPUBLICS: To enable the International Bureau of American Republics to provide and maintain an exhibit at the Alaska-Yukon-Pacific Exposition, three thousand dollars, to be immediately available.

* * * * *

CHAP. 301.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 4, 1909. [H. R. 27053.]

[Public, No. 330.] 35 Stat. L., pt. 1, p. 1039.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June thirtieth, nineteen hundred and ten, for the purposes and objects hereinafter expressed, namely:

Agricultural Department appropriations.

DEPARTMENT OF AGRICULTURE.

* * * * *

FOREST SERVICE.

* * * * *

GENERAL EXPENSES, FOREST SERVICE: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed five hundred dollars; to pay all expenses necessary to protect, administer, and improve the national forests; to ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests, * * * , to be exported from the State, Territory, or the District of Alaska in which said forests are respectively situated:

General expenses.

Restricted to United States.

Provisos. Cost of buildings. Protection, etc., of national forests.

Sales of timber.

* * * * *

(Establishment and maintenance of agricultural experiment stations in Alaska. See p. 224.)

* * * * *

Mar. 4, 1909.
[H. R. 28192.]

CHAP. 320.—An Act To amend the Acts respecting copyright.

[Public, No.
349.]
35 Stat. L.,
pt. 1, p. 1075.

(*Applicable to Alaska.* See sec. 34, p. 236.)

Mar. 4, 1909.
[S. 2982.]

CHAP. 321.—An Act To codify, revise, and amend the penal laws of the United States.

[Public, No.
350.]
35 Stat. L.,
pt. 1, p. 1088.

(See p. 242.)

ARMY AND NAVY.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 27.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

Feb. 15, 1908.
[H. R. 14766.]
[Public. No. 24.]
35 Stat. L.,
pt. 1, p. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Urgent deficiencies appropriations.

* * * * *

MILITARY ESTABLISHMENT.

UNDER THE CHIEF SIGNAL OFFICER.

For expenses of the Signal Service of the Army on account of the Army of Cuban Pacification during the fiscal year ending June thirtieth, nineteen hundred and eight, in the purchase of equipment, stores, and supplies, the engagement of services personal and not personal, and all other expenses connected with the duty of collecting and transmitting information for the Army, by telegraph or otherwise, ten thousand dollars.

Signal service.
Cuban expenses.

* * * * *

NAVAL ESTABLISHMENT.

* * * * *

MARINE CORPS.

* * * * *

For repairs and improvements to marine barracks and officers' quarters, Camp Elliott, Isthmus Canal Zone, Panama, ten thousand dollars.

Camp Elliott, Canal Zone.
Repairs.

* * * * *

CHAP. 96.—An Act To carry into effect the international convention of December twenty-first, nineteen hundred and four, relating to the exemption in time of war of hospital ships from dues and taxes on vessels.

Mar. 24, 1908.
[S. 4377.]
[Public. No. 62.]
35 Stat. L.,
pt. 1, p. 46.
Preamble.
Treaties.

Whereas a convention providing for the exemption of hospital ships in time of war from the payment of all

dues and taxes imposed for the benefit of the State was signed at The Hague on December twenty-first, nineteen hundred and four, by the plenipotentiaries of the United States of America, Germany, Austria-Hungary, Belgium, China, Korea, Denmark, Spain, Mexico, France, Greece, Italy, Japan, Luxemburg, Montenegro, The Netherlands, Peru, Persia, Portugal, Roumania, Russia, Servia, Siam, and Switzerland; and

Whereas the said convention was duly ratified by the Government of the United States of America by and with the advice and consent of the Senate thereof, and was proclaimed by the President of the United States May twenty-first, nineteen hundred and seven: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hospital ships, concerning which the conditions set forth in articles one, two, and three of the convention concluded at The Hague on July twenty-ninth, eighteen hundred and ninety-nine, for the adaptation to maritime warfare of the principles of the Geneva convention of August twenty-second, eighteen hundred and sixty-four, are fulfilled, shall, in the ports of the United States and the possessions thereof, be exempted, in time of war, from all dues and taxes imposed on vessels by the laws of the United States, and from all pilotage charges.

Hospital ships exempted from taxes, etc., in time of war.

President to designate ships, etc.

SEC. 2. That the President of the United States shall by proclamation name the hospital ships to which this Act shall apply, and shall indicate the time when the exemptions herein provided for shall begin and end.

Apr. 23, 1908.
[S. 1424.]

CHAP. 150.—An Act To increase the efficiency of the Medical Department of the United States Army.

[Public. No. 101.]
35 Stat. L.,
pt. 1, p. 66.
Army.
Medical Department.
Medical Corps, etc., authorized.
R. S., sec. 1163.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the approval of this Act the Medical Department of the United States Army shall consist of a Medical Corps and a Medical Reserve Corps, as hereinafter provided; and the Hospital Corps, the nurse corps, and dental surgeons, as now authorized by law.

Composition of.

SEC. 2. That the Medical Corps shall consist of one Surgeon-General, with rank of brigadier-general, who shall be chief of the Medical Department; fourteen colonels, twenty-four lieutenant-colonels, one hundred and five majors, and three hundred captains or first lieutenants, who shall have rank, pay, and allowances of officers of corresponding grades in the cavalry arm of the service. Immediately following the approval of this Act

all officers of the Medical Department then in active service, other than the Surgeon-General, shall be recommissioned in the corresponding grades in the Medical Corps established by this Act in the order of their seniority and without loss of relative rank in the Army, as follows: Assistant surgeons-general, with the rank of colonel, as colonels; deputy surgeons-general, with rank of lieutenant-colonel, as lieutenant-colonels; surgeons, with the rank of major, as majors; assistant surgeons, who at the time of the approval of this Act shall have served three years or more, as captains; and assistant surgeons, with the rank of first lieutenant, who at the time of the approval of this Act shall have served less than three years as such, as first lieutenants; and hereafter first lieutenants shall be promoted to the grade of captain after three years' service in the Medical Corps.

Officers in active service to be recommissioned, etc.

Grades and rank.

Promotions.

Vacancies.

Provisos. Maximum yearly increase in grades.

Rank of assistant surgeons, etc.

SEC. 3. That promotions in the Medical Corps to fill vacancies in the several grades created or caused by this Act, or hereafter occurring, shall be made according to seniority, but all such promotions and all appointments to the grade of first lieutenant in said corps shall be subject to examination as hereinafter provided: *Provided*, That the increase in grades of colonel, lieutenant-colonel, and major provided for in this Act shall be filled by promotion each calendar year of not exceeding two lieutenant-colonels to be colonels, three majors to be lieutenant-colonels, fourteen captains to be majors, and of the increase in the grade of first lieutenant not more than twenty-five per centum of the total of such increase shall be appointed in any one calendar year: *Provided further*, That those assistant surgeons who at the time of the approval of this Act shall have attained their captaincy by reason of service in the volunteer forces under the provisions of the Act of February second, nineteen hundred and one, section eighteen, or who will receive their captaincy upon the approval of this Act by virtue of such service, shall take rank among the officers in or subsequently promoted to that grade, according to date of entrance into the Medical Department of the Army as commissioned officers.

Examination for appointment as first lieutenant.

SEC. 4. That no person shall receive an appointment as first lieutenant in the Medical Corps unless he shall have been examined and approved by an army medical board consisting of not less than three officers of the Medical Corps designated by the Secretary of War.

Promotions of officers below rank of lieutenant-colonel. Examinations required.

SEC. 5. That no officer of the Medical Corps below the rank of lieutenant-colonel shall be promoted therein until he shall have successfully passed an examination before an army medical board consisting of not less than three officers of the Medical Corps, to be designated by the Secretary of War, such examination to be prescribed by the Secretary of War and to be held at such time anterior to the accruing of the right to promotion as may be for

Proviso.
Retirement if
physically dis-
abled.

the best interests of the service: *Provided*, That should any officer of the Medical Corps fail in his physical examination and be found incapacitated for service by reason of physical disability contracted in the line of duty, he shall be retired with the rank to which his seniority entitled him to be promoted; but if he should be found disqualified for promotion for any other reason, a second examination shall not be allowed, but the Secretary of War shall appoint a board of review to consist of three officers of the Medical Corps superior in rank to the officer examined, none of whom shall have served as a member of the board which examined him. If the unfavorable finding of the examining board is concurred in by the board of review, the officer reported disqualified for promotion shall, if a first lieutenant or captain, be honorably discharged from the service with one year's pay; and, if a major, shall be debarred from promotion and the officer next in rank found qualified shall be promoted to the vacancy. If the action of the examining board is disapproved by the board of review, the officer shall be considered qualified and shall be promoted.

No second
examination if
otherwise dis-
qualified.
Appointment
of board of re-
view.

Action if
disqualified for
promotion.

Promotion if
finding be fa-
vorable.

Rank and
service of pres-
ent officers not
affected.

SEC. 6. That nothing in this Act shall be construed to legislate out of the service any officer now in the Medical Department of the Army, nor to affect the relative rank or promotion of any medical officer now in the service, or who may hereafter be appointed therein, as determined by the date of his appointment or commission, except as herein otherwise provided in section three.

Medical Re-
serve Corps
authorized.
Graduates of
medical schools
to be commis-
sioned as first
lieutenants.

SEC. 7. That for the purpose of securing a reserve corps of medical officers available for military service, the President of the United States is authorized to issue commissions as first lieutenants therein to such graduates of reputable schools of medicine, citizens of the United States, as shall from time to time, upon examination to be prescribed by the Secretary of War, be found physically, mentally, and morally qualified to hold such commissions, the persons so commissioned to constitute and be known as the Medical Reserve Corps. The commissions so given shall confer upon the holders all the authority, rights, and privileges of commissioned officers of the like grade in the Medical Corps of the United States Army, except promotions, but only when called into active duty, as hereinafter provided, and during the period of such active duty. Officers of the Medical Reserve Corps shall have rank in said corps according to date of their commissions therein, and when employed on active duty, as hereinafter provided, shall rank next below all other officers of like grade in the United States Army: *Provided*, That contract surgeons now in the military service who receive the favorable recommendation of the Surgeon-General of the Army shall be eligible for appointment in said reserve corps

Rights, etc.,
of, when on
active duty.

Rank.

Provisos.
Contract sur-
geons.

without further examination: *Provided further*, That any contract surgeon not over twenty-seven years of age at date of his appointment as contract surgeon shall be eligible to appointment in the regular corps.

Eligible to appointment in regular corps.

SEC. 8. That in emergencies the Secretary of War may order officers of the Medical Reserve Corps to active duty in the service of the United States in such numbers as the public interests may require, and may relieve them from such duty when their services are no longer necessary: *Provided*, That nothing in this Act shall be construed as authorizing an officer of the Medical Reserve Corps to be ordered upon active duty as herein provided who is unwilling to accept such service, nor to prohibit an officer of the Medical Reserve Corps not designated for active duty from service with the militia, or with the volunteer troops of the United States, or in the service of the United States in any other capacity, but when so serving with the militia or with volunteer troops, or when employed in the service of the United States in any other capacity, an officer of the Medical Reserve Corps shall not be subject to call for duty under the terms of this section: *And provided further*, That the President is authorized to honorably discharge from the Medical Reserve Corps any officer thereof whose services are no longer required: *And provided further*, That officers of the Medical Reserve Corps who apply for appointment in the Medical Corps of the Army may, upon the recommendation of the Surgeon-General, be placed on active duty by the Secretary of War and ordered to the Army Medical School for instruction and further examination to determine their fitness for commission in the Medical Corps: *And provided further*, That any officer of the Medical Reserve Corps who is subject to call and who shall be ordered upon active duty as herein provided and who shall be unwilling and refuse to accept such service shall forfeit his commission.

Emergency service.

Provisos.
Declination of service allowed.

May serve with militia, etc.

Honorable discharge when no longer required.

Applications for admission to Medical Corps.

Forfeiture of commission.

SEC. 9. That officers of the Medical Reserve Corps when called upon active duty in the service of the United States, as provided in section eight of this Act, shall be subject to the laws, regulations, and orders for the government of the Regular Army, and during the period of such service shall be entitled to the pay and allowances of first lieutenants of the Medical Corps with increase for length of service now allowed by law, said increase to be computed only for time of active duty: *Provided*, That no officer of the Medical Reserve Corps shall be entitled to retirement or retirement pay, nor shall he be entitled to pension except for physical disability incurred in the line of duty while in active duty: *And provided further*, That nothing in this Act shall be construed to prevent the appointment in time of war of medical officers of volunteers in such numbers and with such rank and pay as may be provided by law.

Pay and allowance.

Provisos.
Not entitled to retirement, etc.

Appointments in time of war.

Repeal.

SEC. 10. That all Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

May 11, 1908.
[H. R. 17288.]

CHAP. 163.—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nine.

[Public. No. 112.]
35 Stat. L.,
pt. 1, p. 106.

Army appro-
priations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, nineteen hundred and nine:

* * * * *

OFFICE OF THE CHIEF OF STAFF.

Contingent
expenses.

For contingent expenses of the military information division, General Staff Corps, including the purchase of law books, professional books of reference, professional and technical periodicals and newspapers, and of the military attachés at the United States embassies and legations abroad, and of the branch office of the military information division at Manila, to be expended under the direction of the Secretary of War, ten thousand dollars: *Provided,* That section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation.

Proviso.
Foreign pe-
riodicals, etc.
R. S., sec.
3648.

* * * * *

OFFICE OF THE CHIEF SIGNAL OFFICER.

Service ex-
penses.

SIGNAL SERVICE OF THE ARMY: For expenses of the Signal Service of the Army, as follows: * * *

Proviso.
Conveyance
of lot in Alas-
ka for tele-
graph office,
etc., accepted.

* * * *Provided,* That the conveyance by Tillie McChesney to the United States of a lot in the town of Fairbanks, Territory of Alaska, donated by said town as a site for a telegraph office and quarters for a detachment of the Signal Corps of the Army, which conveyance was by deed duly executed, acknowledged, and recorded in volume two of deeds, Fairbanks precinct, Alaska, is hereby accepted.

* * * * *

Washington-
Alaska cable,
etc.
Cost for ex-
tension, etc.,
available from
receipts.

WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM: For defraying the cost of such extensions and betterments of the Washington-Alaska military cable and telegraph system as may be approved by the Secretary of War, to be available until the close of the fiscal

year nineteen hundred and ten from the receipts of the Washington-Alaska military cable and telegraph system that have been covered into the Treasury of the United States, the extent of such extensions and the cost thereof to be reported to Congress by the Secretary of War, two hundred thousand dollars.

Report to Congress.

To reimburse officers traveling on duty in connection with the Washington-Alaska military cable and telegraph system since January first, nineteen hundred and four, for money paid by them for traveling expenses in excess of the mileage allowed them by law, two thousand five hundred dollars.

Reimbursement.

* * * * *

PAY OF ENLISTED MEN.

* * * * *

That hereafter the annual pay of officers of the Army of the several grades herein mentioned shall be as follows: Major-general, eight thousand dollars; brigadier-general, six thousand dollars; colonel, four thousand dollars; lieutenant-colonel, three thousand five hundred dollars; major, three thousand dollars; captain, two thousand and four hundred dollars; first lieutenant, two thousand dollars; second lieutenant, one thousand seven hundred dollars. And the pay of cadets at the Military Academy shall hereafter be six hundred dollars a year. That hereafter the United States shall furnish mounts and horse equipments for all officers of the Army below the grade of major required to be mounted, but in case any officer below the grade of major required to be mounted provides himself with suitable mounts at his own expense, he shall receive an addition to his pay of one hundred and fifty dollars per annum if he provides one mount, and two hundred dollars per annum if he provides two mounts. Section twelve hundred and sixty-seven of the Revised Statutes of the United States is hereby amended to read as follows: "In no case shall the pay of a colonel exceed five thousand dollars a year; the pay of a lieutenant-colonel exceed four thousand five hundred dollars a year, or the pay of a major exceed four thousand dollars a year:" *Provided*, That nothing in this section is intended to increase or change or shall be construed as increasing or changing the present pay or allowances of any officer in the United States Navy; and section thirteen of an Act entitled "An Act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," approved March third, eighteen hundred and ninety-nine, shall not be construed as changing the pay of any naval officer by reason of the provisions of this Act.

Pay of officers increased. R. S., sec. 1261, amended.

Cadets. Allowance for mounts.

Maximum for colonels and lieutenant-colonels. R. S., sec. 1267, amended.

Proviso. Navy officers not affected.

That hereafter immediately upon official notification of the death from wounds or disease contracted in line of service, Allowances for death in service.

duty of any officer or enlisted man on the active list of the Army, the Paymaster-General of the Army shall cause to be paid to the widow of such officer or enlisted man, or to any other person previously designated by him, an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death, less seventy-five dollars in the case of an officer and thirty-five dollars in the case of an enlisted man. From the amount thus reserved the Quartermaster's Department shall be reimbursed for expenses of interment, and the residue, if any, of the amount reserved shall be paid subsequently to the designated person. The Secretary of War shall establish regulations requiring each officer and enlisted man to designate the proper person to whom this amount shall be paid in case of his death, and said amount shall be paid to that person from funds appropriated for the pay of the Army.

Interment expenses.
Beneficiaries to be designated.

Pay of enlisted men increased.

R. S., secs. 1280, 1281, amended.

Noncommissioned officers.

That hereafter the monthly pay of enlisted men of the Army during their first enlistment shall be as follows, namely: Master electricians, master signal electricians, seventy-five dollars; engineers, sixty-five dollars; sergeants first class Hospital Corps, fifty dollars; regimental sergeants-major, regimental quartermaster-sergeants, regimental commissary-sergeants, sergeants-major senior grade coast artillery, battalion sergeants-major of engineers, post quartermaster-sergeants, post commissary-sergeants, post ordnance-sergeants, battalion quartermaster-sergeants of engineers, electrician-sergeants first class, sergeants first class Signal Corps, and first sergeants, forty-five dollars; battalion sergeants-major of infantry and field artillery, squadron sergeants-major, sergeants-major junior grade coast artillery, battalion quartermaster-sergeants, field artillery, and master gunners, forty dollars; electrician-sergeants second class, sergeants of engineers, ordnance, and Signal Corps, quartermaster-sergeants of engineers, and color-sergeants, thirty-six dollars; sergeants and quartermaster-sergeants of cavalry, artillery, and infantry, stable-sergeants, sergeants, and acting cooks of the Hospital Corps, firemen, and cooks, thirty dollars: *Provided*, That mess sergeants shall receive six dollars per month in addition to their pay; corporals of engineers, ordnance, Signal Corps, and Hospital Corps, chief mechanics, and mechanics, coast artillery, twenty-four dollars; corporals of cavalry, artillery, and infantry, mechanics of field artillery, blacksmiths and farriers, saddlers, wagoners, and artificers, twenty-one dollars: *Provided*, That not to exceed one blacksmith and farrier in each troop of cavalry and one mechanic in each battery of field artillery shall receive nine dollars per month additional for performing the duty of horse-shoer; privates first class of engineers, ordnance, Signal Corps, and Hospital Corps, eighteen dollars; privates, Hospital Corps, sixteen dollars; trumpeters, musicians of

Privates.
Extra to mess sergeants.

Horseshoers.

Privates.

infantry, artillery, and engineers, privates of cavalry, artillery, infantry, Signal Corps, and privates second class, engineers and ordnance, fifteen dollars.

That hereafter any soldier honorably discharged at the termination of an enlistment period who reenlists within three months thereafter shall be entitled to continuous-service pay as herein provided, which shall be in addition to the initial pay provided for in this Act and shall be as follows, namely: For those whose initial pay as provided herein is thirty-six dollars or more an increase of four dollars monthly pay for and during the second enlistment, and a further increase of four dollars for and during each subsequent enlistment up to and including the seventh, after which the pay shall remain as in the seventh enlistment. For those whose initial pay as provided for herein is eighteen, twenty-one, twenty-four, or thirty dollars, an increase of three dollars monthly pay for and during the second enlistment, and a further increase of three dollars for and during each subsequent enlistment up to and including the seventh, after which the pay shall remain as in the seventh enlistment. For those whose initial pay as provided for herein is fifteen and sixteen dollars, an increase of three dollars monthly pay for and during the second and third enlistments each, and a further increase of one dollar for and during each subsequent enlistment up to and including the seventh, after which the pay shall remain as in the seventh enlistment: *Provided*, That hereafter any soldier honorably discharged at the termination of his first or any succeeding enlistment period who reenlists after the expiration of three months shall be regarded as in his second enlistment; that an enlistment shall not be regarded as complete until the soldier shall have made good any time lost during an enlistment period by unauthorized absences exceeding one day, but any soldier who receives an honorable discharge for the convenience of the Government after having served more than half of his enlistment shall be considered as having served an enlistment period within the meaning of this Act; that the present enlistment period of men now in service shall be determined by the number of years continuous service they have had at the date of approval of this Act, under existing laws, counting three years to an enlistment, and the former service entitling an enlisted man to reenlisted pay under existing laws shall be counted as one enlistment period: *And provided further*, That hereafter any private soldier, musician or trumpeter honorably discharged at the termination of his first enlistment period who reenlists within three months of the date of said discharge shall, upon such reenlistment, receive an amount equal to three months' pay at the rate he was receiving at the time of his discharge.

Reenlistment
continuous-
service pay.
R. S. secs.
1282, 1284,
amended.

Provisos.
Allowance
for reenlist-
ing in three
months, etc.

Bonus to pri-
vates for first
reenlistment.

Additional
pay.
Marksmen,
gunners, etc.

That hereafter enlisted men now qualified or hereafter qualifying as marksmen shall receive two dollars per month; as sharpshooters, three dollars per month; as expert riflemen, five dollars per month; as second-class gunners, two dollars per month; as first-class gunners, three dollars per month; as gun pointers, gun commanders, observers second class, chief planters and chief loaders, seven dollars per month; as plotters, observers first class, and casemate electricians, nine dollars per month, all in addition to their pay, under such regulations as the Secretary of War may prescribe, but no enlisted man shall receive at the same time additional pay for more than one of the classifications named in this section: *Provided*, That nothing in this Act shall be construed to increase the total number of gun pointers, gun commanders, observers, chief planters, chief loaders, plotters, and casemate electricians now authorized by law.

Proviso.
Restriction.

Service be-
yond United
States.

That increase of pay for service beyond the limits of the States comprising the Union, and the territories of the United States contiguous thereto, shall be as now provided by law.

Musicians'
pay increased.

That hereafter the monthly pay during the first enlistment of enlisted men of bands, exclusive of the band of the United States Military Academy, shall be as follows:

Chief musicians, seventy-five dollars; principal musicians and chief trumpeters, forty dollars; sergeants and drum-majors, thirty-six dollars; corporals, thirty dollars; and privates, twenty-four dollars; and the continuous-service pay of all grades shall be as provided in this Act: *Provided*, That army bands or members thereof shall not receive remuneration for furnishing music outside the limits of military posts when the furnishing of such music places them in competition with local civilian musicians.

Proviso.
Music out-
side military
posts.

R. S., secs.
1280, 1281,
1284, repealed.
Soldiers'
Home fund.
R. S., sec.
4819, amended.

That sections twelve hundred and eighty, twelve hundred and eighty-one, and twelve hundred and eighty-four of the Revised Statutes be, and are hereby, repealed, and so much of section forty-eight hundred and nineteen as pertains to the deduction of twelve and one-half cents per month from the pay of every soldier of the Regular Army for the benefit of the Soldiers' Home be, and the same is hereby, repealed.

War pay re-
pealed.

That section six of the Act entitled "An Act for the better organization of the line of the Army of the United States," approved April twenty-sixth, eighteen hundred and ninety-eight, be amended so as to read as follows:

Penalty for
desertion.

"SEC. 6. That any soldier who deserts shall, besides incurring the penalties now attaching to the crime of desertion, forfeit all right to pension which he might otherwise have acquired."

Present pay,
etc., not re-
duced.

That nothing herein contained shall be construed so as to reduce the pay or allowances now authorized by law for any officer or enlisted man of the Army; and all laws

or parts of laws inconsistent with the provisions of this Act are hereby repealed. Repeal.

* * * * *

MISCELLANEOUS.

* * * * *

For extra pay to enlisted men of the line of the Army and to enlisted men of the Signal Corps employed in the Territory of Alaska on the Alaskan cable and telegraph system, for periods of not less than ten days, at the rate of thirty-five cents per day, thirty-six thousand dollars. Extra pay, Alaskan cable, etc.

For mileage to officers and contract surgeons when authorized by law, six hundred thousand dollars: *Provided*, That hereafter actual expenses only, not to exceed four dollars and fifty cents per day and cost of transportation when not furnished by the Quartermaster's Department, shall be paid to the officers of the Army, contract surgeons, and dental surgeons, when traveling on duty without troops, under competent orders, within the geographical limits of the Territory of Alaska. Mileage to officers, etc. *Proviso.* Per diem, etc., Alaska.

For additional ten per centum increase on pay of officers on foreign service, two hundred and eighty-five thousand dollars. Additional pay, foreign service. Officers.

For additional twenty per centum increase to enlisted men on foreign service, seven hundred and sixty-seven thousand dollars: *Provided*, That officers and enlisted men who have served on army transports in the Philippine Archipelago at any time since May twenty-sixth, nineteen hundred, under the control and orders of the commanding general, Philippines Division, or who may hereafter so serve, shall be entitled to receive the same rate of pay as is provided by law for officers and enlisted men serving at shore stations beyond the limits of the United States. Enlisted men. *Proviso.* Service on army transports.

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For Porto Rico Provisional Regiment of Infantry, composed of two battalions of four companies each: Porto Rico Provisional Regiment. Officers.

Pay of officers of the line, fifty thousand four hundred dollars. Longevity.

For additional pay for length of service, six thousand five hundred dollars. Enlisted men.

Pay of enlisted men, ninety-seven thousand six hundred and forty-four dollars. Longevity.

Additional pay for length of service, fifteen thousand dollars. Longevity.

Provided, That men hereafter enlisted in the Porto Rico Provisional Regiment of Infantry shall be enlisted for a period of three years and may be reenlisted, such enlistments and reenlistments to be subject to the regulations governing the Army at large, with such modifications as to physical requirements as the President may prescribe. Proviso. Term of enlistment, etc.

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PHILIPPINE SCOUTS.

Officers. Pay for officers of the line: Fifty first lieutenants, seventy-five thousand dollars.

Fifty second lieutenants, seventy thousand dollars.

Eight first lieutenants (battalion adjutants), fourteen thousand four hundred dollars.

Eight second lieutenants (battalion quartermasters and commissaries), twelve thousand eight hundred dollars.

Difference in additional pay to officers serving in higher grades under authority of law in battalion of Philippine Scouts:

Eight majors from captains (not mounted), five thousand six hundred dollars.

Fifteen captains from first lieutenants (not mounted), four thousand five hundred dollars.

Longevity. Additional for length of service, thirty-four thousand seven hundred and twenty dollars.

Enlisted men. Noncommissioned officers and privates, fifty companies, five hundred and sixteen thousand six hundred dollars.

Specific appropriations for pay increased. The specific appropriations hereinbefore made for officers and enlisted men in the line of the Army and in the several staff corps and departments, enlisted men in the Hospital Corps, officers and enlisted men in the Porto Rico Provisional Regiment of Infantry, and officers in the Philippine Scouts, being based upon former rates of pay, said specific appropriations are hereby increased to the amounts necessary for payment of such increase of pay at the rates established in this Act: *Provided*, That the sum of seven million dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to provide for such increases in the said specific appropriations, and for the purpose of paying officers and enlisted men, including enlisted men of the Hospital Corps, at the rates provided for in this Act.

Proviso.
Additional appropriation.

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QUARTERMASTER'S DEPARTMENT.

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Transportation. TRANSPORTATION OF THE ARMY AND ITS SUPPLIES: For transportation of the Army and its supplies, * * * for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific oceans; * * *

Alaska. Military and post roads. Construction, etc. For the construction and maintenance of military post roads, bridges, and trails in the district of Alaska, to be expended under the direction of the board of road commissioners described in section two of an Act entitled

“An Act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the district of Alaska, and for other purposes,” approved January twenty-seventh, nineteen hundred and five, and to be expended conformably to the provisions of said Act, two hundred and fifty thousand dollars, to remain available until the close of the fiscal year nineteen hundred and ten.

Available.

* * * * *

BARRACKS AND QUARTERS, PHILIPPINE ISLANDS: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including payment of rents, the acquisition of title to building sites and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, seven hundred and thirty-one thousand and twenty-two dollars.

Philippine Islands. Barracks and quarters.

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MEDICAL DEPARTMENT.

MEDICAL AND HOSPITAL DEPARTMENT: For the purchase of medical and hospital supplies, * * * *Provided*, That hereafter the Secretary of War may, in his discretion, contract for the care, maintenance, and treatment of the insane natives of the Philippine Islands serving in the Army of the United States at any asylum in the Philippine Islands in all cases which he is now authorized by law to cause to be sent to the Government Hospital for the Insane in the District of Columbia.

Supplies, etc. *Provido.*

Insane natives, Philippine Islands.

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CHAP. 166.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 13, 1908. [H. R. 20471.]

[Public. No. 115.]
35 Stat. L., pt. 1, p. 126.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June thirtieth, nineteen hundred and nine, and for other purposes.

Naval service appropriations.

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PAY OF THE NAVY.

* * * * *

Hereafter all commissioned officers of the active list of the Navy shall receive the same pay and allowances according to rank and length of service, and the annual pay of each grade shall be as follows: For Admiral, thirteen thousand five hundred dollars; rear-admiral, first nine, eight thousand dollars; rear-admiral, second nine, or commodore, six thousand dollars; captain, four thousand dollars; commander, three thousand five hundred dollars; lieutenant-commander, three thousand dollars; lieutenant, two thousand four hundred dollars; lieutenant, junior grade, two thousand dollars; ensign, one thousand seven hundred dollars. There shall be allowed and paid to each commissioned officer below the rank of rear-admiral ten per centum of his current yearly pay for each term of five years service in the Army, Navy and Marine Corps. The total amount of such increase for length of service shall in no case exceed forty per centum on the yearly pay of the grade as provided by law: *Provided*, That the annual pay of captain shall not exceed five thousand dollars per annum; of commander, four thousand five hundred dollars per annum; and of lieutenant-commander, four thousand dollars per annum. All officers on sea duty and all officers on shore duty beyond the continental limits of the United States shall while so serving receive ten per centum additional of their salaries and increase as above provided, and such increase shall commence from the date of reporting for duty on board ship or the date of sailing from the United States for shore duty beyond the seas or to join a ship in foreign waters. The pay of midshipmen shall hereafter be six hundred dollars per annum while at the Naval Academy, and one thousand four hundred dollars per annum after graduation from the Naval Academy. The pay of all warrant officers and mates is hereby increased twenty-five per centum, and all paymasters' clerks shall, while on duty, receive the same pay and allowances as warrant officers of like length of service in the Navy. The pay of all active and retired enlisted men of the Navy is hereby increased ten per centum: *Provided further*, That the pay and allowances of chiefs of bureaus in the Navy Department shall be the highest pay of the grade to which they belong, and not below that of rear-admiral of the lower nine, and that the pay and allowances of chaplains in the Navy shall in no case exceed that provided for lieutenant-commanders. Aids to rear-admirals embraced in the nine lower numbers of that grade shall each receive one hundred and fifty dollars additional per annum, and aids to all other rear-admirals, two hundred dollars additional per annum

Pay increased.
Officers on active list.
 R. S., sec. 1556, amended.

Longevity.

Maximum increase.

Proviso.
Maximum annual pay for captain, etc.

Additional for foreign service.

Midshipmen.

Warrant officers, etc.

Enlisted men.

Chiefs of bureaus.
 R. S., sec. 1565.

Chaplains.

Aids to rear-admirals.

each. When an officer of the Navy has been thirty years in the service, he may, upon his own application, in the discretion of the President, be retired from active service and placed upon the retired list with three-fourths of the highest pay of his grade: *And provided further*, That any officer of the Navy who is now serving or shall hereafter serve as chief of a bureau in the Navy Department, and shall subsequently be retired, shall be retired with the rank, pay and allowances authorized by law for the retirement of such bureau chief. The pay of all commissioned, warrant and appointed officers and enlisted men of the Navy now on the retired list shall be based on the pay, as herein provided for, of commissioned, warrant and appointed officers and enlisted men of corresponding rank and service on the active list; and all pay herein provided shall remain in force until changed by Act of Congress. Nothing herein shall be construed so as to reduce the pay or allowances now authorized by law for any commissioned, warrant or appointed officer or any enlisted man of the active or retired lists of the Navy, and all laws inconsistent with this provision are hereby repealed.

Retirement, etc., thirty years' service.

Rank, pay, etc., of retiring bureau chiefs.

Basis of pay of retired commissioned, etc., officers. R. S., sec. 1569.

No reduction of present pay.

Repeal.

That hereafter immediately upon official notification of the death from wounds or disease contracted in line of duty of any officer or enlisted man on the active list of the Navy and Marine Corps the Paymaster-General of the Navy shall cause to be paid to the widow of such officer or enlisted man, or any person previously designated by him, an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death, less seventy-five dollars in the case of an officer and thirty-five dollars in the case of an enlisted man to defray expenses of interment, and the residue, if any, of the amount reserved shall be paid subsequently to the designated person. The Secretary of the Navy shall establish regulations requiring each officer and enlisted man to designate the proper person to whom this amount shall be paid in case of death, and said amount shall be paid to that person from funds appropriated for the pay of the Navy and Marine Corps.

Allowances for death. R. S., sec. 1587.

Interment expenses.

Beneficiaries to be designated.

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BUREAU OF EQUIPMENT.

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CIVIL ESTABLISHMENT, BUREAU OF EQUIPMENT: * * *
 Naval station, Cavite, Philippine Islands: One master electrician, one thousand eight hundred and seventy-eight dollars; one clerk, one thousand dollars; in all, two thousand eight hundred and seventy-eight dollars.

Cavite, P. I.

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BUREAU OF YARDS AND DOCKS.

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CIVIL ESTABLISHMENT, BUREAU OF YARDS AND DOCKS:

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San Juan, P. R. Naval station, San Juan, Porto Rico: One clerk, one thousand two hundred dollars; one writer, commandant's office, nine hundred and sixty dollars; one mail messenger, four hundred and twenty dollars; one foreman, one thousand one hundred dollars; in all, three thousand six hundred and eighty dollars.

Hawaii. Naval station, Hawaii: One writer, at one thousand and seventeen dollars and twenty-five cents per annum; one messenger, at two dollars per diem, including Sundays; in all, one thousand seven hundred and forty-nine dollars and twenty-five cents.

Cavite, P. I. Naval station, Cavite, Philippine Islands: One clerk, one thousand two hundred dollars; one time clerk, four hundred and eighty dollars; one writer, three hundred and sixty dollars; one messenger, two hundred and forty dollars; one messenger, one hundred and eighty dollars; one clerk, commandant's office, seven hundred and twenty dollars; one messenger, commandant's office, one hundred and eighty dollars; in all, three thousand three hundred and sixty dollars.

Guam. Naval station, Guam: One clerk, one thousand six hundred dollars; one foreman machinist, one thousand six hundred dollars; one messenger and janitor, six hundred dollars; in all, three thousand eight hundred dollars.

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PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

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Olongapo, P. I. NAVAL STATION, OLONGAPO, PHILIPPINE ISLANDS: Toward the improvement and development of the Naval Stations, Olongapo, Philippine Islands, one hundred thousand dollars. The Secretary of the Navy is hereby authorized to expend, without limitation as to quantities and unit prices, the various amounts appropriated by the Act approved April twenty-seventh, nineteen hundred and four, entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and five, and for other purposes." for the naval station, Olongapo, Philippine Islands, for the respective improvements therein named.

Guam. NAVAL STATION, ISLAND OF GUAM: Dredging, three thousand dollars; extension of naval-station roads, ten thousand dollars; water-supply system, ten thousand dollars; fire-protection system, seven thousand five hundred dollars; extension of telephone system, one thousand five hundred dollars; in all, thirty-two thousand dollars.

Honolulu, Hawaii. NAVAL STATION, HONOLULU, HAWAII: Repairs to wharves, six thousand dollars.

NAVAL STATION, PEARL HARBOR, HAWAII: The Secretary of the Navy is hereby authorized and directed to establish a naval station at Pearl Harbor, Hawaii, on the site heretofore acquired for that purpose; and to erect thereat all the necessary machine shops, storehouses, coal sheds, and other necessary buildings, and to build thereat one graving dry dock capable of receiving the largest war vessels of the Navy, at a cost not to exceed two million dollars for said dry dock. The sums herein-after stated are hereby appropriated and made immediately available, to be expended at the discretion of the Secretary of the Navy, to wit: Toward dredging an entrance channel of a depth of thirty-five feet, four hundred thousand dollars; toward construction of dry dock, three hundred thousand dollars; toward erecting machine shops (to cost three hundred thousand dollars), one hundred thousand dollars; storehouses (to cost three hundred thousand dollars), one hundred thousand dollars; toward yard development, one hundred thousand dollars; in all, one million dollars. That the Secretary of the Navy may, in his discretion, enter into contracts for any portion of the work, including material therefor, within the respective limits of cost herein stipulated, subject to appropriations to be made therefor by Congress, or may direct the construction of said works or any portion thereof under the supervision of a civil engineer of the Navy.

Pearl Harbor, Hawaii. Naval station established.

Immediately available.

Dredging.

Dry dock.

Machine shops, etc.

Contracts.

NAVAL STATION, CAVITE, PHILIPPINE ISLANDS: Extension of boat-storage shed, six thousand dollars; improvements to central wharf, five thousand dollars; receiving and shipping shed, five thousand five hundred dollars; improvements to buildings one, two, three, four II, six thousand dollars; improvements to building numbered twenty-nine, four thousand five hundred dollars; improvements to building numbered nine, three thousand five hundred dollars; lumber shed in building numbered eighty-four, one thousand seven hundred dollars; improvements to building numbered twenty-three, six thousand five hundred dollars; improvements to number one ways, sixteen thousand dollars; improvements to building numbered eighty-three, three thousand dollars; railroad system, extension, two thousand dollars; in all, fifty-nine thousand seven hundred dollars.

Cavite, P. I.

NAVAL STATION, CULEBRA, PORTO RICO: Clearing and cleaning station, one thousand five hundred dollars; cold-storage plant, four thousand dollars; improvements, water system, one thousand six hundred dollars; sewer system, two thousand dollars; fire-protection system, two thousand dollars; in all, eleven thousand one hundred dollars.

Culebra, P. R.

NAVAL STATION, TUTUILA: Dispensary and sick quarters, fifteen thousand dollars.

Tutuila.

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PUBLIC WORKS UNDER THE SECRETARY OF THE NAVY.

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Guam. Care of lepers, etc.	BUILDINGS FOR LEPERS, ISLAND OF GUAM: Naval station, island of Guam: Maintenance and care of lepers and other special patients, fifteen thousand dollars; in all, fifteen thousand dollars.				
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PUBLIC WORKS, BUREAU OF ORDNANCE.

	*	*	*	*	*
P. I. Olongapo, Naval maga- zine.	NAVAL MAGAZINE, OLONGAPO, PHILIPPINE ISLANDS: FOR naval station, Olongapo, Philippine Islands: One chemical laboratory for testing smokeless powder, two thousand dollars; one set of quarters for inspector of ordnance and powder, six thousand dollars.				
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PUBLIC WORKS, MARINE CORPS.

	*	*	*	*	*
Sitka, Alaska.	For installing electric lights and heating system, marine barracks, Sitka, Alaska, five thousand dollars.				
P. I. Olongapo,	For the completion of officers' quarters, naval station, Olongapo, Philippine Islands, ten thousand dollars; and for the construction and completion of amusement room and gymnasium for enlisted men, ten thousand dollars.				
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BUREAU OF MEDICINE AND SURGERY.

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Transferring home remains of officers, etc.	TRANSPORTATION OF REMAINS: To enable the Secretary of the Navy, in his discretion, to cause to be transferred to their homes the remains of officers and enlisted men of the Navy and Marine Corps who die or are killed in action ashore or afloat, and also to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of civilian employees who die outside of the continental limits of the United States, ten thousand dollars: <i>Provided</i> , That the sum herein appropriated shall be available for payment for transportation of the remains of officers and men who have died while on duty at any time since April twenty-first, eighteen hundred and ninety-eight.				
Proviso. Application of fund.	*	*	*	*	*

BUREAU OF SUPPLIES AND ACCOUNTS.

Provisions, etc.	PROVISIONS, NAVY: * * * labor in general storehouses and paymasters' offices in navy-yards, including naval sta-
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tions maintained in island possessions under the control of the United States, and expenses in handling stores purchased under the naval supply fund; * * * *Provided,* Providio. Sales to civilian employees. That such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy and Marine Corps, also to civilian employees at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe.

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Naval station, Cavite, Philippine Islands: In general storehouses: One clerk, at one thousand six hundred dollars; one bookkeeper, at one thousand four hundred dollars; three assistant bookkeepers, at one thousand two hundred dollars each, three thousand six hundred dollars; one shipping and bill clerk, at one thousand two hundred dollars; three storekeepers, at one thousand dollars each, three thousand dollars; one receiving clerk, at one thousand two hundred dollars; one shipping clerk, at one thousand dollars; one assistant clerk, at one thousand dollars; two store men, at nine hundred dollars each; in all, fifteen thousand eight hundred dollars.

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BUREAU OF CONSTRUCTION AND REPAIR.

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CIVIL ESTABLISHMENT, BUREAU OF CONSTRUCTION AND REPAIR: * * *

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Naval station, Cavite, Philippine Islands: One clerk to naval constructor, one thousand four hundred dollars; two clerks, at one thousand two hundred dollars each, two thousand four hundred dollars; in all, three thousand eight hundred dollars.

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BUREAU OF STEAM ENGINEERING.

* * * * *

Machinery plant, naval station, Cavite, Philippine Islands: For additional machine tools, fifteen thousand dollars.

Machinery plant, naval station, Olongapo, Philippine Islands: For machine tools required for equipment of shops for repair work, twenty-five thousand dollars.

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MARINE CORPS.

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PAY OF CIVIL FORCE: * * * Two clerks, for duty in the Philippine Islands, one in Pay and one in Quartermaster's Department, at one thousand four hundred dollars each.

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Repairs of barracks.

FOR REPAIRS OF BARRACKS, MARINE CORPS: Repairs and improvements to barracks and quarters at * * * Sitka, Alaska, and Isthmus of Panama; for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Territory of Hawaii, the Philippine Islands, at Guam, * * * and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and the other public buildings, ninety-six thousand eight hundred and thirty-six dollars.

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May 16, 1908.
[S. 652.]

CHAP. 171.—An Act To create the office of captain in the Philippine Scouts.

[Public, No. 118.]
35 Stat. L., pt. 1, p. 163.
Philippine Scouts.
Office of captain in created.
Provisional appointments.
Term.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the office of captain in the Philippine Scouts is hereby created as a grade of rank in the military establishment. Such captains shall be selected from officers of the grade of first lieutenants in said scouts, and shall be given provisional appointments for periods of four years each, and no such appointments shall be continued for a second or subsequent period unless the officers' conduct shall have been satisfactory in every respect: *Provided,* That the number of officers provisionally appointed under the terms of this Act shall not at any time exceed the number of companies of said native troops which may be formed by the President from time to time for service in the Philippine Islands.

Proviso.
Maximum number.

May 27, 1908.
[H. R. 21260.]

CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

[Public, No. 141.]
35 Stat. L., pt. 1, p. 317.
Sundry civil expenses appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

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UNDER THE WAR DEPARTMENT.

ARMORIES AND ARSENALS.

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Ordnance Depot, Manila, Philippine Islands: For converting a storehouse into a set of officers' quarters, nine thousand dollars.

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NATIONAL CEMETERIES.

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BRINGING HOME THE REMAINS OF OFFICERS AND SOLDIERS WHO DIE ABROAD: To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action, or who die in the field or hospital in Alaska, and at places outside of the limits of the United States, or who die while on voyage at sea, twenty-five thousand dollars.

BRINGING HOME THE REMAINS OF CIVIL EMPLOYEES OF THE ARMY WHO DIE ABROAD AND SOLDIERS WHO DIE ON TRANSPORTS: To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of civilian employees of the Army who have died or may hereafter die while in the employ of the War Department in Cuba, Porto Rico, Hawaii, China, Alaska, and the Philippines, including the remains of any honorably discharged soldiers who are entitled under the terms of their discharge to return transportation on Government transport, and who die while on said transport, two thousand five hundred dollars.

Bringing home remains of civilian employees and soldiers dying on transports.

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NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

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BACK PAY AND BOUNTY: * * *

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For payment of amounts for arrears of pay and allowances on account of service of officers and men of the Army during the war with Spain and in the Philippine Islands that may be certified to be due by the accounting officers of the Treasury during the fiscal year nineteen hundred and nine and that are chargeable to the appropriations that have been carried to the surplus fund, fifty thousand dollars.

War with Spain.

Hereafter, in the settlement of the accounts of deceased officers or enlisted men of the Navy and Marine Corps, where the amount due the decedent's estate is less than five hundred dollars and no demand is presented by a duly appointed legal representative of the estate, the ac-

Navy and Marine Corps. Settlement of amounts due intestate deceased officers and enlisted men.

counting officers may allow the amount found due to the decedent's widow or legal heirs in the following order of precedence: First, to the widow; second, if the decedent left no widow, or widow be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts, provided father has not abandoned the support of his family, in which case to the mother alone; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this Act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers.

Distribution.

Proviso.
Funeral e x -
penses.

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May 27, 1908. CHAP. 201.—An Act Fixing the status of the Porto Rico Pro-
[H. R. 18618.] visional Regiment of Infantry.

[Public. No.
142.]
35 Stat. L.,
pt. 1, p. 392.
P o r t o R i c o
P r o v i s i o n a l
R e g i m e n t o f I n -
f a n t r y .
Name changed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the thirtieth day of June, nineteen hundred and eight, the Porto Rico Provisional Regiment of Infantry shall be designated the Porto Rico Regiment of Infantry of the United States Army. It shall be composed of the two existing battalions of the Porto Rico Provisional Regiment of Infantry.

Composition.

Field officers.

SEC. 2. That the field officers of said regiment shall be one lieutenant-colonel and two majors, who shall be detailed for four years by the President from officers not below the rank of captain of the Army.

Captains and lieutenants.

SEC. 3. That the present captains and lieutenants of the Porto Rico Provisional Regiment of Infantry appointed or who were reappointed after a mental, physical, and professional examination, may be recommissioned as officers of the Porto Rico Regiment of Infantry.

Vacancies in grade of second lieutenant.

SEC. 4. That vacancies in the grade of second lieutenant may be filled by the President in his discretion by the appointment of citizens of Porto Rico whose qualifications for commissions shall be established by examination.

Promotions.

SEC. 5. That promotions to the grade of first lieutenant and captain shall be according to seniority within the regiment, subject to the examination provided by law.

A p p o i n t -
m e n t s c o n -
f i r m e d b y t h e
S e n a t e .

All appointments and promotions herein provided for shall be made with the advice and consent of the Senate. Officers of the Porto Rico Regiment of Infantry shall have the same rank, pay, rights, and allowances provided

by law for officers of similar rank in the Army of the United States, except as herein provided with regard to promotion. Any of the officers provided for by section three who may have become incapacitated for active service by reason of disability incident to the service shall be placed upon the retired list with the rank to which they would otherwise be entitled.

Retired list.

SEC. 6. That all laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

Repeal.

CHAP. 202.—An Act Making appropriations for fortifications May 27, 1908. and other works of defense, for the armament thereof, for the [H. R. 19355.] procurement of heavy ordnance for trial and service, and for other purposes.

[Public, No. 143.]
35 Stat. L., pt. 1, p. 392.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sums of money herein provided for be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, namely:

Fortifications appropriated.

* * * * *

FORTIFICATIONS IN INSULAR POSSESSIONS.

ENGINEER DEPARTMENT.

For construction of seacoast batteries, as follows:

Seacoast batteries.
Hawaiian Islands.
Philippine Islands.

In Hawaiian Islands, four hundred thousand dollars;

In the Philippine Islands, nine hundred and fifty-four thousand dollars;

In all, one million three hundred and fifty-four thousand dollars.

For installation of electric plants at the defenses of the following localities:

Electric plants.

In the Hawaiian Islands, twenty thousand dollars;

Hawaiian Islands.
Philippine Islands.

In the Philippine Islands, one hundred and fifteen thousand dollars;

In all, one hundred and thirty-five thousand dollars.

For construction of fire-control stations and accessories, including purchase of lands and rights of way, and for the purchase and installation of necessary lines and means of electrical communications, including telephones, dial and other telegraphs, wiring and all special instruments, apparatus and materials, coast signal apparatus, and salaries of electrical experts, engineers, and other necessary employees connected with the use of coast artillery; for the purchase, manufacture, and test of range finders and other instruments for fire control at the fortifications, and the machinery necessary for their manufacture at the arsenals, two hundred and forty-three thousand dollars.

Fire-control stations, etc.

Range finders, etc.

- Searchlights.** For purchase and installation of searchlights for the defenses of most important harbors, as follows:
- Hawaiian Islands.** In the Hawaiian Islands, forty-seven thousand five hundred dollars;
- Philippine Islands.** In the Philippine Islands, one hundred and eighty thousand dollars;
- In all, two hundred and twenty-seven thousand five hundred dollars.
- Submarine mines, Hawaiian Islands.** For the construction of mining casemates, cable galleries, torpedo storehouses, cable tanks, and other structures necessary for the operation, preservation, and care of submarine mines and their accessories at the defenses of the Hawaiian Islands, one hundred and twenty-nine thousand dollars, to be expended by the Engineer Department.
- Hawaiian Islands. Torpedo planter, etc.** For the procurement of one torpedo planter and two launches for the Hawaiian Islands, one hundred and eighty-one thousand dollars.
- Philippine Islands. Torpedo planter, etc.** For the procurement of one torpedo planter and six launches for the Philippine Islands, one hundred and ninety-three thousand dollars.
- Site.** For procurement or reclamation of land, or right pertaining thereto, needed for the site, location, construction, or prosecution of works for fortifications and coast defenses in the Philippine Islands, five thousand dollars.

ORDNANCE DEPARTMENT.

- Seacoast cannon.** For the purchase, manufacture, and test of seacoast cannon for coast defense, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, seven hundred and four thousand dollars.
- Ammunition.** For purchase, manufacture, and test of ammunition for seacoast cannon, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, two hundred and fifty thousand dollars.
- Altering artillery, etc.** For the alteration and maintenance of the seacoast artillery and the mechanical supervision of its installation, including the purchase and manufacture of machinery, tools, materials necessary for the work, and expenses of the civilian mechanics and extra-duty pay of enlisted men engaged thereon, twenty thousand dollars.
- Hawaiian Islands. Submarine mines.** For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to the principal seaports of the Hawaiian Islands, twenty-three thousand dollars.
- Philippine Islands. Submarine mines.** For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to the principal seaports of the Philippine Islands, three hundred and twenty-eight thousand six hundred and twenty dollars.

CHAP. 204.—An Act To further amend the Act entitled “An Act to promote the efficiency of the militia, and for other purposes,” approved January twenty-first, nineteen hundred and three. May 27, 1908.
[S. 4316.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of said Act be, and is hereby, amended and reenacted to read as follows:

“SECTION 1. That the militia shall consist of every able-bodied male citizen of the respective States and Territories and the District of Columbia, and every able-bodied male of foreign birth who has declared his intention to become a citizen, who is more than eighteen and less than forty-five years of age, and shall be divided into two classes: The organized militia, to be known as the National Guard of the State, Territory, or District of Columbia, or by such other designations as may be given them by the laws of the respective States or Territories; the remainder to be known as the Reserve Militia: *Provided*, That the provisions of this Act and of section sixteen hundred and sixty-one, Revised Statutes, as amended, shall apply only to the militia organized as a land force.”

SEC. 2. That section three of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

“SEC. 3. That the regularly enlisted, organized, and uniformed active militia in the several States and Territories and the District of Columbia who have heretofore participated or shall hereafter participate in the appropriation of the annual appropriation provided by section sixteen hundred and sixty-one of the Revised Statutes of the United States, as amended, whether known and designated as National Guard, militia, or otherwise, shall constitute the organized militia. On and after January twenty-first, nineteen hundred and ten, the organization, armament, and discipline of the organized militia in the several States and Territories and the District of Columbia shall be the same as that which is now or may hereafter be prescribed for the Regular Army of the United States, subject in time of peace to such general exceptions as may be authorized by the Secretary of War: *Provided*, That in peace and war each organized division of militia may have one inspector of small-arms practice with the rank of lieutenant-colonel; each organized brigade of militia one inspector of small-arms practice with the rank of major; each regiment of infantry or cavalry of organized militia one assistant inspector of small-arms practice with the rank of captain, and each separate or unassigned battalion of infantry or engineers or squadron of cavalry of organized militia one assistant inspector of small-arms practice with the rank of first lieutenant: *Provided also*, That the President of the United States in time of peace may, by order, fix the minimum number of enlisted men in each company, troop,

[Public, No. 145.]
35 Stat. L., pt. 1, p. 399.

Militia.

Composition of.

Proviso.
Applies only to land force.
R. S., sec. 1661.

Organized militia.

R. S., sec. 1661.

To conform to general Army Regulations after January 21, 1910.

Provisos.
Inspectors of small-arms practice.

Minimum number of enlisted men.

battery, signal corps, engineer corps, and hospital corps:

Privileges of
certain exist-
ing corps.

And provided further, That any corps of artillery, cavalry, and infantry existing in any of the States at the passage of the Act of May eighth, seventeen hundred and ninety-two, which, by the laws, customs, or usages of the said States, have been in continuous existence since the passage of said Act, under its provisions and under the provisions of section two hundred and thirty-two and sections sixteen hundred and twenty-five to sixteen hundred and sixty, both inclusive, of title sixteen of the Revised Statutes of the United States, relating to the militia, shall be allowed to retain their accustomed privileges, subject, nevertheless, to all other duties required by law, in like manner as the other militia."

R. S., 232.

SEC. 3. That section four of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

To be called
for in case of
invasion, etc.
Service
where regular
force is inade-
quate.

"SEC. 4. That whenever the United States is invaded or in danger of invasion from any foreign nation, or of rebellion against the authority of the Government of the United States, or the President is unable with the regular forces at his command to execute the laws of the Union, it shall be lawful for the President to call forth such number of the militia of the State or of the States or Territories or of the District of Columbia as he may deem necessary to repel such invasion, suppress such rebellion, or to enable him to execute such laws, and to issue his orders for that purpose, through the governor of the respective State or Territory, or through the commanding general of the militia of the District of Columbia, from which State, Territory, or District such troops may be called, to such officers of the militia as he may think proper."

O r d e r s
through gov-
ernor, etc.

SEC. 4. That section five of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

Term of
service may be
specified by
President.

"SEC. 5. That whenever the President calls forth the organized militia of any State, Territory, or of the District of Columbia, to be employed in the service of the United States, he may specify in his call the period for which such service is required, and the militia so called shall continue to serve during the term so specified, either within or without the territory of the United States, unless sooner relieved by order of the President: *Provided,* That no commissioned officer or enlisted man of the organized militia shall be held to service beyond the term of his existing commission or enlistment: *Provided further,* That when the military needs of the Federal Government arising from the necessity to execute the laws of the Union, suppress insurrection, or repel invasion, can not be met by the regular forces, the organized militia shall be called into the service of the United States in advance of any volunteer force which it may be determined to raise."

To serve un-
til relieved,
etc.

Provisos.
Restriction
on time of
service.

Organized
militia to be
called in ad-
vance of vol-
unteer force.

SEC. 5. That section seven of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

“SEC. 7. That every officer and enlisted man of the militia who shall be called forth in the manner hereinbefore prescribed, shall be mustered for service without further enlistment, and without further medical examination previous to such muster, except for those States and Territories which have not adopted the standard of medical examination prescribed for the Regular Army: *Provided, however,* That any officer or enlisted man of the militia who shall refuse or neglect to present himself for such muster, upon being called forth as herein prescribed, shall be subject to trial by court-martial and shall be punished as such court-martial may direct.”

Mustering in, without further enlistment, etc.

Exception.

Proviso. Punishment for refusal to answer call.

SEC. 6. That section eight of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

• “SEC. 8. That the majority membership of courts-martial for the trial of officers or men of the militia when in the service of the United States shall be composed of militia officers.”

Courts-martial. Composition.

SEC. 7. That section eleven of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

“SEC. 11. That when the militia is called into the actual service of the United States, or any portion of the militia is called forth under the provisions of this Act, their pay shall commence from the day of their appearing at the place of company rendezvous, but this provision shall not be construed to authorize any species of expenditure previous to arriving at such places of rendezvous which is not provided by existing laws to be paid after their arrival at such places of rendezvous.”

Commencement of pay.

Previous expenditures.

SEC. 8. That section thirteen of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

“SEC. 13. That the Secretary of War is hereby authorized to procure, by purchase or manufacture, and issue from time to time to the organized militia, under such regulations as he may prescribe, such number of the United States service arms, together with all accessories and such other accouterments, equipments, uniforms, clothing, equipage, and military stores of all kinds required for the Army of the United States, as are necessary to arm, uniform, and equip all of the organized militia in the several States, Territories, and the District of Columbia, in accordance with the requirements of this Act, without charging the cost or value thereof, or any expense connected therewith, against the allotment of said State, Territory, or the District of Columbia, out of the annual appropriation provided by section sixteen hundred and sixty-one of the Revised Statutes as amended,

Issue of arms, etc. Requisition of governors, etc., not required.

Not chargeable to annual allotment.

Exchange of ammunition. or requiring payment therefor, and to exchange, without receiving any money credit therefor, ammunition or parts thereof suitable to the new arms, round for round, for corresponding ammunition suitable to the old arms heretofore issued to said State, Territory, or the District of Columbia by the United States: *Provided*, That said property shall remain the property of the United States, except as hereinafter provided, and be annually accounted for by the governors of the States and Territories as required by law, and that each State, Territory, and the District of Columbia shall, on receipt of new arms or equipments, turn in to the War Department, or otherwise dispose of in accordance with the directions of the Secretary of War, without receiving any money credit therefor and without expense for transportation, all United States property so replaced or condemned.

Provisos.
Exchange of old for new arms. When the organized militia is uniformed as above required, the Secretary of War is authorized to fix an annual clothing allowance to each State, Territory, and the District of Columbia for each enlisted man of the organized militia thereof, and thereafter issues of clothing to such States, Territories, and the District of Columbia shall be in accordance with such allowance, and the governors of the States and Territories and the commanding general of the militia of the District of Columbia shall be authorized to drop from their returns each year as expended clothing corresponding in value to such allowance. The Secretary of War is hereby further authorized to issue from time to time to the organized militia, under such regulations as he may prescribe, small arms and artillery ammunition upon the requisition of the governor, in the proportion of fifty per centum of the corresponding Regular Army allowance, without charge to the State's allotment from the appropriation under R. S., sec. 1661. as amended. To provide means to carry into effect the provisions of this section, the necessary money to cover the cost of procuring, exchanging, or issuing of arms, accouterments, equipments, uniforms, clothing, equipage, ammunition, and military stores to be exchanged or issued hereunder is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the sum expended in the execution of the purchases and issues provided for in this section shall not exceed the sum of two million dollars in any fiscal year: *Provided also*, That the Secretary of War shall annually submit to Congress a report of expenditures made by him in the execution of the requirements of this section."

Clothing allowance. When the organized militia is uniformed as above required, the Secretary of War is authorized to fix an annual clothing allowance to each State, Territory, and the District of Columbia for each enlisted man of the organized militia thereof, and thereafter issues of clothing to such States, Territories, and the District of Columbia shall be in accordance with such allowance, and the governors of the States and Territories and the commanding general of the militia of the District of Columbia shall be authorized to drop from their returns each year as expended clothing corresponding in value to such allowance.

Issuing small arms, etc. The Secretary of War is hereby further authorized to issue from time to time to the organized militia, under such regulations as he may prescribe, small arms and artillery ammunition upon the requisition of the governor, in the proportion of fifty per centum of the corresponding Regular Army allowance, without charge to the State's allotment from the appropriation under R. S., sec. 1661. as amended.

Limit. To provide means to carry into effect the provisions of this section, the necessary money to cover the cost of procuring, exchanging, or issuing of arms, accouterments, equipments, uniforms, clothing, equipage, ammunition, and military stores to be exchanged or issued hereunder is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the sum expended in the execution of the purchases and issues provided for in this section shall not exceed the sum of two million dollars in any fiscal year: *Provided also*, That the Secretary of War shall annually submit to Congress a report of expenditures made by him in the execution of the requirements of this section."

R. S., sec. 1661. Appropriation for arms, etc. To provide means to carry into effect the provisions of this section, the necessary money to cover the cost of procuring, exchanging, or issuing of arms, accouterments, equipments, uniforms, clothing, equipage, ammunition, and military stores to be exchanged or issued hereunder is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the sum expended in the execution of the purchases and issues provided for in this section shall not exceed the sum of two million dollars in any fiscal year: *Provided also*, That the Secretary of War shall annually submit to Congress a report of expenditures made by him in the execution of the requirements of this section."

Maximum expenditure. That the sum expended in the execution of the purchases and issues provided for in this section shall not exceed the sum of two million dollars in any fiscal year: *Provided also*, That the Secretary of War shall annually submit to Congress a report of expenditures made by him in the execution of the requirements of this section."

Report. That the Secretary of War shall annually submit to Congress a report of expenditures made by him in the execution of the requirements of this section."

SEC. 9. That section fifteen of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

Participation in Regular Army encampments, etc. "SEC. 15. That the Secretary of War is authorized to provide for participation by any part of the organized

militia of any State or Territory on the request of the governor thereof in the encampment, maneuvers, and field instruction of any part of the Regular Army at or near any military post or camp or lake or seacoast defenses of the United States. In such case the organized militia so participating shall receive the same pay, subsistence, and transportation as is provided by law for the officers and men of the Regular Army, and no part of the sums appropriated for the support of the Regular Army shall be used to pay any part of the expenses of the organized militia of any State, Territory, or District of Columbia, while engaged in joint encampments, maneuvers, and field instruction of the Regular Army and militia, but all payments to the militia under the provisions of this section and all allowances for mileage shall be made solely from the sums appropriated for such purposes: *Provided*, That the command of such military post or camp and the officers and troops of the United States there stationed shall remain with the regular commander of the post without regard to the rank of the commanding or other officers of the militia temporarily so encamped within its limits or in its vicinity: *Provided further*, That except as herein specified the right to command during such joint encampments, maneuvers, and field instruction shall be governed by the rules set out in articles one hundred and twenty-two and one hundred and twenty-four of the rules and articles for the government of the armies of the United States. The sums appropriated for the organized militia for such joint encampment, maneuvers, and field instruction shall be disbursed as, and for that purpose shall constitute, one fund; and the Secretary of War shall forward to Congress, at each session next after said encampment, a detailed statement of the expenses of such encampments and maneuvers."

Pay, etc.

Restriction.

Provisos.
Regular Army officer to retain command.

Right to command, etc.

Disbursements.

Statement of expenses.

SEC. 10. That section sixteen of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

"SEC. 16. That whenever any officer or enlisted man of the organized militia shall upon the recommendation of the governor of any State, Territory, or the commanding general of the District of Columbia militia, and when authorized by the President, attend and pursue a regular course of study at any military school or college of the United States, such officer or enlisted man shall receive from the annual appropriation for the support of the Army, the same travel allowances and quarters or commutation of quarters to which an officer or enlisted man of the Regular Army would be entitled for attending such school or college under orders from proper military authority; such officer shall also receive commutation and subsistence at the rate of one dollar per day and each enlisted man such subsistence as is furnished to an enlisted man of the Regular Army while in actual attendance upon a course of instruction."

Allowance to militia officers and enlisted men at military schools.

SEC. 11. That section twenty of said Act as amended be, and the same is hereby, amended and reenacted so as to read as follows:

Assignment of Army officers or enlisted men for duty with militia.

“SEC. 20. That upon the application of the governor of any State or Territory furnished with material of war under the provisions of this Act, or former laws of Congress, the Secretary of War may, in his discretion, detail one or more officers or enlisted men of the Army to report to the governor of such State or Territory for duty in connection with the organized militia. All such assignments may be revoked at the request of the governor of such State or Territory or at the pleasure of the Secretary of War. The Secretary of War is hereby authorized to appoint a board of five officers on the active list of the organized militia so selected as to secure, as far as practicable, equitable representation to all sections of the United States, and which shall, from time to time, as the Secretary of War may direct, proceed to Washington, District of Columbia, for consultation with the Secretary of War respecting the condition, status, and needs of the whole body of the organized militia. Such officers shall be appointed for the term of four years unless sooner relieved by the Secretary of War.

Revocation.

Board of five officers created. Duties.

Term.

Traveling expenses, etc.

Charged against annual appropriation.

R. S., sec. 1661.

List of expenses, etc.

“The actual and necessary traveling expenses of the members of the board, together with a per diem to be established by the Secretary of War, shall be paid to the members of the board. The expenses herein authorized, together with the necessary clerical and office expenses of the division of militia affairs in the office of the Secretary of War, shall constitute a charge against the whole sum annually appropriated under section sixteen hundred and sixty-one, Revised Statutes, as amended, and shall be paid therefrom, and not from the allotment duly apportioned to any particular State, Territory, or the District of Columbia; and a list of such expenses shall be submitted to Congress annually by the Secretary of War in connection with his annual report.”

May 28, 1908. [H. R. 21875.]

CHAP. 214.—An Act Making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

[Public, No. 154.]

35 Stat. L., pt. 1, p. 430.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and nine.

Military Academy appropriations.

* * * * *

Four Filipinos received for instruction.

The Secretary of War is hereby authorized to permit not exceeding four Filipinos, to be designated, one for

each class, by the Philippine Commission, to receive instruction at the United States Military Academy at West Point: *Provided*, That the Filipinos undergoing instruction, as herein authorized, shall receive the same pay, allowances, and emoluments as are authorized by law for cadets at the Military Academy appointed from the United States, to be paid out of the same appropriations: *And provided further*, That said Filipinos undergoing instruction on graduation shall be eligible only to commissions in the Philippine Scouts. And the provisions of section thirteen hundred and twenty-one, Revised Statutes, are modified in the case of the Filipinos undergoing instruction, so as to require them to engage to serve for eight years, unless sooner discharged, in the Philippine Scouts.

Provisos.
Pay, etc.

To serve in
Philippine
Scouts.

R. S., sec,
1321.

* * * * *

CHAP. 227.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

May 30, 1908.
[H. R. 21946.]

[Public, No.
167.]
35 Stat. L.,
pt. 1, p. 478.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Deficiencies
appropriations.

* * * * *

MILITARY ESTABLISHMENT.

* * * * *

The sum of sixty thousand dollars appropriated for the erection and completion of a military hospital at San Juan, Porto Rico, under Construction and Repair of Hospitals, in the Act approved March second, nineteen hundred and seven, for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and eight (Thirty-fourth Statutes, page eleven hundred and seventy-two), is hereby reappropriated and made available during the fiscal year ending June thirtieth, nineteen hundred and nine, for the erection and completion of said hospital.

San Juan,
P. R.
Military hos-
pital.
Reappropria-
tion.

* * * * *

To provide for the payment by the Secretary of War of the sum of one hundred and twenty-five dollars per month to Jennie Carroll, widow of James Carroll, major and surgeon, United States Army, and the like sum per month to Mabel H. Lazear, widow of Doctor Jesse W. Lazear, late acting assistant contract surgeon, United States Army, as provided by law, three thousand dollars.

Jennie Carroll
and Mabel H.
Lazear.
Annuities.

* * * * *

RESOLUTION.

Jan. 16, 1908. [No. 4.] Joint Resolution Extending the time allowed the
 [S. J. R. 14.] organized militia of the several States and Territories and the
 [Pub. Res., District of Columbia to conform to the provisions of section three
 No. 4.] of the Act approved January twenty-first, nineteen hundred and
 35 Stat. L., three.
 pt. 1, p. 566.

*Resolved by the Senate and House of Representatives
 of the United States of America in Congress assembled,*

Organized militia. That the time allowed the organized militia of the several
 Time extended to, in which to conform to general Army Regulations. States and Territories and the District of Columbia in
 which to conform their organization, armament, and
 discipline to that which is now or may hereafter be pre-
 scribed for the regular and volunteer armies of the United
 States by section three of the Act approved January
 twenty-first, nineteen hundred and three, be, and is
 hereby, extended to January twenty-first, nineteen hun-
 dred and ten.

tion eighteen to twelve; and amend section nineteen to read as follows:

Officers.
Commissions
on recommen-
dation by com-
manding gen-
eral.

“SEC. 13. That all officers shall be commissioned by the President of the United States, on the recommendation of the commanding general. That they shall be nominated as herein provided. No person commissioned as an officer shall assume such rank or enter upon the duties of the office to which he may be commissioned until he has accepted such commission and taken such oaths or affirmation as may be prescribed.”

Oath.

Strike out all of sections twenty and twenty-one and insert in lieu thereof the following:

Nominations
of staff, etc.,
officers.

“SEC. 14. That the officers of the staff departments, staff corps, and the organizations created by this Act when organized shall be nominated by the commanding general, subject to the examination required by law.”

Strike out all of section twenty-two and insert in lieu thereof the following:

Line officers,
promotion.

“SEC. 15. That vacancies existing or hereafter occurring in the cavalry, coast artillery corps, field artillery, and infantry above the grade of second lieutenant shall, subject to the examination required by law, be filled by promotion according to seniority from the next lower grade in the troop, the separate company, the field battery, the separate battalion, and the regiment in which the vacancy occurred.”

Following section twenty-two and between that section and section twenty-three insert the following additional section:

Second Lieu-
tenants from
enlisted men.

“SEC. 16. That hereafter all appointments to the grade of second lieutenant shall be from the enlisted men, under regulations prescribed by the commanding general, and subject to the examination required by law.”

Strike out all of section twenty-three and insert in lieu thereof the following:

Examinations
for promotion.

“SEC. 17. That the commanding general be, and he is hereby, authorized to prescribe a system of examination to be conducted at such times anterior to the accruing of the right to promotion as may be best for the interest of the service. If any officer fails to appear for examination within thirty days after notification and so appear or fails to pass a satisfactory examination and is reported unfit for promotion, the officer next below him in rank, having passed said examination, shall receive the promotion: *And provided*, That should the officer fail in his physical examination and be found incapacitated for service by reason of physical disability contracted in the line of duty he shall be retired with the rank to which his seniority entitled him to be promoted; but if he should

Proviso.
Retirement
for physical
disability.

Suspension,
etc.

fail for any other reason he shall be suspended from promotion for ninety days, when he shall be reexamined, and in case of failure on such reexamination he shall be honorably discharged.”

Following section twenty-three and between that section and section twenty-four insert the following additional sections:

"SEC. 18. That the commanding general be, and he is hereby, authorized to prescribe a system of examination of enlisted men to determine their fitness for promotion to the grade of second lieutenant. Examinations for second lieutenancies.

"SEC. 19. That whenever, in the opinion of the commanding general of the militia of the District of Columbia, an officer of the said militia has become incapacitated for the performance of duty for any reason, the commanding general shall submit the name of such officer to the Secretary of War, with a view to his being ordered before a board of examination, to be appointed by the Secretary of War, which board shall examine said officer as to his physical, mental, and military qualifications. Physical, etc., examination of officers.

"If any officer shall fail to appear before a board of examination so appointed within thirty days after being notified, or shall fail to pass a satisfactory examination, the fact shall be certified by the board to the commanding general, who shall forward the record of examination to the Secretary of War, with his recommendation thereon, for submission to the President. Certificate to President.

"SEC. 20. That any commissioned officer in the National Guard of the District of Columbia who shall have served as such in the National Guard of the District of Columbia for the continuous period of ten years may, upon his own application, be placed by the President of the United States upon a retired list, which is hereby authorized, with the rank held by him at the time such application is made: *Provided, however,* That an officer so retired who at the time of making such application has remained in the same grade for the continuous period of ten years, or whose services have been especially meritorious, may be retired with increased rank of one grade and shall, before being so retired, receive from the President of the United States the commission of the new grade: *Provided further,* That whenever any officer on the active list reaches the age of sixty-four years he shall be retired; with or without increase of rank in the discretion of the President of the United States. Retired officers on occasions of ceremony may, and when acting under orders, as hereinafter provided, shall wear the uniform of the highest rank attained by them in the military service of the United States, the militia of the States or Territories, or the National Guard of the District of Columbia. Retired officers shall be eligible to perform any military duty to the same extent as if not retired, and the commanding general may, in his discretion, by order, require them to serve upon military boards, courts of inquiry, and courts-martial, or to perform any other special or temporary duty, and for such service they shall receive the same pay and allowances as are provided by law for like service by officers on the active list of the Retirement after ten years' service.

Provisos. Increased rank.

Retirement at 64 years of age.

Retired officers may wear uniforms, etc.

Service on military boards, etc.

Pay and allowances.

Amenable for military offenses.

National Guard of the District of Columbia. All retired officers shall be amenable to court-martial for military offenses to the same extent as if upon the active list of the National Guard of the District of Columbia. The names of all officers of retired rank shall be borne upon a separate roster, kept under the supervision of the adjutant-general. The commanding general may at any time recommend to the President of the United States and the President may retire any commissioned officer who shall have been ordered before a medical board consisting of at least three commissioned medical officers and upon whom such a board shall have made report showing such officer to be physically unable to properly perform the duties of his office."

Commanding general may recommend retirement.

Section number changed.

Change the number of section twenty-four to "twenty-one."

Strike out the whole of section twenty-five and insert in lieu thereof the following:

Noncommissioned officers, appointments.

"SEC. 22. That the commanding officers of regiments and battalions not part of regiments shall appoint and warrant the noncommissioned staff officers of their respective regiments or battalions, and they shall, in their discretion, warrant the noncommissioned officers of the companies of their respective regiments and battalions from the members thereof, upon the written nomination of the commanding officers of the companies, respectively. In troop, battery, and companies not part of a regiment or battalion and in the hospital corps the noncommissioned officers shall be warranted by the commanding officer of the brigade, in his discretion, from the members thereof, upon the written nomination of the commanding officer of the troop, battery, company, or hospital corps. The officer warranting a noncommissioned officer shall have power to reduce to the ranks, for good and sufficient reasons, the noncommissioned officers named in this section, but such as were enlisted as noncommissioned officers shall be discharged. Noncommissioned officers who shall be dropped vacate their positions."

Reduction to ranks, etc.

Strike out the whole of section twenty-six and insert in lieu thereof the following:

Term of enlistment.

"SEC. 23. That enlistment in the National Guard of the District of Columbia shall be for the term of three years: *Provided, however,* That any soldier who may have received an honorable discharge by reason of the expiration of his term of service may within thirty days thereafter reenlist for a term of three years, to date from the expiration of his previous term."

Proviso. Reenlistment.

Change the number of section twenty-seven to "twenty-four."

Section number changed.

Strike out the whole of section twenty-eight and insert in lieu thereof the following:

Discharges of enlisted men. Honorable.

"SEC. 25. That no enlisted man shall be honorably discharged before the expiration of his term of service, ex-

cept by order of the commanding general and for the following reasons:

“ Upon his own application, for good and sufficient reason, approved by the commanding officer of his company and by superior commanders.

“ Upon removal from the District of Columbia.

“ Upon disability, established by certificate of a medical officer.

“ To accept promotion by commission.”

Following section twenty-eight and between that section and section twenty-nine insert the following additional section:

“ SEC. 26. That an enlisted man may be discharged Without honor. without honor at any time by order of the commanding general on account of fraudulent enlistment, or on account of his being continuously absent without leave from his command for a period of not less than three months.

“ SEC. 27. That an enlisted man shall be dishonorably Dishonorable. discharged by order of the commanding general upon conviction of felony in a civil court; upon discovery of reenlistment after previous dishonorable discharge; or to carry out a sentence of a court-martial.”

Change the number of section thirty to “ twenty-eight.” Section numbers changed.

Change the number of section thirty-one to “ twenty-nine.”

Change the number of section thirty-two to “ thirty.”

Following section thirty-two and between that section and section thirty-three insert the following additional section:

“ SEC. 31. That every officer and enlisted man to whom Public property. Personal responsibility for. property of the United States has been issued shall be personally responsible to the United States for such property, and no one shall be relieved from such responsibility except it be shown to the satisfaction of the commanding general that the loss or destruction of such property was unavoidable and in no way the fault of the person responsible for the same; and in all other cases the value of the property lost or destroyed shall be charged against the person at fault or to the organization to which it has been issued, and such person or organization, if not relieved from such charge by the commanding general, shall pay the value of such property to the Quartermaster-General within one year after such loss or destruction. The value of lost or destroyed property and Determining value of lost, etc. the person or organization to be charged therewith shall be determined by a board to consist of an inspector of the staff of the commanding general of the militia and the commanding officer of the organization in which such property is lost. In case of disagreement such value shall be fixed by the commanding general of the militia.”

Change the number of section thirty-three to “ thirty-two.” Section numbers changed.

Change the number of section thirty-four to “ thirty-three.”

Strike out the whole of section thirty-five and insert in lieu thereof the following sections:

Transfer of,
on promotion,
etc.

"SEC. 34. That upon the promotion, tender of resignation, retirement, or dismissal of any officer who is responsible or accountable for public property, the commanding general of the militia shall designate an officer to accept and receipt for such property, and direct the officer responsible or accountable therefor to make prompt transfer of all property remaining on hand; and it shall be the duty of the officer responsible or accountable to proceed at once to complete such transfer and close his accounts without delay.

Failure to
transfer.

"SEC. 35. That should any officer responsible or accountable for public property, after receiving instructions to transfer the same as aforesaid, fail to make proper transfer as directed within thirty days or any authorized extension of that period, the heads of the respective staff departments exercising supervision over or control of said property shall report the facts to the adjutant-general for the action of the commanding general of the militia. Upon receiving such a report the commanding general may, in his discretion, direct that a surveying officer be appointed, and it shall be the duty of such surveying officer to ascertain and verify all public property which the delinquent officer had on hand and certify the same to the officer designated to receive it, who will immediately take up all property so certified and receipt for the same to the head of the proper staff department. The surveying officer will then proceed to determine and fix the responsibility for the loss or destruction of any of the foregoing property which is not found or transferred as directed.

Defective ac-
counts.

"SEC. 36. That should any officer responsible or accountable for public property, after receiving instructions to transfer the same and close his accounts as aforesaid, fail to close his accounts to the satisfaction of the commanding general, the heads of the respective staff departments exercising supervision over or control of said property will report the facts to the adjutant-general for the action of the commanding general of the militia. Upon receiving such a report, the commanding general may, in his discretion, direct that a surveying officer be appointed to determine and fix the responsibility for the loss or destruction of any public property for which said officer is responsible or accountable and which he has failed to transfer to the officer designated to receive the same.

Determining
responsibility.

Survey of, in
case of death,
etc.

"SEC. 37. That in the event of the death or desertion of any officer accountable for public property the commanding general shall direct that a surveying officer be appointed, and also designate an officer to receive such property. Said surveying officer shall ascertain and verify all public property which the deceased or deserting officer had on hand at the time of his death or deser-

tion and certify the same to the officer designated to receive it, who will immediately take up all property so certified and receipt for the same to the heads of the proper staff departments. The surveying officer will then proceed to determine and fix the responsibility for the loss or destruction of any of the foregoing property which is not found or transferred as directed.

“SEC. 38. That until an officer or his legal representative shall have received notice that the property accounts of such officer have been examined and found correct the liability of such officer or of his estate for public property for which he is or may have been responsible or accountable shall be in no way affected by resignation, discharge, change in official position, desertion, or death. Compensation for any public property defaced, injured, lost, or destroyed through the neglect or default of a deceased officer may be recovered from his estate in the manner provided in section thirty-two.”

Liability until notice of correctness of account.

Payment for loss, etc.

Change the number of section thirty-six to “thirty-nine.”

Section numbers changed.

Change the number of section thirty-seven to “forty.”

Change the number of section thirty-eight to “forty-one.”

Change the number of section thirty-nine to “forty-two.”

Change the number of section forty to “forty-three.”

Change the number of section forty-one to “forty-four.”

Change the number of section forty-two to “forty-five.”

Change the number of section forty-three to “forty-six.”

Change the number of section forty-four to “forty-seven.”

Change the number of section forty-five to “forty-eight.”

Change the number of section forty-six to “forty-nine.”

Change the number of section forty-seven to “fifty.”

Change the number of section forty-eight to “fifty-one.”

Change the number of section forty-nine to “fifty-two.”

Following section forty-nine insert the following additional section:

“SEC. 53. That whenever the National Guard of the District of Columbia shall be ordered to duty in case of riot, tumult, breach of the peace, or whenever called in aid of the civil authorities, all enlisted men who do duty shall be paid at the rate equivalent to two times the pay of enlisted men of the Regular Army of like grade. Commissioned officers who do duty shall be entitled to and shall receive the same pay and allowance as commissioned officers of like grade of the Regular Army. Each

Pay for active service. Enlisted men.

Commissioned officers.

Mounts.

Proviso.
Service in
army. mounted officer and enlisted man shall be paid a reasonable per diem compensation for each horse actually furnished and used by him: *Provided*, That when the National Guard of the District of Columbia is called into the actual service of the United States the officers and enlisted men shall, during their time of service, be entitled to same pay and allowances as are or may be provided by law for the Regular Army."

Strike out the whole of section fifty and insert in lieu thereof the following sections:

Military
courts. "SEC. 54. That the military courts of the District of Columbia shall be: General courts-martial, garrison courts-martial, the summary court, and courts of inquiry, as now or hereafter provided by law.

Courts of In-
quiry. "SEC. 55. That courts of inquiry, to consist of not more than three officers, may be ordered by the commanding general for the purpose of investigating the conduct of any officer, either at his own request or on complaint or charge of conduct unbecoming an officer. Such court of inquiry shall report the evidence adduced, a statement of facts, and an opinion thereon, when required, to the commanding general, who may, in his discretion, thereupon order a court-martial for the trial of the officer whose conduct has been inquired into."

Report.

Section num-
bers changed.

Change number of section fifty-one to "fifty-six."

After section fifty-one insert the following additional sections:

Constitution,
jurisdiction,
etc., of.

"SEC. 57. That the constitution and jurisdiction of military courts, the form and manner in which their proceedings shall be conducted and reported, and the forms of oaths and affirmations taken in the administration of military law by such courts, the limits of punishment and the proceedings in revision shall be governed by the Articles of War and the law and procedure of the military courts of the United States.

Prosecutions
of members of,
prohibited.

"SEC. 58. That no action or proceeding shall be prosecuted or maintained against a member of a military court, or officer or person acting under its authority or reviewing its proceedings on account of the approval or imposition or execution of any sentence, or the imposition or collection of fine or penalty, or the execution of any warrant, writ, execution, process, or mandate of a military court, nor shall any officer or enlisted man be liable to civil or criminal prosecution for any act done while in the discharge of his military duty.

Jurisdiction
to be presumed.

"SEC. 59. That the jurisdiction of the courts and boards established by this Act shall be presumed, and the burden of proof shall rest on any person asking to oust such courts or boards of jurisdiction in any action or proceedings.

Witnesses.

"SEC. 60. That every person not belonging to the National Guard of the District of Columbia who, being duly subpoenaed to appear as a witness before the military courts herein provided for, willfully neglects or refuses

to appear, or refuses to qualify as a witness or to testify or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be guilty of a misdemeanor, for which such person shall be punished on information in the criminal courts of the District of Columbia, and it shall be the duty of the United States attorney for the District of Columbia, on certification of the facts to him by any military court herein provided for, to file an information against and prosecute the person so offending and the punishment of such person on conviction shall be by a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days, or both, at the discretion of the court: *Provided*, That this section shall not apply to persons residing beyond the limits of the District of Columbia, and that the fees of such witness and his mileage at the rate provided for witnesses in the United States district court in said District shall be duly paid or tendered said witness: *And provided*, That no witness shall be compelled to incriminate himself or to answer any questions which may tend to criminate or degrade him.

Refusal to qualify, etc.

Penalty.

Provisos. Non residents.

Incriminating testimony.

Sentences.

“SEC. 61. That the sentences of said courts, whether of fine or imprisonment, shall be executed by the United States marshal for the District of Columbia in the same manner as are sentences of the criminal courts of said District.

“SEC. 62. That whenever it shall appear to a regularly constituted court-martial convened under the provisions of this Act that the accused, having been duly ordered or summoned to appear before such court-martial for trial, has refused or neglected so to appear, such court-martial shall issue a warrant or attachment for the arrest of the accused, directed to the United States marshal for the District of Columbia, who shall forthwith execute said warrant or attachment, make proper return thereof to such court-martial, and produce to such court-martial the body of the accused, if within the District of Columbia, and to retain the custody thereof and continue so to produce said body during the sessions of such court-martial until the conclusion of the trial, unless sooner discharged by said court-martial.”

Warrants for arrest of accused.

Strike out all of sections fifty-two, fifty-three, and fifty-four.

Change number of section fifty-five to “sixty-three.”

Section numbers changed.

Change the number of section fifty-six to “sixty-four,” and amend it to read as follows:

“SEC. 64. That during the annual encampment, and on every duty on parade ordered by the commanding general, there shall be allowed and paid for each day of service: To each member of the regularly enlisted bands, four dollars; to the chief musicians, eight dollars; and to the principal musicians, six dollars. In event there is no enlisted band or field music, or not a sufficient number

Musicians' pay. Annual encampments, etc.

- of either, the commanding general may authorize the employment of such as he may deem necessary for the occasion: *Provided*, That the total pay of enlisted musicians shall not in any event exceed the rates authorized by this section."
- Proviso.*
Limit. Section number changed. Change the number of section fifty-seven to "sixty-five."
- Strike out all of section fifty-eight, and insert in lieu thereof the following:
Annual estimates. "SEC. 66. That the commanding general shall annually transmit to the Commissioners of the District of Columbia an estimate of the amount of money required for the next ensuing fiscal year to pay the expenses authorized by this Act, and the said Commissioners shall include the same in their annual estimates of appropriations for the District; and all money appropriated to pay the expenses authorized by this Act shall be disbursed in accordance with law."
- Disbursements. Section numbers changed. Change the number of section fifty-nine to "sixty-seven."
Change the number of section sixty to "sixty-eight."
Change the number of section sixty-one to "sixty-nine."
Change the number of section sixty-two to "seventy."
Change the number of section sixty-three to "seventy-one."
- Following section sixty-three insert the following additional sections:
Reserve corps organized. Composition of. "SEC. 72. That a reserve corps of the National Guard of the District of Columbia is hereby organized, to consist of honorably discharged officers and men of the Army, the Navy, and the Marine Corps of the United States, honorably discharged officers and men of the organized militia of any State or Territory who are residents of the District of Columbia, and honorably discharged members of the National Guard of the District of Columbia whose military training and physical condition shall conform to the standard determined by regulations to be promulgated by the President of the United States: *Provided*, That the term of enlistment in the reserve and the military duties and obligations required of reservists shall be determined by regulations to be promulgated by the President of the United States: *Provided further*, That when called out for military duty, reservists shall receive the same pay and allowances as officers and men of like grade on the active list of the National Guard of the District of Columbia.
- Provisos.*
Term of enlistment. Pay. "SEC. 73. That all officers and enlisted men of the National Guard of the District of Columbia, both active and retired, shall be exempt from jury duty.
- Exempt from jury duty. District of Columbia included in militia law. "SEC. 74. That whenever the words 'State or Territory' are used in the 'Act to promote the efficiency of the militia, and for other purposes,' approved January twenty-first, nineteen hundred and three, as amended, they

shall be held to apply to and include the District of Columbia.

“SEC. 75. That nothing herein contained shall be held to alter the status or organization of the naval battalion as now provided for by law. Naval battalion not affected.”

“SEC. 76. That any commission issuing under the provisions of this Act shall, where the rank remains unchanged, bear the date of the commission now held; and that any officer who has served continuously in the same grade may be recommissioned with rank from date of his original commission to that grade.” Date of commissions.

CHAP. 131.—An Act To promote the administration of justice in the Navy. Feb. 16, 1909. [H. R. 6252.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That courts for the trial of enlisted men in the Navy and Marine Corps for minor offenses now triable by summary court-martial may be ordered by the commanding officer of a naval vessel, by the commandant of a navy-yard or station, by a commanding officer of marines, or by higher naval authority. [Public No. 230.] 35 Stat. L., pt. 1, p. 621. Navy. Administration of justice in. Courts to try enlisted men for minor offenses.

SEC. 2. That such courts shall be known as “deck courts,” and shall consist of one commissioned officer only, who, while serving in such capacity shall have power to administer oaths, to hear and determine cases, and to impose, in whole or in part, the punishments prescribed by article thirty of the Articles for the Government of the Navy: *Provided*, That in no case shall such courts adjudge discharge from the service or adjudge confinement or forfeiture of pay for a longer period than twenty days. Deck courts. Composition of. Powers. Proviso. Limitations.

SEC. 3. That any person in the Navy under command of the officer by whose order a deck court is convened may be detailed to act as recorder thereof. Recorder to be detailed.

SEC. 4. That the officer within whose command a deck court is sitting shall have full power as reviewing authority to remit or mitigate, but not to commute, any sentence imposed by such court; but no sentence of a deck court shall be carried into effect until it shall have been so approved or mitigated, and such officer shall have power to pardon any punishment such court may adjudge. Review, etc., of sentence.

SEC. 5. That the courts hereby authorized shall be governed in all details of their constitution, powers, and procedure, except as herein provided, by such rules and regulations as the President may prescribe. Procedure, etc.

SEC. 6. That the records of the proceedings of the courts hereby authorized shall contain such matters only as are necessary to enable the reviewing authorities to act intelligently thereon, except that if the party accused Record of proceedings.

demands it within thirty days after the decision of the deck court shall become known to him, the entire record or so much as he desires shall be sent to the reviewing authority. Such records, after action thereon by the convening authority, shall be forwarded directly to, and shall be filed in, the Office of the Judge-Advocate-General of the Navy, where they shall be reviewed, and, when necessary, submitted to the Secretary of the Navy for his action.

Review of record by Judge - Advocate-General.

Right of objection, etc.

SEC. 7. That no person who objects thereto shall be brought to trial before a deck court. Where such objection is made by the person accused, trial shall be ordered by summary or by general court-martial, as may be appropriate.

Adjudging punishments.

SEC. 8. That the courts authorized to impose the punishments prescribed by article thirty of the Articles for the Government of the Navy may adjudge either a part or the whole, as may be appropriate, of any one of the punishments therein enumerated: *Provided*, That the use of irons, single or double, is hereby abolished, except for the purpose of safe custody or when part of a sentence imposed by a general court-martial.

Proviso. Use of irons abolished. Exceptions.

Court - martial proceedings may be set aside.

SEC. 9. That the Secretary of the Navy may set aside the proceedings or remit or mitigate, in whole or in part, the sentence imposed by any naval court-martial convened by his order or by that of any officer of the Navy or Marine Corps.

Authority to convene.

SEC. 10. That general courts-martial may be convened by the President, by the Secretary of the Navy, by the commander in chief of a fleet or squadron, and by the commanding officer of any naval station beyond the continental limits of the United States.

Court of inquiry, etc., may issue process, etc.

SEC. 11. That a naval court-martial or court of inquiry shall have power to issue like process to compel witnesses to appear and testify which United States courts of criminal jurisdiction within the State, Territory, or District where such naval court shall be ordered to sit may lawfully issue.

Witnesses.

SEC. 12. That any person duly subpoenaed to appear as a witness before a general court-martial or court of inquiry of the Navy, who willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or produce documentary evidence, which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States; and it shall be the duty of the United States District Attorney, on the certification of the facts to him by such naval court to file an information against and prosecute the persons so offending, and the punishment of such person, on conviction, shall be a fine of not more than five hundred dollars or imprisonment not to exceed six months, or both, at the discretion of the court:

Punishment for failure to appear.

Provided, That this shall not apply to persons residing beyond the State, Territory, or District in which such naval court is held, and that the fees of such witnesses and his mileage at the rates provided for witnesses in the United States district court for said State, Territory, or District shall be duly paid or tendered said witness, such amounts to be paid by the Bureau of Supplies and Accounts out of the appropriation for compensation of witnesses: *Provided further*, That no witness shall be compelled to incriminate himself or to answer any question which may tend to incriminate or degrade him.

Provisos.
Exceptions.

Fees, etc.

Incriminating testimony not compulsory.

Allowance to prisoners.

SEC. 13. That persons confined in prisons in pursuance of the sentence of a naval court-martial shall, during such confinement, be allowed a reasonable sum, not to exceed three dollars per month, for necessary prison expenses, and shall upon discharge be furnished with suitable civilian clothing and paid a gratuity, not to exceed twenty-five dollars: *Provided*, That such allowances shall be made in amounts to be fixed by, and in the discretion of, the Secretary of the Navy and only in cases where the prisoners so discharged would otherwise be unprovided with suitable clothing or without funds to meet their immediate needs.

Proviso.
Restriction.

SEC. 14. That section sixteen hundred and twenty-four, article thirty-four, Revised Statutes of the United States, is hereby amended as follows: "The proceedings of summary courts-martial shall be conducted with as much conciseness and precision as may be consistent with the ends of justice, and under such forms and rules as may be prescribed by the Secretary of the Navy, with the approval of the President, and all such proceedings shall be transmitted in the usual mode to the Navy Department, where they shall be kept on file for a period of two years, from date of trial, after which time they may be destroyed in the discretion of the Secretary of the Navy."

Procedure in summary courts.
R. S., sec. 1624, amended.

Record may be destroyed after two years.

SEC. 15. That it shall be lawful for any civil officer having authority under the laws of the United States or of any State, Territory, or District to arrest offenders, to summarily arrest a deserter from the Navy or Marine Corps of the United States and deliver him into the custody of the naval authorities.

Arrest of deserters by civil officers.

SEC. 16. That the depositions of witnesses may be taken on reasonable notice to the opposite party, and when duly authenticated, may be put in evidence before naval courts, except in capital cases and cases where the punishment may be imprisonment or confinement for more than one year as follows: First, depositions of civilian witnesses residing outside the State, Territory, or District in which a naval court is ordered to sit; second, depositions of persons in the naval or military service stationed or residing outside the State, Territory, or District in which a naval court is ordered to sit, or who are under orders to go outside of such State, Territory, or

Depositions accepted as evidence.

Exceptions.

Of whom accepted.

District; third, where such naval court is convened on board a vessel of the United States, or at a naval station not within any State, Territory, or District of the United States, the depositions of witnesses may be taken and used as herein provided whenever such witnesses reside or are stationed at such a distance from the place where said naval court is ordered to sit, or are about to go to such a distance as, in the judgment of the convening authority, would render it impracticable to secure their personal attendance.

Approval of sentences.

SEC. 17. That all sentences of summary courts-martial may be carried into effect upon the approval of the senior officer present, and all sentences of deck courts may be carried into effect upon approval of the convening authority or his successor in office.

Repeal.

SEC. 18. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Mar. 3, 1909.
[H. R. 27054.]
[Public, No. 304.]
35 Stat. L., pt. 1, p. 728.
Fortifications appropriations.

CHAP. 251.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, 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 sums of money herein provided for be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, namely:

* * * * *

FORTIFICATIONS IN INSULAR POSSESSIONS.

ENGINEER DEPARTMENT.

Seacoast batteries.
Hawaiian Islands.
Philippine Islands.
Proviso.
Contracts authorized.

For construction of seacoast batteries, as follows:
In the Hawaiian Islands, three hundred and thirty-seven thousand two hundred dollars;
In the Philippine Islands, one million dollars: *Provided*, That contracts may be entered into, under the direction of the Secretary of War, for materials and work for construction of seacoast batteries in the Philippine Islands, to be paid for as appropriations may from time to time be made by law, for an additional sum not to exceed six hundred thousand dollars;

In all, one million three hundred and thirty-seven thousand two hundred dollars.

Electric plants.
Hawaiian Islands.

For installation of light and power plants at the defenses of the following localities:
In the Hawaiian Islands, fourteen thousand four hundred and sixty-nine dollars;

In the Philippine Islands, eighty-eight thousand eight hundred and twenty-three dollars; Philippine Islands.

In all, one hundred and three thousand two hundred and ninety-two dollars.

OFFICE OF CHIEF OF ARTILLERY.

* * * * *

For purchase and installation of searchlights for the defenses of most important harbors, as follows: Searchlights.

In the Hawaiian Islands, sixty-six thousand dollars. Hawaiian Islands.

For procurement or reclamation of land, or right pertaining thereto, needed for the site, location, construction, or prosecution of works for fortifications and coast defenses in the Philippine Islands, twelve thousand dollars. Sites, Philippines.

ORDNANCE DEPARTMENT.

* * * * *

The action of the Secretary of War in heretofore mounting eight twelve-inch mortars from the stock on hand for use in continental United States at Diamond Head in the Hawaiian Islands is ratified and legalized, and the Secretary of War is further authorized to transfer to the insular possessions for reserve purposes one ten-inch gun and two six-inch guns out of the stock now on hand in the United States. Transfer of mortars, etc., to Hawaii.

* * * * *

Not to exceed thirty-five thousand dollars of the funds appropriated for fortifications in the insular possessions may be used prior to July first, nineteen hundred and ten, in the War Department for services of draftsmen, such sum to be in addition to other amounts authorized for similar work: *Provided*, That the Secretary of War shall report in his annual estimates to Congress the number of persons employed, their duties, and the amount paid to each. Draftsmen.
Proviso.
Report.

* * * * *

CHAP. 252.—An Act Making appropriation for the support of the army for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 3, 1909.
[H. R. 26915.]

[Public. No. 305.]
35 Stat. L.,
pt. 1, p. 732.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the army for the year ending June thirtieth, nineteen hundred and ten: Army appropriations.

* * * * *

OFFICE OF THE CHIEF OF STAFF.

ARMY WAR COLLEGE: * * *

* * * * *

Contingent expenses.

For contingent expenses of the military information division, General Staff Corps, including the purchase of law books, professional books of reference, professional and technical periodicals and newspapers, and of the military attaches at the United States embassies and legations abroad; and of the branch office of the military information section at Manila, to be expended under the direction of the Secretary of War, ten thousand dollars: *Provided*, That section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation.

Proviso.
Foreign periodicals.
R. S., sec. 3648.

* * * * *

OFFICE OF THE CHIEF SIGNAL OFFICER.

* * * * *

Washington-Alaska cable, etc.
Cost for extension, etc., available from receipts.

WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM: For defraying the cost of such extensions and betterments of the Washington-Alaska military cable and telegraph system as may be approved by the Secretary of War, to be available until the close of the fiscal year nineteen hundred and eleven from the receipts of the Washington-Alaska military cable and telegraph system that have been covered into the Treasury of the United States, the extent of such extensions and the cost thereof to be reported to Congress by the Secretary of War, one hundred thousand dollars: *Provided*, That the conveyance by George C. Hazelet, trustee, of a tract of about two acres of land in the town of Cordova, on Orea Inlet, Alaska, which it is proposed to donate to the United States as the site for a cable station be, and the same is hereby, accepted.

Report to Congress.

Proviso.
Donation of cable-station site accepted.

Target ranges.

ANNUNCIATOR BUZZER SYSTEMS AT TARGET RANGES: For installation of annunciator buzzer systems at target ranges at * * *; and Fort William McKinley, Philippine Islands, eighteen thousand two hundred dollars.

Annunciator buzzer systems.

* * * * *

PAY OF ENLISTED MEN.

* * * * *

Provisos.
Additional pay to horse-shoer, etc.

Provided, That one of the two "blacksmiths and farriers" now authorized by law for each troop of cavalry shall hereafter be designated "farrier," and the other "horseshoer," and that the additional pay of nine dollars per month provided for "one blacksmith and farrier in each troop of cavalry for performing the duty of horse-shoer" in the Act of Congress approved May eleventh,

nineteen hundred and eight, shall be paid to the soldier designated as "horseshoer."

Provided further, That the Act approved May eleventh, nineteen hundred and eight, for the support of the army for the fiscal year ending June thirtieth, nineteen hundred and nine, in so far as it relates to the payment of six months' pay to the widow of an officer or enlisted man, and so forth, be amended as follows:

Strike out the words "contracted in the line of duty" and insert in lieu thereof the words, "not the result of his own misconduct."

* * * * *

FOR PAY OF OFFICERS OF THE STAFF CORPS AND STAFF DEPARTMENTS.

* * * * *

MEDICAL DEPARTMENT: * * * *Provided*, That any major of the Medical Corps on the active list of the army who, at his first examination for promotion to the grade of lieutenant-colonel in said corps, has been or shall hereafter be found disqualified for such promotion for any reason other than physical disability incurred in the line of duty shall be suspended from promotion and his right thereto shall pass successively to such officers next below him in rank in said corps as are or may become eligible to promotion under existing law during the period of his suspension; and any officer suspended from promotion, as hereinbefore provided, shall be reexamined as soon as practicable after the expiration of one year from the date of the completion of the examination that resulted in his suspension; and if on such reexamination he is found qualified for promotion, he shall again become eligible thereto; but if he is found disqualified by reason of physical disability incurred in line of duty, he shall be retired, with the rank to which his seniority entitles him to be promoted; and if he is not found disqualified by reason of such physical disability, but is found disqualified for promotion for any other reason, he shall be retired without promotion.

Allowances for death in service.

Medical Department. *Proviso.* Promotion of majors, etc. Suspensions if disqualified.

Reexaminations.

Retirement.

* * * * *

RETIRED OFFICERS.

* * * * *

Provided, That the Act approved November third, eighteen hundred and ninety-three, authorizing the detail of officers of the army and navy to educational institutions, be amended so as to provide that retired officers, when so detailed, shall receive the full pay and allowances of their rank, except that the limitations on the pay of officers of the Army above the grade of major as provided

Proviso. Detail to colleges, etc.

Full pay and allowances, etc.

in the Acts of March second, nineteen hundred and five, and June twelfth, nineteen hundred and six, shall remain in force.

* * * * *

MISCELLANEOUS.

* * * * *

Extra pay, Alaskan cable, etc. For extra pay to enlisted men of the line of the army and to enlisted men of the Signal Corps employed in the Territory of Alaska on the Alaskan cable and telegraph system, for periods of not less than ten days, at the rate of thirty-five cents per day, thirty-six thousand dollars.

* * * * *

Jennie Carroll. For amount required to make monthly payment to Jennie Carroll, widow of James Carroll, late major and surgeon, United States Army, as per Act of Congress approved May twenty-third, nineteen hundred and eight, one thousand five hundred dollars.

Mabel H. Lazear. For amount required to make monthly payment to Mabel H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, as per Act of Congress approved May twenty-third, nineteen hundred and eight, one thousand five hundred dollars.

Porto Rico Regiment of Infantry. For Porto Rico Regiment of Infantry, of the United States Army, composed of two battalions of four companies each:

Officers. Pay of officers, sixty-three thousand four hundred dollars.

Longevity. For additional pay for length of service, nine thousand one hundred dollars.

Officers furnishing own mounts. For additional pay to officers required to be mounted who furnish their own mounts, one thousand four hundred dollars.

Enlisted men. Pay of enlisted men, one hundred and twenty-nine thousand and twenty-four dollars.

Longevity. Additional pay for length of service, twenty-nine thousand nine hundred and twenty-five dollars.

* * * * *

PHILIPPINE SCOUTS.

Officers. Pay of officers: For fifty captains, one hundred and twenty thousand dollars.

For fifty-eight first lieutenants, one hundred and sixteen thousand dollars.

For fifty-eight second lieutenants, ninety-eight thousand six hundred dollars.

For eight majors, in addition to pay as captain, six hundred dollars each, four thousand eight hundred dollars.

Officers furnishing own mounts. For additional pay to sixteen battalion staff officers, required to be mounted, who furnish their own mounts, three thousand two hundred dollars.

For additional pay for length of service, eighty thousand dollars. Longevity.

For pay for enlisted men, five hundred and eighty-seven thousand eight hundred and ninety-nine dollars and twenty cents. Enlisted men.

For additional pay for length of service, fifty thousand dollars. Longevity.

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage of officers and contract surgeons when authorized by law, shall be disbursed and accounted for by officers of the Pay Department as pay of the Army, and for that purpose shall constitute one fund. Pay accounts.

* * * * *

QUARTERMASTER'S DEPARTMENT.

* * * * *

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES: Ships, boats, etc.
 * * * for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific oceans; and for the purchase and repair of harbor boats, and repair of boats for the seacoast artillery service; in all, twelve million six hundred and thirty-two thousand eight hundred and forty-six dollars and fifty cents. Amount.

* * * * *

CONSTRUCTION AND MAINTENANCE OF MILITARY AND POST ROADS, BRIDGES, AND TRAILS, ALASKA: For the construction and maintenance of military and post roads, bridges, and trails in the district of Alaska, to be expended under the direction of the board of road commissioners described in section two of an Act entitled "An Act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the district of Alaska, and for other purposes," approved January twenty-seventh, nineteen hundred and five, and to be expended conformably to the provisions of said Act, three hundred and fifty thousand dollars, to remain available until the close of the fiscal year ending June thirtieth; nineteen hundred and eleven. Alaska. Military and post roads, etc. Construction, etc.

BARRACKS AND QUARTERS, PHILIPPINE ISLANDS: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, three hundred and fifty thousand dollars. Philippine Islands. Barracks and quarters.

Care of insane native soldiers. CARE OF INSANE FILIPINO SOLDIERS: For the care, maintenance, and treatment at asylums in the Philippine Islands during the fiscal year ending June thirtieth, nineteen hundred and ten, of insane natives of the Philippine Islands cared for in such institutions conformably to the Act of Congress approved May eleventh, nineteen hundred and eight (Thirty-fifth Statutes, page one hundred and twenty-two, Act of May eleventh, nineteen hundred and eight, volume thirty-five, page one hundred and twenty-two), one thousand five hundred dollars.

* * * * *

Corregidor Island, P. I. Storehouses. BUILDINGS ON CORREGIDOR ISLAND, PHILIPPINE ISLANDS: For the construction on Corregidor Island, Philippine Islands, of storehouses for the Quartermaster's Subsistence, Ordnance, and Medical departments of the Army, two hundred and fifty thousand dollars.

* * * * *

Mar. 3, 1909. CHAP. 255.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

[Public, No. 308.]

35 Stat. L., pt. 1, p. 753.

Naval service appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June thirtieth, nineteen hundred and ten, and for other purposes.

* * * * *

PAY OF THE NAVY.

* * * * *

Increased grade for civil-war service.

Effect of.

The provisions of the Act approved June twenty-ninth, nineteen hundred and six, entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seven, and for other purposes," providing for the retirement in the next higher grade of officers of the navy who served during the civil war, shall not operate to deprive any officer of the navy who has been, or may be, retired, since the passage of that Act, of the right to increased rank and pay to which, but for the passage of said Act, he would have been entitled.

* * * * *

PAY, MISCELLANEOUS.

* * * * *

Contingent.

CONTINGENT, NAVY: For all emergencies and extraordinary expenses, exclusive of personal services in the

Navy Department, or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, forty-six thousand and eighty-six dollars: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of accounts of disbursing officers involved, payments made under the appropriation "Contingent, navy," to civilian employees appointed by the Navy Department for duty in and serving at naval stations maintained in the island possessions during the fiscal year nineteen hundred and ten.

Proviso.
Civilian employees.

* * * * *

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

* * * * *

NAVAL STATION, ISLAND OF GUAM: Dredging, three thousand dollars; extension of naval-station roads, eleven thousand dollars; water-supply system, thirty thousand dollars; in all, forty-four thousand dollars.

Guam.

NAVAL STATION, PEARL HARBOR, HAWAII: Toward dredging an entrance channel of a depth of thirty-five feet, six hundred thousand dollars; toward construction of dry dock, to cost two million dollars, two hundred thousand dollars; toward yard development, one hundred thousand dollars; in all, nine hundred thousand dollars.

Pearl Harbor, Hawaii.

NAVAL STATION, CAVITE, PHILIPPINE ISLANDS: Improvements to building twenty-five, thirteen thousand five hundred dollars; improvements to building twenty-one, two thousand four hundred dollars; in all, fifteen thousand nine hundred dollars.

Cavite, P. I.

NAVAL STATION, TUTUILA: Two officers' quarters, three thousand five hundred dollars; preservation of grounds, two thousand dollars; in all, five thousand five hundred dollars.

Tutuila.

* * * * *

PUBLIC WORKS UNDER THE SECRETARY OF THE NAVY.

* * * * *

BUILDINGS FOR LEPERS, ISLAND OF GUAM: Naval station, island of Guam: Maintenance and care of lepers and other special patients, fourteen thousand dollars; in all, fourteen thousand dollars.

Guam.
Care, etc., of lepers.

* * * * *

PUBLIC WORKS, MARINE CORPS.

* * * * *

Toward the completion of the marine garrison, naval station, Pearl Harbor, Territory of Hawaii, one marine

Pearl Harbor, Hawaii.

barracks, one hundred and thirty-five thousand dollars; and to complete six officers' quarters, fifty thousand dollars; in all, one hundred and eighty-five thousand dollars.

* * * * *

BUREAU OF MEDICINE AND SURGERY.

* * * * *

Transferring home remains of officers, etc.

TRANSPORTATION OF REMAINS: To enable the Secretary of the Navy, in his discretion, to cause to be transferred to their homes the remains of officers and enlisted men of the Navy and Marine Corps who die or are killed in action ashore or afloat, and also to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of civilian employees who die outside of the continental limits of the United States, ten thousand dollars: *Provided*, That the sum herein appropriated shall be available for payment for transportation of the remains of officers and men who have died while on duty at any time since April twenty-first, eighteen hundred and ninety-eight.

Proviso. Application of fund.

* * * * *

BUREAU OF SUPPLIES AND ACCOUNTS.

PROVISIONS, NAVY: * * *; labor in general storehouses and paymasters' offices in navy-yards, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased under the naval supply fund; and for the purchase of United States Army emergency rations, as required: *Provided*, That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy and Marine Corps, also to civilian employees at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe:

Sales to civilians.

* * * * *

BUREAU OF STEAM ENGINEERING.

* * * * *

Cavite, P. I.

Machinery plant, naval station, Cavite, Philippine Islands: For additional new machine tools, required to facilitate repairs to naval vessels on Asiatic Station, fifteen thousand dollars.

* * * * *

MARINE CORPS.

* * * * *

Mileage to officers. Proviso. Settlement of claims.

Mileage: For mileage to officers traveling under orders without troops * * * *Provided*, That hereafter the settlement of all traveling expense claims, where the

payment of such is authorized by existing law, and the determination of distances and of what constitutes the shortest usually traveled route in the meaning of laws relating to traveling allowances, shall accord to such rules as the Secretary of the Navy may prescribe.

* * * * *

In the office of the assistant quartermaster, * * * two clerks, for duty in the Philippine Islands, one in Pay and one in Quartermaster's Department, at one thousand four hundred dollars each.

* * * * *

FOR REPAIRS OF BARRACKS, MARINE CORPS: Repairs and improvements to barracks and quarters at * * * Sitka, Alaska, and Isthmus of Panama; for the renting leasing, improvement, and erection of buildings in Porto Rico, the Territory of Hawaii, the Philippine Islands, at Guam, * * * and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and the other public buildings, one thousand dollars.

* * * * *

CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, Mar. 4, 1909.
 nineteen hundred and nine, and for prior years, and for other [H. R. 28376.]
 purposes. [Public, No. 327.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects hereinafter stated, namely:

35 Stat. L.,
pt. 1, p. 907.

* * * * *

MILITARY ESTABLISHMENT.

PAY DEPARTMENT.

* * * * *

The accounting officers of the Treasury are authorized and directed to allow the payment made by the Pay Department of the army to Gerald E. Griffin, veterinarian, Third Field Artillery, in the sum of two hundred and forty dollars, for commutation of quarters while serving in Cuba from July first, nineteen hundred and seven, to April thirtieth, nineteen hundred and eight. Gerald E. Griffin.
Commutation of quarters.

The accounting officers of the Treasury are authorized and directed to allow the payment made by the Pay Department of the army to Gerald E. Griffin, veterinarian, Third Field Artillery, in the sum of seventy-two dollars, for commutation of quarters while serving in Cuba from April first, nineteen hundred and seven, to June thirtieth, nineteen hundred and seven.

Jennie Car- roll. Annuity. For amount of annuity granted to Mrs. Jennie Carroll, widow of James Carroll, late major and surgeon, United States Army, from May twenty-third, nineteen hundred and nine, to June thirtieth, nineteen hundred and nine, at one hundred and twenty-five dollars per month, as per Act of Congress approved May twenty-third, nineteen hundred and eight, one hundred and fifty-eight dollars and thirty-three cents.

Mabel H. Lazear. Annuity. For amount of annuity granted to Mrs. Mabel H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, from May twenty-third, nineteen hundred and nine, to June thirtieth, nineteen hundred and nine, at one hundred and twenty-five dollars per month, as per Act of Congress approved May twenty-third, nineteen hundred and eight, one hundred and fifty-eight dollars and thirty-three cents.

* * * * *

NAVAL ESTABLISHMENT.

* * * * *

MARINE CORPS.

* * * * *

Sitka, Alaska. Lighting and heating barracks. For installing electric lights and heating system, marine barracks, Sitka, Alaska, five thousand dollars, which sum shall be in addition to the five thousand dollars appropriated for this object in the naval appropriation Act approved May thirteenth, nineteen hundred and eight, five thousand dollars.

* * * * *

Mar. 4, 1909. [H. R. 28245.] CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

[Public. No. 328.]

35 Stat. L., pt. 1, p. 945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

* * * * *

UNDER THE WAR DEPARTMENT.

ARMORIES AND ARSENALS.

* * * * *

ORDNANCE DEPOT, MANILA, PHILIPPINE ISLANDS: For converting a storehouse into a set of officers' quarters, Manila, P. I. Officers' quarters.
 nine thousand dollars;

For repairs to casemates and shops, three thousand three hundred dollars;

In all, twelve thousand three hundred dollars.

* * * * *

NATIONAL CEMETERIES.

* * * * *

BRINGING HOME THE REMAINS OF OFFICERS AND SOLDIERS WHO DIE ABROAD: To enable the Secretary of War, in his discretion, to cause to be transported to their homes, or to such national cemeteries as may be designated by proper authorities, the remains of officers and enlisted men of the army who die in line of duty, including civilian employees of the army in the employ of the War Department who die abroad (inclusive of Alaska) and officers or enlisted men or civilian employees of the army who die on army transports, fifty thousand dollars.

* * * * *

MISCELLANEOUS OBJECTS, WAR DEPARTMENT.

* * * * *

SEACOAST DEFENSES, PHILIPPINE ISLANDS AND HAWAII: Philippine Islands and Hawaii. Seacoast defenses.
 For the construction of the necessary accommodations for the seacoast artillery in Philippine Islands and Hawaii, six hundred thousand dollars.

* * * * *

MILITARY POST, WAIKIKI, HONOLULU, HAWAII: Waikiki, Honolulu, Hawaii. Coast artillery post.
 For filling in ponds on additional land purchased by the Engineer Department, in connection with the construction of a four-company coast artillery post at Waikiki, Honolulu, Hawaii, fifty thousand dollars.

* * * * *

CAVALRY POST, HAWAII TERRITORY: Hawaii. Officers' quarters, etc.
 For the construction of the officers' quarters, barracks, storehouses, and so forth, necessary for the accommodation of headquarters and two squadrons of cavalry, two hundred thousand dollars.

* * * * *

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

* * * * *

In addition to those classes of discharged soldiers and sailors now admissible to the National Home for Disabled Volunteer Soldiers, all honorably discharged soldiers and Philippines, China, and Alaska, admission for service in.

sailors who have served in the Philippines, in China, or in Alaska, who are now or who hereafter may become disabled by disease or otherwise, and by reason of such disability are incapable of earning a living, shall hereafter be admitted thereto.

* * * * *

BACK PAY AND BOUNTY: * * *

War with Spain.

For payment of amounts for arrears of pay and allowances on account of service of officers and men of the army during the war with Spain and in the Philippine Islands that may be certified to be due by the accounting officers of the Treasury during the fiscal year nineteen hundred and ten and that are chargeable to the appropriations that have been carried to the surplus fund, fifty thousand dollars.

* * * * *

Mar. 4, 1909. CHAP. 300.—An Act Making appropriations for the support of [H. R. 28059.] the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

[Public, No. 329.]

35 Stat. L., pt. 1, p. 1028.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and ten:

Military Academy appropriations.

* * * * *

Demetrio Castillo, junior.

The Secretary of War is hereby authorized to permit Mr. Demetrio Castillo, junior, of Cuba, to receive instruction at the Military Academy at West Point: *Provided,* That no expense shall be caused to the United States thereby, and that the said Demetrio Castillo, junior, shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction: *And provided further,* That in the case of the said Demetrio Castillo, junior, the provisions of sections thirteen hundred and twenty and thirteen hundred and twenty-one of the Revised Statutes shall be suspended.

Admitted for instruction. *Provisos.* No expense.

Oath and service.

R. S., sec. 1320, 1321.

* * * * *

SPANISH TREATY CLAIMS COMMISSION.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 27.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

Feb. 15, 1908.
[H. R. 14766.]
[Public, No. 24.]
35 Stat. L.,
pt. 1, p. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Urgent deficiencies appropriations.

* * * * *

AWARDS SPANISH TREATY CLAIMS COMMISSION.

To pay the awards made by the Spanish Treaty Claims Commission under the provisions of the Act of March second, nineteen hundred and one, certified to Congress in Senate Document Numbered One hundred and eighty-four, of the present session, fifty-two thousand two hundred and thirty-seven dollars and seventy-five cents.

Awards.

CHAP. 186.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 22, 1908.
[H. R. 16882.]
[Public, No. 130.]
35 Stat. L.,
pt. 1, p. 184.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and nine, and for the objects hereinafter expressed, namely:

Legislative, executive, and judicial expenses appropriations.

* * * * *

DEPARTMENT OF JUSTICE.

* * * * *

Spanish Treaty Commission. Assistant attorney-general. From the appropriation for defense of suits before Spanish Treaty Claims Commission: One assistant attorney-general, five thousand dollars.

* * * * *

May 27, 1908. [H. R. 21260.] CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

[Public, No. 141.]
35 Stat. L., pt. 1, p. 317.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

Sundry civil expenses appropriations.

* * * * *

UNDER THE DEPARTMENT OF JUSTICE.

* * * * *

Spanish Treaty Claims Commission. Defense of suits. DEFENSE OF SUITS BEFORE SPANISH TREATY CLAIMS COMMISSION: For salaries and expenses in defense of claims before the Spanish Treaty Claims Commission, including salaries of assistant attorneys and necessary employees in Washington, District of Columbia, or elsewhere, to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the Act of March second, nineteen hundred and one, providing for the Spanish Treaty Claims Commission, as are in conflict herewith notwithstanding, seventy-five thousand dollars, of which not exceeding two hundred dollars may be expended for law books and books of reference.

Taking testimony abroad.

SPANISH TREATY CLAIMS COMMISSION: For expenses of taking testimony abroad, twenty-five thousand dollars.

* * * * *

May 30, 1908. [H. R. 21946.] CHAP. 227.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

[Public, No. 167.]
35 Stat. L., pt. 1, p. 478.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not

Deficiencies appropriations.

otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

AWARDS SPANISH TREATY CLAIMS COMMISSION. Spanish
Treaty Claims
Commission.

To pay the awards made by the Spanish Treaty Claims Commission under the provisions of the Act of March second, nineteen hundred and one, certified to Congress in House Document Numbered Eight hundred and eighty-nine,^a of the present session, two hundred and forty-four thousand and eighty-five dollars. Awards.

* * * * *

^a The awards referred to in this document are as follows:

Of January 31, 1908, in favor of Jose Rafael Reyes y Garcia and Maria de la Concepcion Iznaga y Garcia.....	\$75, 000
Of January 31, 1908, in favor of Peter S. Rodriguez.....	19, 135
Of January 31, 1908, in favor of Federico Bauriedel.....	49, 690
Of January 31, 1908, in favor of Amalia Rodriguez, Herminia Rodriguez de Arguelles, and the estate of Julia Rodriguez de Carr, as sole heirs at law of Jacinta Cossio de Rodriguez.....	3, 000
Of April 22, 1908, in favor of Fernando del Valle é Yznaga.....	33, 000
Of April 22, 1908, in favor of Natividad Yznaga del Valle.....	28, 360
Of April 22, 1908, in favor of Julia J. del Valle, executrix of Jose Antonio del Valle é Yznaga.....	27, 400
Of April 22, 1908, in favor of estate of Rafael Madrigal (deceased)....	8, 000
Of April 24, 1908, in favor of Teresa Joerg.....	500
	244, 085

SIXTIETH CONGRESS, SECOND SESSION.

Mar. 4, 1909.
[H. R. 28376.]

CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine, and for prior years, and for other purposes.

[Public, No.
327.]

35 Stat. L.,
pt. 1, p. 907.

Deficiencies
appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

AWARDS SPANISH TREATY CLAIMS COMMISSION.

Awards.

To pay the awards made by the Spanish Treaty Claims Commission under the provisions of the Act of March second, nineteen hundred and one, certified to Congress in House Documents Numbered Fourteen hundred and three^a and Fourteen hundred and fifty-three^b of the present session, one hundred and twenty-two thousand eight hundred and forty-six dollars and forty cents.

* * * * *

^a No. 1403 contains the following awards:

Claim No. 89, award No. 57, of July 31, 1908, Peter Plutarch Ortiz.....	\$5,000
Claim No. 124, award No. 56, of June 3, 1908, Maria Serafina Hernandez y Huguet, widow of Samuel T. Tolon, as guardian and administrator of their minor children, and in her own right, as such widow.....	14,000

^b No. 1453 contains the following awards:

January 5, 1909, in favor of Jose F. Delgado.....	\$9,500.00
January 5, 1909, in favor of Jose Martin Duenas.....	10,000.00
January 5, 1909, in favor of Samuel Norris, jr., guardian of Frederika Doringh.....	4,000.00
January 29, 1909, in favor of Ricardo Narganes y Osma, as executor of the last will and testament of Christobal N. Madan, deceased....	16,775.00
January 30, 1909, in favor of Leonora F. E. Caldwell.....	1,142.85
January 30, 1909, in favor of Malcolm D. Caldwell.....	1,142.85
January 30, 1909, in favor of Anita M. S. B. Caldwell.....	1,142.85
January 30, 1909, in favor of Josiah Seymour Caldwell.....	1,142.85
January 30, 1909, in favor of Jose De Armas y Armas.....	6,500.00
January 30, 1909, in favor of Charles Robert Scott y Camara.....	5,000.00
January 30, 1909, in favor of Gonzalo Morejon and Abraham Morejon..	7,000.00
January 30, 1909, in favor of Amalia Tejada De Govin.....	20,000.00
January 30, 1909, in favor of Antonio Modesto Yznaga.....	8,500.00
January 30, 1909, in favor of George K. Thorndike.....	12,000.00

CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 4, 1909.

[H. R. 28245.]

[Public, No. 328.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

35 Stat. L.,
pt. 1, p. 945.

* * * * *

UNDER THE DEPARTMENT OF JUSTICE.

* * * * *

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

* * * * *

DEFENSE OF SUITS BEFORE SPANISH TREATY CLAIMS COMMISSION: For salaries and expenses in defense of claims before the Spanish Treaty Claims Commission, including salaries of assistant attorneys and necessary employees in Washington, District of Columbia, or elsewhere, to be selected and their compensation fixed by the Attorney-General, to be expended under his direction, so much of the provisions of the Act of March second, nineteen hundred and one, providing for the Spanish Treaty Claims Commission, as are in conflict herewith notwithstanding, sixty thousand dollars, of which not exceeding two hundred dollars may be expended for law books and books of reference.

Spanish
Treaty Claims
Commission.
Defense in
suits.

* * * * *

CLAIMS OTHER THAN SPANISH TREATY CLAIMS.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 27.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

Feb. 15, 1908.
[H. R. 14766.]

[Public, No.
24.]
35 Stat. L.,
pt. 1, p. 8.
Urgent deficiencies appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

JUDGMENTS, COURT OF CLAIMS.

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document Numbered Three hundred and forty-five,^a and Senate Document Numbered One hundred and ninety-six,^a * * *

* * * * *

SEC. 2. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section five of the Act of June twentieth, eighteen hundred and seventy-four, and under appropriations heretofore treated as permanent, being for the service of the fiscal year nineteen hundred and five and prior years, unless otherwise stated, and which have been certified to Congress under section two of the Act of July seventh, eighteen hundred and eighty-four, as fully set forth in House Document Numbered

Claims certified by accounting officers.

^a The greater part of these claims are for extra pay to volunteers, war with Spain. In House Document 345 there is reported a judgment of the Court of Claims, which was affirmed by a mandate of the Supreme Court, in favor of R. P. Andrews & Co. (of Washington, D. C.) for \$3,542.42 for stationery, paper, etc., for the Philippine public printing office at Manila.

Three hundred and seventy-three," reported to Congress at its present session, there is appropriated as follows:

* * * * *

Mar. 11, 1908. **CHAP. 81.**—An Act To fix the limitation applicable in certain cases.
[H. R. 3923.]

[Public, No. 51.]
35 Stat. L., pt. 1, p. 42.
States.
Reimbursement for expenses, equipping volunteers, etc., Spanish war.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation of the Act approved April twenty-seventh, nineteen hundred and four, entitled "An Act to amend an Act approved March third, eighteen hundred and ninety-nine, entitled 'An Act to amend an Act entitled "An Act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July eighth, eighteen hundred and ninety-eight,' and so forth, and for other purposes," and the limitations of the Acts of which it is amendatory, shall be January first, nineteen hundred and ten.

Time for presenting claims extended.

Mar. 26, 1908. **CHAP. 105.**—An Act To provide for payment of the claims of the Roman Catholic Church in the Philippine Islands.
[H. R. 16143.]

[Private, No. 37.]
35 Stat. L., pt. 2, p. 1227.
Roman Catholic Church, Philippine Islands.

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 moneys in the Treasury not otherwise appropriated, the sum of four hundred and three thousand and thirty dollars and nineteen cents, the same to be paid to the archbishop of Manila, in the Philippine Islands, as the representative (and trustee) of the Roman Catholic Church in said Islands; and that the acceptance of said sum, paid under the provisions of this Act, shall be in full satisfaction of all claims for use and occupation of the property of said church in said islands and for damages done thereto by the military forces of the United States prior to the date, to wit, January fifteenth, nineteen hundred and six, of the official report of the "Board on Church Claims," which said board, composed of John A. Hull, lieutenant-colonel, judge-advocate; Alexander O. Brodie, lieutenant-colonel, military secretary, and J. W. Moore, first

Payment for use and occupation of property of.

^a In this document the following claims are allowed by the Auditor for the Post-Office Department:

21444	Mrs. J. C. Harris, Manila, P. I.....	Lost registered mail.....	1904	2.00
21445	Robt. B. Park, Olongapo, P. I.....do.....	1904	5.00
21473	J. N. Tisdale, postmaster, Snettisham, Alaska, second quarter, 1905.	Compensation to postmasters....	1905	90

lieutenant, Second Cavalry, was duly convened August first, nineteen hundred and five, at headquarters Philippines Division in the city of Manila, in said islands, to consider and report upon said claims.

CHAP. 179.—An Act For the relief of Captain Charles E. Morton, Sixteenth United States Infantry. May 19, 1908.
[H. R. 17056.]

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 is hereby authorized and directed to pay to Captain Charles E. Morton, Sixteenth United States Infantry, the sum of one hundred and eighty-six dollars, out of any money in the Treasury not otherwise appropriated, to reimburse the said Captain Charles E. Morton for the sum of one hundred and eighty-six dollars, United States currency, which was stolen from the said Captain Charles E. Morton, without fault or neglect on his part, while he was first lieutenant, Sixteenth United States Infantry, and acting disbursing officer at Echague, province of Isabela, Luzon, Philippine Islands, and which said sum the said Charles E. Morton has since paid into the Treasury of the United States in discharge of his liability as such disbursing officer.

[Private, No. 56.]
35 Stat. L.,
pt. 2, p. 1324.
Charles E. Morton.
Reimbursement.
Public laws,
p. 499.

CHAP. 227.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes. May 30, 1908.
[H. R. 21946.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects herein-after stated, namely:

[Public, No. 167.]
35 Stat. L.,
pt. 1, p. 478.
Deficiencies
appropriations.

DEPARTMENT OF STATE.

To pay to the Government of Norway the moiety of the United States of an award under the convention between the United States, Great Britain, and Germany for the settlement of Samoan claims, which was signed at Washington on November seventh, eighteen hundred and ninety-nine, two hundred dollars.

Samoan
claims.
Norway.

To pay to the Government of Sweden the moiety of the United States of an award under the convention between the United States, Great Britain, and Germany for the settlement of Samoan claims, which was signed at

Sweden.

Washington on November seventh, eighteen hundred and ninety-nine, three hundred and seventy-five dollars.

* * * * *

MILITARY ESTABLISHMENT.

* * * * *

CLAIMS APPROVED BY AUDITOR FOR WAR DEPARTMENT.

* * * * *

Philippine Islands. Claims for damages. For payment of twenty-four approved claims, * * * for damages to and loss of private property belonging to citizens of the United States and the Philippine Islands, estimated for on page four hundred and six, House Document numbered twelve, Sixtieth Congress, first session, four thousand five hundred and fifty-two dollars and thirty-five cents.

* * * * *

SIXTIETH CONGRESS, SECOND SESSION.

CHAP. 26.—An Act For the relief of the owners of the Mexican steamship Tabasqueno. Jan. 29, 1900.
[H. R. 23351.]

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 pay, out of any funds in the Treasury not otherwise appropriated, the sum of thirteen thousand four hundred and eighty-five dollars and seventy cents to the owners of the Mexican steamship Tabasqueno, with interest at six per centum from the date of the seizure, being for the arrest and detention of the ship and damage to her cargo during the war with Spain, the same being in full of their claim for the arrest and detention of the said ship and damage to her cargo by reason of the seizure by the United States steamship Hawk, July thirtieth, eighteen hundred and ninety-eight.

[Private, No. 73.]
35 Stat. L., pt. 2, p. 1402.
"Tabasqueno," Mexican steamship.
Payment to owners of.

CHAP. 40.—An Act For the relief of B. Jackman.

Jan. 23, 1909.
[S. 2580.]

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 pay to B. Jackman, agent of the Maine Central Railroad Company, Vanceboro, Maine, the sum of one thousand six hundred and seventy-eight dollars and eighty-eight cents, for refund of duties paid on one thousand four hundred and ninety-nine cases of condensed milk erroneously entered for consumption and shipped in transit through the United States to Dawson, Yukon Territory.

[Private, No. 84.]
35 Stat. L., pt. 2, p. 1405.
B. Jackman.
Payment to.

SEC. 2. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, one thousand six hundred and seventy-eight dollars and eighty-eight cents for the purposes specified in this Act.

Appropriation.

CHAP. 41.—An Act For the relief of J. de L. Lafitte.

Jan. 23, 1909.
[S. 5268.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of War be, and he is hereby, authorized and directed to cause to be investigated and examined the circumstances of an embezzlement of quartermaster funds on board the United States Army trans-

[Private, No. 85.]
35 Stat. L., pt. 2, p. 1405.
Jacques de L. Lafitte.
Investigation for relief of, authorized.

port Logan, discovered while Jacques de L. Lafitte, captain, quartermaster, United States Army, was serving as transport quartermaster, amounting to two thousand nine hundred and twenty-three dollars and forty-four cents; and if upon such examination and investigation he shall be satisfied that said Lafitte exercised due diligence and care, under the circumstances existing there at the time, in view of his physical disability, and had no personal knowledge that such embezzlement or embezzlements were occurring, and exercised due diligence in ferreting out and disclosing same, then he is hereby authorized and directed to release and discharge said Lafitte from any further liability for said sum of two thousand nine hundred and twenty-three dollars and forty-four cents, and to refund and pay back to said Lafitte whatever sums may have been withheld and deducted from his pay.

Payment, etc.

Jan. 28, 1909.
[H. R. 8733.]

CHAP. 45.—An Act For the relief of Walter W. Keefe.

[Private, No. 89.]
35 Stat. L., pt. 2, p. 1408.
Walter W. Keefe.
Payment to.

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 is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of four hundred and twenty-seven dollars and seventy-five cents to Walter W. Keefe, late civil plumber in the Quartermaster's Department at Fort Egbert, Alaska, for property destroyed by fire at Arlington dock, Seattle, Washington, on May sixth, nineteen hundred and six.

Feb. 4, 1909.
[H. R. 5461.]

CHAP. 71.—An Act For the relief of Lawson M. Fuller, major, Ordnance Department, United States Army.

[Private, No. 99.]
35 Stat. L., pt. 2, p. 1434.
Lawson M. Fuller.
Reimburse-ment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to reimburse Major Lawson M. Fuller, Ordnance Department, United States Army, for loss incurred by him of his personal effects during their transportation on board the United States chartered transport Morgan City to the Philippine Islands, whither he had been ordered to join his station, there shall be paid to him, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the loss so sustained by him: *Provided,* That the accounting officers of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

Proviso. Affidavit, etc.

Full satisfaction of all claims.

SEC. 2. That the relief granted by the provisions of this Act shall be in full satisfaction of any and all claims whatever against the United States on account of this loss.

CHAP. 96.—An Act To compensate E. C. Sturges for property lost during the Spanish-American war. Feb. 6, 1909.
[H. R. 13955.]

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 is hereby, authorized and instructed to pay to E. C. Sturges, late captain, First Illinois Volunteer Infantry, war with Spain, out of any money in the Treasury not otherwise appropriated, the sum of two hundred and sixty-eight dollars and two cents.

[Private, No. 114.]
35 Stat. L., pt. 2, p. 1437.
E. C. Sturges.
Payment to.

CHAP. 103.—An Act For the relief of Chaplain Henry Swift, Thirteenth Infantry, United States Army. Feb. 9, 1909.
[H. R. 2952.]

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, directed to pay, to Chaplain Henry Swift, out of any money in the Treasury not otherwise appropriated, the sum of one thousand and three dollars and eighteen cents, said sum to be a payment in full for all losses of personal property incurred by him by reason of the wreck of the United States transport Morgan City in the Inland Sea of Japan on or about September first, eighteen hundred and ninety-nine: *Provided*, that the accounting officers of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

[Private, No. 118.]
35 Stat. L., pt. 2, p. 1438.
Henry Swift.
Payment to.

Proviso.
Affidavit, etc.

CHAP. 108.—An Act For the relief of Captain George Van Orden, United States Marine Corps. Feb. 11, 1909.
[S. 568.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred and ninety-one dollars and thirty-seven cents be, and it is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and placed to the credit of Captain (formerly First Lieutenant) George Van Orden, United States Marine Corps, in the final settlement of his accounts as acting commissary of subsistence, United States Army, island of Guam, by the Auditor for the War Department, in lieu of Government funds to the same amount which were stolen and embezzled by a clerk in the office of the commissary of subsistence, island of Guam, in the year nineteen hundred and one, on account of the theft of which sum the accounts of the said Captain (formerly First Lieutenant) George Van Orden, United States Marine Corps, are now suspended in the office of the Auditor for the War Department.

[Private, No. 122.]
35 Stat. L., pt. 2, p. 1444.
George Van Orden.
Credit in accounts.

Feb. 17, 1909. **CHAP. 139.**—An Act To provide for the payment of John M. McDowell for services rendered in preparing a new set of indices of all the records of Council City recording district of the second judicial district of Alaska.
 [S. 685.]
 [Private, No. 141.]
 35 Stat. L., pt. 2, p. 1445.

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 pay, out of any money in the Treasury not otherwise appropriated, to John M. McDowell, of Council City, Alaska, a sum not to exceed three thousand dollars, being for services rendered in preparing a new set of indices of all the records of Council City recording district of the second judicial district of Alaska.

Feb. 25, 1909. **CHAP. 209.**—An Act For the relief of C. L. Huey.
 [H. R. 7029.]

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 pay to C. L. Huey, of Bloomington, Indiana, out of any money in the Treasury not otherwise appropriated, the sum of ninety-six dollars and forty cents, being for loss of private property at Cavite Naval Station, Philippine Islands, as found due him by a board of survey at Manila, Philippine Islands, by Special Orders, Numbered Two hundred and seventy-two, paragraph two, dated headquarters First Brigade and post of Manila, November seventeenth, nineteen hundred and three.

Mar. 3, 1909. **CHAP. 295.**—An Act For the relief of the Richmond Light Infantry Blues, of Virginia.
 [H. R. 8661.]

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 pay to the Richmond Light Infantry Blues, of the State of Virginia, out of any money in the Treasury not otherwise appropriated, the sum of one thousand seven hundred and eighty-eight dollars and forty-eight cents, in full settlement for their claim for clothing and other quartermaster supplies which were taken by the members thereof into the service of the United States in eighteen hundred and ninety-eight during the war with Spain, and worn out or lost or destroyed therein through no fault of their own.

CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine, and for prior years, and for other purposes.

Mar. 4, 1909.
[H. R. 28376.]
[Public, No.
327.]
35 Stat. L.,
pt. 1, p. 907.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

JUDGMENTS, COURT OF CLAIMS.

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document Numbered Fourteen hundred and five,^a and Senate Document Numbered Seven hundred and forty-five,^b namely:

Payment.

Under the War Department, fifty-five thousand seven hundred and eighty-eight dollars and eighty-eight cents.

Classification.

CHAP. 342.—An Act For the relief of Compania de los Ferrocarriles de Puerto Rico.

Mar. 4, 1909.
[H. R. 15681.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and is hereby, given to the Court of Claims (notwithstanding any statutory bar of limitation) over the claims, legal or equitable, of the Compañía de los Ferrocarriles de Puerto Rico, with power to hear and determine the same, finding the facts, and render judgment against the United States, for the reasonable value of the services performed by said company in the island of Porto Rico in transporting the municipal police and guardia civil between the twelfth day of August, eighteen hundred and ninety-eight, and the thirty-first day of August, nineteen hundred and two, and in transporting the troops, munitions of war, supplies, and the like, and for alleged expense of repair and maintenance of telegraph lines of the Signal Corps, all of said services having been performed during the military occupation of said island.

[Private, No.
230.]
35 Stat. L.,
pt. 2, p. 1624.
Compañía de
los Ferrocarriles,
Porto Rico.
Claims of, referred to Court
of Claims.

^a This includes numerous awards of extra pay to volunteers, war with Spain.

^b This includes a judgment of \$600 against the War Department in favor of the Plant Investment Company as demurrage for detention of ships *Florida* and *Whitney* at ports of Habana and Matanzas.

CUBA.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 27.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes. Feb. 15, 1908.
[H. R. 14766.]
[Public, No. 24.]

*(Expenses, Signal Service, Army of Cuban Pacifica-
tion. See p. 57.)* 35 Stat. L.,
pt. 1, p. 8.

CHAP. 161.—An Act To amend an Act entitled "An Act to provide for the reorganization of the consular service of the United States," approved April fifth, nineteen hundred and six. May 11, 1908.
[S. 4112.]
[Public, No. 110.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the classification of consuls-general and consuls in section two of an Act entitled "An Act to provide for the reorganization of the consular service of the United States," approved April fifth, nineteen hundred and six, be, and the same is hereby, amended so as to read as follows:

"CONSULS-GENERAL.

* * * * *

"Class two, eight thousand dollars: * * *, Habana, * * *."

* * * * *

"CONSULS.

* * * * *

"Class four, four thousand five hundred dollars: * * *, Cienfugos, * * *; Santiago, * * *."

* * * * *

CHAP. 183.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine. May 21, 1908.
[H. R. 20345.]
[Public, No. 127.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the 35 Stat. L.,
pt. 1, p. 171.
Diplomatic and consular
appropriations.

diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

Salaries,
Schedule A.

SCHEDULE A.

SALARIES OF AMBASSADORS AND MINISTERS.

*	*	*	*	*
Envoys extraordinary and ministers plenipotentiary.	Envoys extraordinary to the * * * Cuba,	and ministers * * *	and ministers plenipotentiary.	at twelve thousand dollars each, eighty-four thousand dollars;
*	*	*	*	*

SALARIES OF SECRETARIES OF EMBASSIES AND LEGATIONS.

*	*	*	*	*
Secretaries of legations to each * * *	Secretaries of legations to * * * Cuba * * *	at two thousand six hundred and twenty-five dollars	each * * *	* * *
*	*	*	*	*
Second secretary of legation to Cuba,	one thousand eight hundred dollars.			
*	*	*	*	*

May 23, 1908. [H. R. 19158.] **CHAP. 192.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine.

[Public, No. 136.]
35 Stat. L., pt. 1, p. 251. *(Investigation of the soils and conditions of tobacco growth in Cuba. See p. 201.)*

May 23, 1908. [H. R. 21884.] **CHAP. 195.**—An Act Granting an annuity to Jennie Carroll and to Mabel H. Lazear.

[Private, No. 57.]
35 Stat. L., pt. 2, p. 155. War Department.
Recognition of eminent services.
Jennie Carroll, widow of Maj. James Carroll, placed on rolls of, and granted an annuity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to place on the rolls of the War Department—
The name of Jennie Carroll, widow of James Carroll, major and surgeon, United States Army, and pay her for and during the time of her natural life, in lieu of all pensions, the sum of one hundred and twenty-five dollars per month, in special recognition of the eminent services of said James Carroll in discovering the means of preventing, as well as the cause and method of transmission and propagation of, yellow fever, and demonstrating on his own person the truth of the theory of the transmission and propagation of yellow fever infection by mosquitoes, and

The name of Mabel H. Lazear, widow of Doctor Jesse W. Lazear, late acting assistant contract surgeon, United States Army, and pay her for and during the time of her natural life, in lieu of all pensions, the sum of one hundred and twenty-five dollars per month, in special recognition of the eminent services of said Jesse W. Lazear in discovering the means of preventing, as well as the cause and method of transmission and propagation of, yellow fever, and demonstrating on his own person the truth of the theory of the transmission and propagation of yellow fever infection by mosquitoes, and the sacrifice of his life in proving the same.

Mabel H. Lazear, widow of Dr. Jesse W. Lazear, placed on rolls of, and granted an annuity.

CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 27, 1908.
[H. R. 21260.]

[Public. No.
141.]

35 Stat. L.,
pt. 1, p. 317.

(Bringing home the remains of officers, soldiers and civil employees of the Army who die abroad, including the remains of soldiers who die on transports. See p. 77.)

SIXTIETH CONGRESS, SECOND SESSION.

Mar. 2, 1909.
[H. R. 27523.]
[Public, No.
292.]

CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

35 Stat. L.,
pt. 1, p. 672.
Diplomatic
and consular
appropriations.

SCHEDULE A.

SALARIES OF AMBASSADORS AND MINISTERS.

*	*	*	*	*
Envoys extraordinary and ministers plenipotentiary to	* * *	Cuba,	* * *	at twelve thousand dollars
		each,	eighty-four thousand dollars;	
*	*	*	*	*

SALARIES OF SECRETARIES OF EMBASSIES AND LEGATIONS.

*	*	*	*	*
Secretaries of legation to	* * *	Cuba,	* * *	at
two thousand six hundred and twenty-five dollars	* * *			
*	*	*	*	*
Second secretary of legation to		Cuba,	one thousand	
eight hundred dollars;				
*	*	*	*	*

Mar. 4, 1909.
[H. R. 28059.]
[Public, No.
329.]

CHAP. 300.—An Act Making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

35 Stat. L.,
pt. 1, p. 1028.

(Demetrio Castillo, Jr., of Cuba, authorized to receive instruction at the Military Academy. See p. 114.)

* * * * *

HAWAII.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 124.—An Act To amend section seventy-three of the Act to provide a government for the Territory of Hawaii. Apr. 2, 1908.
[H. R. 10540.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of section seventy-three of "An Act to provide a government for the Territory of Hawaii," approved April thirtieth, nineteen hundred, which reads as follows: "And no lease of agricultural land shall be granted, sold, or renewed by the government of the Territory of Hawaii for a longer period than five years until Congress shall otherwise direct," is hereby amended to read as follows: "And no lease of agricultural land shall be granted, sold, or renewed by the government of the Territory of Hawaii for a longer period than fifteen years, and in every such case the land, or any part thereof so leased, may at any time during the term of the lease be withdrawn from the operation thereof for homestead or public purposes, in which case the rent reserved shall be reduced in proportion to the value of the part so withdrawn, and every such lease shall contain a provision to that effect."

[Public, No.
85.]

35 Stat. L.,
pt. 1, p. 56.
Hawaii.
Public lands.
Lease of agricultural lands.

Term of lease
increased.

Withdrawal
for homestead,
etc., purposes.
Rent.

CHAP. 149.—An Act Relating to the liability of common carriers by railroad to their employees in certain cases. Apr. 22, 1908.
[H. R. 20310.]

(Applicable to Hawaii. See p. 196.)

[Public, No.
100.]
35 Stat. L.,
pt. 1, p. 65.

CHAP. 166.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 13, 1908.
[H. R. 20471.]

(Naval stations at Hawaii, Honolulu, and Pearl Harbor; Repairs, marine barracks, Hawaii. See pp. 72, 73, 76.)

[Public, No.
115.]
35 Stat. L.,
pt. 1, p. 127.

May 14, 1908. **CHAP. 168.**—An Act To authorize additional aids to navigation in the Light-House Establishment, and for other purposes.
 [H. R. 20784.]

[Public, No. 116.]
 35 Stat. L., pt. 1, p. 160.
 Light-houses, beacons, and fog signals.
 Additional, established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish and provide the following additional aids to navigation in the Light-House Establishment under the Light-House Board in the Department of Commerce and Labor, in accordance with the respective limits of cost hereinafter respectively set forth, which shall in no case be exceeded:

* * * * *

TWELFTH LIGHT-HOUSE DISTRICT.

* * * * *

A light and fog-signal station at some point on the northerly or westerly coast of Kauai Island, Hawaii, at a cost not to exceed seventy-five thousand dollars.

* * * * *



May 19, 1908. **CHAP. 175.**—An Act Relating to unpaid Hawaiian Postal Savings Bank deposits.
 [H. R. 11560.]

[Public, No. 121.]
 35 Stat. L., pt. 1, p. 165.
 Hawaiian Postal Savings Bank.
 Unpaid deposits belonging to estates of intestates.
 Certification of, by Governor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, by reason of the death of any person and the want of an executor or administrator, any demand for moneys deposited in the Hawaiian Postal Savings Bank can not be certified to by the governor of Hawaii as provided in section one hundred and two of "An Act to provide a government for the Territory of Hawaii," approved April thirtieth, nineteen hundred, the governor may, upon written application, certify to such demand as due to the persons satisfactorily proved to him to be the persons who would be entitled to the personal estate of the decedent by the terms of the laws of Hawaii relating to the distribution of estate of intestates, and his certificate so made when sealed, countersigned, and approved as provided in said section for other certificates shall have the same force and effect as such other certificates.

Time limit for presentation of claims.

SEC. 2. That all claims to moneys deposited in the Hawaiian Postal Savings Bank not presented for certification as provided by law within two years after the passage of this Act shall be forever barred.

Use of balances.

SEC. 3. That when all claims certified as provided by law have been paid the Secretary of the Interior shall draw his warrant for the balance, if any, of the Hawaiian Postal Savings Bank deposits then remaining unpaid upon the Treasurer of the United States payable to the

treasurer of the Territory of Hawaii, who shall thereupon apply the same toward the payment of the public debt of Hawaii, in conformity with the provisions of the "Joint resolution to provide for annexing the Hawaiian Islands to the United States," approved July seventh, eighteen hundred and ninety-eight.

CHAP. 183. An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine. May 21, 1908.
[H. R. 20345.]

(*Relief and protection of American seamen.* See p. 198.) [Public, No. 127.]
35 Stat. L.,
pt. 1, p. 171.

CHAP. 186. An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 22, 1908.
[H. R. 16882.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [Public, No. 130.]
35 Stat. L.,
pt. 1, p. 184.

That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and nine, for the objects hereinafter expressed, namely:

* * * * *

LEGISLATIVE.

* * * * *

(*Pay of Delegates from the Territories.* See p. 198.)

* * * * *

GOVERNMENT IN THE TERRITORIES.

* * * * *

TERRITORY OF HAWAII: For governor, five thousand dollars; secretary, three thousand dollars; chief justice, five thousand five hundred dollars; and two associate justices, at five thousand dollars each; in all, twenty-three thousand five hundred dollars. Hawaii.

For judges of circuit courts, at three thousand dollars each, so much as may be necessary, for the fiscal year ending June thirtieth, nineteen hundred and nine.

For contingent expenses of the Territory of Hawaii, to be expended by the governor for stationery, postage, and incidentals, one thousand dollars, and for private secretary to the governor, two thousand dollars; for traveling expenses of the governor while absent from the capital on official business, five hundred dollars; in all, three thousand five hundred dollars.

For legislative expenses, namely: Furniture, light, telephone, stationery, record casings and files, printing

Proviso.
Restriction.

and binding, indexing records, postage, ice, water, clerk hire, mileage of members, incidentals, pay of chaplain, clerk, sergeant-at-arms, stenographers, typewriters, janitors, and messengers, thirty thousand dollars: *Provided*, That the members of the legislature of the Territory of Hawaii shall not draw their compensation of two hundred dollars, or any mileage, for any extra session held in compliance with section fifty-four of an Act to provide a government for the Territory of Hawaii, approved April thirtieth, anno Domini nineteen hundred.

* * * * *

JUDICIAL.

* * * * *

H a w a i i
courts.

DISTRICT COURT, TERRITORY OF HAWAII: For the payment of the salaries of the judge, clerk, and the reporter of the United States district court for the Territory of Hawaii, at five thousand dollars, three thousand dollars, and one thousand two hundred dollars, respectively, nine thousand two hundred dollars.

* * * * *

May 23, 1908. **CHAP. 192.**—An Act Making appropriations for the Department
[H. R. 19158.] of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine.

[Public, No.
136.]
35 Stat. L.,
pt. 1, p. 251.

(*Salaries, Weather Bureau employees in Hawaii; Agricultural experiment stations in Hawaii.* See pp. 199, 201-202.)

May 27, 1908. **CHAP. 200.**—An Act Making appropriations for sundry civil
[H. R. 21260.] expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

[Public, No.
141.]
35 Stat. L.,
pt. 1, p. 317.

Sundry civil
expenses appro-
priations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

UNDER THE TREASURY DEPARTMENT.

* * * * *

MARINE HOSPITALS.

* * * * *

Hawaii.
Leprosy hos-
pital.

Maintenance of leprosy hospital, Hawaii: The unexpended balance of fifty thousand dollars, appropriated by the Act of March third, nineteen hundred and five,

for maintenance of the leprosy hospital, Hawaii, is hereby reappropriated for the fiscal year nineteen hundred and nine, and in addition thereto the sum of twenty thousand dollars for the maintenance of said leprosy hospital.

* * * * *

UNDER SMITHSONIAN INSTITUTION.

* * * * *

AMERICAN ETHNOLOGY: For continuing ethnological re-^{American}searches among * * * and the natives of Hawaii^{Ethnology.} under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, * * *

* * * * *

MISCELLANEOUS OBJECTS, TREASURY DEPARTMENT.

* * * * *

(For maintenance and ordinary expenses of quarantine stations at Port Townsend and supplemental stations, quarantine system of the Hawaiian Islands. See p. 202.)

UNDER THE DEPARTMENT OF COMMERCE AND LABOR.

* * * * *

LIGHT-HOUSES, BEACONS, AND FOG SIGNALS.

* * * * *

For a light and fog-signal station at some point on the^{Kauai, Ha-}northerly or westerly coast of Kauai Island, Hawaii,^{wail.} seventy-five thousand dollars.

* * * * *

LIGHT-HOUSE ESTABLISHMENT.

* * * * *

(Post lights in Hawaiian waters. See p. 202.)

* * * * *

COAST AND GEODETIC SURVEY.

* * * * *

(For surveys of Hawaiian Islands. See p. 203.)

* * * * *

UNDER THE WAR DEPARTMENT.

* * * * *

ENGINEER DEPARTMENT.

* * * * *

Hilo, Hawaii. Improving harbor at Hilo, Hawaii: For continuing improvement, one hundred thousand dollars.
 Honolulu, Hawaii. Improving harbor at Honolulu, Hawaii: For continuing improvement, two hundred thousand dollars.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(Bringing home the remains of officers, soldiers and civil employes of the Army who die abroad, including the remains of soldiers who die on transports. See p. 77.)

* * * * *

JUDICIAL.

UNITED STATES COURTS.

(Expenses of the district court of Hawaii. See p. 204.)

* * * * *

ALASKA-YUKON-PACIFIC EXPOSITION.

(Exhibit from Hawaii. See p. 18 et seq.)



May 27, 1908. **CHAP. 202.**—An Act Making appropriations for fortifications
 [H. R. 19355.] and other works of defense, for the armament thereof, for the pro-
 [Public, No. 143.] curement of heavy ordnance for trial and service, and for other
 35 Stat. L., purposes.
 pt. 1, p. 392. *(Fortifications in Hawaiian Islands. See pp. 79–80.)*



May 27, 1908. **CHAP. 206.**—An Act Making appropriations for the service of
 [H. R. 18347.] the Post-Office Department for the fiscal year ending June thir-
 [Public, No. 147.] tieth, nineteen hundred and nine, and for other purposes.
 35 Stat. L., *(Equipments for postal service in Hawaii. See p. 205.)*
 pt. 1, p. 406.



May 28, 1908. **CHAP. 212.**—An Act To amend the laws relating to navigation,
 [H. R. 21815.] and for other purposes.
 [Public, No. 152.] *(Amendment affecting inspection service in Hawaii.*
 35 Stat. L., *See p. 205.)*
 pt. 1, p. 424.



May 30, 1908. **CHAP. 227.**—An Act Making appropriations to supply defi-
 [H. R. 21946.] ciencies in the appropriations for the fiscal year ending June
 [Public, No. 167.] thirtieth, nineteen hundred and eight, and for prior years, and
 35 Stat. L., for other purposes.
 pt. 1, p. 478.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Deficiencies appropriations.

* * * * *

TREASURY DEPARTMENT.

* * * * *

PUBLIC BUILDINGS.

Toward amounts requisite for public buildings, authorized under the provisions of an Act entitled "An Act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes", passed at the first session of the Sixtieth Congress, namely:

Authorizations in omnibus act.

* * * * *

Under the provisions and limitations of section eighteen of said Act, as follows:

Honolulu, Hawaii, custom-house, court-house, and so forth, thirty thousand dollars.

Honolulu, Hawaii.

* * * * *

LEGISLATIVE.

* * * * *

(For compensation of Delegate from Hawaii. See p. 210.)

* * * * *

CHAP. 228.—An Act To increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes.

May 30, 1908.
[H. R. 21897.]
[Public, No. 168.]
Stat. L. 35,
pt. 1, p. 520.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of the Treasury of the United States to give effect to and execute the provisions of existing legislation authorizing the acquisition of land for sites or the enlargement thereof, and the erection, enlargement, extension, remodeling, or repair of public

Public buildings' omnibus act.
Limit of cost increased.

buildings in the several cities hereinafter enumerated, the limit of cost heretofore fixed by Congress therefor be, and the same is hereby, increased, respectively, as follows, and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of each of said buildings within its respective limit of cost, including site:

* * * * *

Honolulu, Hawaii.
Construction of building.

SEC. 18. That for the purpose of beginning the construction of a suitable and commodious fireproof building for the accommodation of the United States post-office, United States custom-house, United States courts, and other governmental offices at Honolulu, Hawaii, one hundred thousand dollars: *Provided*, That this authorization shall not be construed as fixing the limit of cost of said building at the sum hereby named, but the building hereby provided for shall be constructed or planned so as to cost, complete, including fireproof vaults, heating and ventilating apparatus, and approaches, but exclusive of site, not exceeding eight hundred and fifty thousand dollars.

Contracts.

The Secretary of the Treasury be, and he is hereby, authorized and directed to enter into contracts for the construction of a suitable building for said purposes, to be designated by said Department, within the ultimate limit of cost above mentioned: *Provided*, That of the amount fixed as the ultimate limit of cost not to exceed one hundred thousand dollars may be expended during the fiscal year ending June thirtieth, nineteen hundred and nine.

Proviso.
Expenditure in fiscal year.

* * * * *

SIXTIETH CONGRESS, SECOND SESSION.

CHAP. 64.—An Act To refund to the Territory of Hawaii the amount expended in maintaining light-house service on its coasts from the time of the organization of the Territory until said light-house service was taken over by the Federal Government.

Feb. 4, 1909.
[H. R. 6145.]
[Public. No. 204.]
35 Stat. L.,
pt. 1, p. 594.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-three thousand three hundred and ninety-three dollars and sixty-nine cents be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to the Territory of Hawaii to reimburse said Territory for money paid, laid out, and expended by said Territory in maintaining light-houses, bell buoys, and light-house service on its coasts from the time said Territory became territory of the United States until said light-houses, bell buoys, and light-house service were transferred to and taken under the management and control of the Light-House Board.

Hawaii.
Appropriation for reimbursement for Light-House Service expenses.

CHAP. 80.—An Act Relating to affairs in the Territories.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Feb. 6, 1909.
[H. R. 21957.]
[Public. No. 216.]
35 Stat. L.,
pt. 1, p. 600.

* * * * *

HAWAII.

SEC. 34. That the act of the legislature of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Wailuku, on the island and county of Maui, Territory of Hawaii," passed by the legislature of the Territory of Hawaii on the twenty-fourth and twenty-fifth days of April, anno Domini nineteen hundred and seven, be, and is hereby, amended, and as so amended is ratified, approved, and confirmed, as follows, to wit:

Maul County.
Manufacture, etc., of electric light, etc., in district of Wailuku, ratified.

"Act 105.

"An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Wailuku, on the island and county of Maui, Territory of Hawaii.

"Be it enacted by the legislature of the Territory of Hawaii, That H. P. Baldwin, R. A. Wadsworth, J. N. S. Williams, D. C. Lindsay, C. D. Lufkin, James L. Coke, and W. T. Robinson, together with their associates, here-

after called 'The Company,' and their respective successors and assigns, be, and hereby are, vested with the right, authority, and privileges, from and after the passage of this act, to manufacture, sell, furnish, and supply electric light, electric current, or electric power, in the district of Wailuku, on the island of Maui, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which they may deem advisable, and from time to time, for the purposes above mentioned, and subject to the approval and supervision of the boards or officials having charge of said streets or roads, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and such other appliances and appurtenances as may from time to time be necessary for the transmission, distribution, or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district of Wailuku, on the island of Maui, and to connect the said lines, wires, and conductors with any manufactory, private or public buildings, lamps, lamp-posts, or other structure or object with the place of supply.

"SEC. 2. The officials or boards having charge of said streets or roads are hereby authorized to make, and from time to time change, amend, or add to, reasonable rules regulating the placing of poles, wires, the insulation of wires, and apparatus carrying the electric current, and the excavation of conduits, and the maintenance in good repair of all poles, wires, and apparatus, and generally concerning the manufacture and supply of electricity which may be necessary for the public safety and welfare.

"SEC. 3. That all poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and other appliances constructed, maintained, or operated under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district, on the island of Maui, shall be so constructed, maintained, or operated by the company as to not unnecessarily interfere with the use of such streets, sidewalks, roads, squares, bridges, alleys, and lanes by the public.

"SEC. 4. That the entire plant, lines, poles, and other apparatus and equipments shall at all times be subject and open to the inspection of the officials or boards having charge of said streets or roads, or any officer appointed by them for that purpose.

"SEC. 5. That said company, its representatives, successors, and assigns, shall be responsible for any damages, either to person or property, resulting from any act of negligence on its part, which may occur by reason of the exercise of any of the privileges herein granted.

"SEC. 6. It is provided that if the company shall fail or refuse to do or perform or comply with any of the provisions of this act, or of the laws of the Territory of

Hawaii, or of the county of Maui, and continues to refuse and fail to perform or comply therewith after reasonable notice given by the superintendent of public works, or any proper county or municipal officer or board, said officer or board may, with the consent of the governor and of the attorney-general, cause proceedings to be instituted before an appropriate tribunal to have the franchise granted hereby, and all rights and privileges accruing thereunder, forfeited and declared null and void.

“SEC. 7. Said company shall also have the right to maintain, use, and operate electric meters or other means of measuring electric light, power, or current supplied from time to time, and to locate the same at such places as may be deemed necessary for their protection; and also to charge, receive, and collect from all customers of electricity such reasonable prices as may be from time to time fixed and determined by the company: *Provided, however,* That power is hereby conferred upon the courts of appropriate jurisdiction at all times and upon the petition of any consumer of the company to hear and determine from time to time whether an existing rate is unreasonable; and if a rate be unreasonable, to order the same to be decreased, and to enforce such orders by appropriate judgment or decree.

Provido.

“SEC. 8. It is hereby expressly provided that nothing herein contained shall be construed as to grant the company an exclusive right to furnish, sell, or supply electric light and power.

“SEC. 9. The said company shall, within one month after the expiration of each year, file with the superintendent of public works a statement showing the gross receipts from the sale of electric light and power furnished by the company, and shall at the same time pay to the superintendent of public works one per centum of the gross receipts of the company from all electric light or power furnished to consumers during the year preceding.

“SEC. 10. This act shall go into effect and be law from and after the date of its approval by the governor of the Territory of Hawaii, subject, however, to the approval of the Congress of the United States.

“SEC. 11. That Congress, or the legislature of the Territory of Hawaii with the approval of Congress, may at any time alter, amend, or repeal this act.

“We hereby certify that the foregoing bill, after consideration on the veto of the governor, was, upon a vote taken by ayes and noes, approved by a two-thirds vote of all the elective members of senate of the Territory of Hawaii this twenty-fourth day of April, anno Domini nineteen hundred and seven.

“E. F. BISHOP,

“President of the Senate.

“WILLIAM SAVIDGE,

“Clerk of the Senate.

“ We hereby certify that the foregoing bill, after consideration on the veto of the governor, was, upon a vote taken by ayes and noes, approved by a two-thirds vote of all of the elective members of the house of representatives of the Territory of Hawaii this twenty-fifth day of April, anno Domini nineteen hundred and seven.

“ H. L. HOLSTEIN,
“ Speaker.
“ JOHN H. WISE,
“ Clerk.”

Maui County.
Manufacture,
etc., of electric
light, etc., in
district of La-
haina, ratified.

SEC. 35. That the act of the legislature of the Territory of Hawaii entitled “An Act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Lahaina, on the island and county of Maui, Territory of Hawaii,” approved by the governor of the Territory of Hawaii on the first of May, anno Domini nineteen hundred and seven, be, and is hereby, amended, and as so amended is ratified, approved, and confirmed as follows, to wit:

“ACT 130.

“An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Lahaina, on the island and county of Maui, Territory of Hawaii.

“ Be it enacted by the legislature of the Territory of Hawaii, that the Lahaina Ice Company (Limited), as a body corporate, its successors and assigns, hereinafter called ‘The Company,’ be, and hereby are, vested with the right, authority, and privilege, from and after the passage of this act, to manufacture, sell, furnish, and supply electric light, electric current, or electric power in the district of Lahaina, on the island of Maui, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which they may deem advisable, and from time to time, for the purposes above mentioned, subject to the approval and supervision of the officials or boards having charge of said streets or roads, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and such other appliances and appurtenances as may from time to time be necessary for the transmission, distribution, or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district of Lahaina, on said island of Maui, and to connect the said lines, wires, and conductors with any manufactory, private or public buildings, lamps, lamp-posts, or other structure or object with the place of supply.

"SEC. 2. The company shall at all times during the existence of said franchise promptly and efficiently supply such electric light and power in said district of Lahaina as may from time to time be required by persons desiring the same, at any point or points: *Provided*, That it shall not be required to build, extend, or maintain any line or branch line for the transmission of such electric light or power beyond a distance of three hundred feet from such extension or major fraction thereof, unless the number of lights or amount of power agreed to be taken for not less than one year shall be reasonably sufficient to warrant the construction of such line or branch line or extension: *Provided further*, That if the company shall be unable to furnish power or light applied for by reason of lack of capacity of the plant or apparatus for producing and transmitting electric current, the company shall be allowed a reasonable time, not exceeding one year from the date of any application, to procure such additional improvements or apparatus as may be necessary to furnish such applicant or applicants.

Provisos.

"SEC. 3. The officials or boards having charge of said streets or roads are hereby authorized to make, and from time to time change, amend, or add to, reasonable rules regulating the placing of poles, wires, the insulation of wires and apparatus carrying the electric current, and the excavation of conduits, and the maintenance in good repair of all poles, wires, and apparatus and generally concerning the manufacture and supply of electricity which may be necessary for the public safety and welfare.

"SEC. 4. That all poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and other appliances constructed, maintained, or operated under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said district, on the island of Maui, shall be so constructed, maintained, and operated by the company as to not unnecessarily interfere with the use of such streets, sidewalks, roads, squares, bridges, alleys, and lanes by the public.

"SEC. 5. That the entire plant, lines, poles, and all other apparatus and equipments shall, at all times, be subject and open to the inspection of the officials or boards having charge of said streets or roads, or any officer appointed by them for that purpose.

"SEC. 6. Said company shall also have the right to maintain, use, and operate electric meters or other means of measuring electric light, power, or current supplied from time to time, and to locate the same at such places as may be deemed necessary for their protection; and also to charge, receive, and collect from all customers of electricity such reasonable prices as may be from time to time fixed and determined by the company: *Provided, however*, That power is hereby conferred upon the courts of appropriate jurisdiction at all times and upon the

petition of any consumer of the company to hear and determine from time to time whether an existing rate or rates is or are unreasonable; and if a rate be unreasonable, to order the same to be decreased, and to enforce such orders by appropriate judgment or decree.

Provisos. “SEC. 7. Said company shall also have the right to charge consumers, or applicants for the use of electricity, for one-half of the cost and expense of making connections between the company’s nearest line of supply and the premises where the electricity is to be used; such cost and expense to include the price of all wires, poles, insulators, and other materials, and labor necessary to be used in making such connections: *Provided, however,* That the company shall not be required to make, construct, or maintain said connections as aforesaid for supplying light or power unless the applicants therefor, if required, shall deposit in advance with the company a sum of money, sufficient to pay one-half of the total cost and expense of making and constructing such connections and for current for the period of one month.

“SEC. 8. The said company shall have the right to acquire, hold, or take over, either by purchase or lease, property, both real, personal, and mixed, as may be necessary or incidental to the proper conduct of its business; but said company shall not have the right or power to purchase franchises and property of any other company of like nature in said district of Lahaina.

“SEC. 9. Said company, whenever from time to time it shall be deemed expedient in the furtherance of the objects of the company, shall have the power to borrow money and to secure the payment thereof, with the interest agreed upon, by mortgage of any or all of its property, franchises, and privileges granted or obtained by virtue of this act, or, if it is deemed advisable, bonds may be issued, secured by deed of trust of such property, not to exceed sixty per centum of the actual value thereof, with all future acquired property, as well as the income and receipts of the property from whatever source derived and in such form and under such terms as the company shall deem advisable: *Provided,* That nothing in this section contained shall operate to prevent said company from obtaining the usual business credits and to make promissory notes without security.

“SEC. 10. That said company, its representatives, successors, and assigns, shall be responsible for any damages, either to person or property, resulting from any act of negligence on its part, which may occur by reason of the exercise of any of the privileges herein granted.

“SEC. 11. It is provided that if the company shall fail or refuse to do or perform or comply with any of the provisions of this act or of the laws of the Territory of Hawaii, or of the county of Maui, and continues to refuse and fail to perform or comply therewith after reasonable

notice given by the superintendent of public works or any proper county or municipal officer or board, said officer or board may, with the consent of the governor and of the attorney-general, cause proceedings to be instituted before an appropriate tribunal to have the franchise granted hereby and all rights and privileges accruing thereunder forfeited and declared null and void.

“SEC. 12. It is hereby expressly provided that nothing herein contained shall be so construed as to grant the company an exclusive right to furnish, sell, or supply electric light and power.

“SEC. 13. The said company shall, within one month after the expiration of each year, file with the superintendent of public works a statement showing the gross receipts from the sale of electric light and power furnished by the company, and shall at the same time pay to the superintendent of public works one per centum of the gross receipts of the company from all electric light or power furnished to consumers during the year preceding.

“SEC. 14. This act shall go into effect and be law from and after the date of its approval by the governor of the Territory of Hawaii, subject, however, to the approval of the Congress of the United States, such approval to be secured within five years from the date of this act becoming law.

“SEC. 15. That Congress, or the legislature of the Territory of Hawaii with the approval of Congress, may at any time alter, amend, or repeal said act.

“Approved this 1st day of May, A. D. 1907.

“G. R. CARTER,
“Governor of the Territory of Hawaii.”

SEC. 36. That the Wahiawa Water Company (Limited), a corporation organized under the laws of the Territory of Hawaii for the purpose of irrigation, be, and is hereby, granted the right of way through the lands of the United States to the extent of the ground occupied by the water of the reservoirs and canals of said company and their laterals, and fifty feet on each side of the marginal limits thereof, including that portion of said company's irrigation works located within the limits of the military reservation made by the order of the President July twentieth, eighteen hundred and ninety-nine, setting aside a portion of Waianae Uka, in the island of Oahu, Territory of Hawaii, and as published in the General Orders of the War Department Numbered One hundred and forty-seven, and dated August tenth, eighteen hundred and ninety-nine, and including also the right to take from the lands of the United States adjacent to the line of the canals earth and stone necessary to the construction thereof, the said reservoir sites, canals, and laterals, and waterways being now occupied under an

Wahiawa
Water Com-
pany granted
right of way
through mili-
tary reserva-
tion.

Provisos.
Plans.

outstanding lease from the former authorities of said Territory to said company and so recognized in said General Orders: *Provided*, That the plans for the works herein proposed shall be submitted to the Secretary of War for approval, and shall be carried out in conformity to such regulations in respect to maintenance and operation as he shall prescribe: *Provided also*, That the servitude herein granted shall not prevent the movement of troops over the said right of way, and when the movement of field artillery and wagon trains is impeded or prevented, due to the use of gulches for water storage by said company, bridges suitable for the passage of troops, artillery, and wagon trains across said gulches, with suitable approaches thereto, shall be provided by said company when required by the Secretary of War, said bridges and approaches to be constructed in accordance with plans approved by the Secretary of War: *Provided further*, That during the occupation of said military reservation by troops the said company shall furnish, free of charge, all the water needed for post or encampment purposes, and, in case an electric power plant is erected by said company, it will furnish power to the United States, if required, and, if it be obtainable without interference with the irrigation supply, at not to exceed one cent per kilowatt hour, measured at the dynamos.

Movement of troops, etc., not prevented.

Water for troops, etc., free.

Electric power, etc.

* * * * *

Feb. 25, 1909.
[H. R. 25139.]
[Public. No. 269.]
35 Stat. L., pt. 1, p. 652.

CHAP. 200.—An Act To amend an Act entitled “An Act to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii, to authorize and provide for the construction, maintenance, and operation of a telephone system on the island of Oahu, Territory of Hawaii,” approved June twentieth, nineteen hundred and six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for construction of that portion of the telephone system of the Standard Telephone Company prescribed in the Act entitled “An Act to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii, to authorize and provide for the construction, maintenance, and operation of a telephone system on the island of Oahu, Territory of Hawaii,” be, and is hereby, extended to three years from and after the passage of this Act, during which extended period the rights and privileges conferred upon the said Standard Telephone Company in and by said Acts shall continue in full force and effect, but subject to the forfeiture therein provided on the failure of said company to otherwise comply with the provisions of time limitations therein prescribed within such extended period.

Oahu Island, Hawaii.
Time extended for construction, etc., of telephone system on, by Standard Telephone Company.

Forfeiture.

CHAP. 232.—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 1, 1909.
[H. R. 26305.]

[Public, No.
290.]
35 Stat. L.,
pt. 1, p. 660.

(*Postal equipments for Hawaii.* See p. 220.)

CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten.

Mar. 2, 1909.
[H. R. 27523.]

[Public, No.
292.]
35 Stat. L.,
pt. 1, p. 672.

(*Relief and protection of American seamen in Hawaii.*
See p. 221.)

CHAP. 251.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mar. 3, 1909.
[H. R. 27054.]

[Public, No.
304.]
35 Stat. L.,
pt. 1, p. 728.

(*Fortifications, armament, etc., in Hawaii.* See pp. 102, 103.)

CHAP. 255.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 3, 1909.
[H. R. 28394.]

[Public, No.
308.]
35 Stat. L.,
pt. 1, p. 753.

(*Naval Stations, Pearl Harbor, Hawaii; Marine garrison, Pearl Harbor.* See pp. 109, 110.)

CHAP. 264.—An Act To provide for the repair, maintenance, and preservation of public works on rivers and harbors, and for other purposes.

Mar. 3, 1909.
[H. R. 28243.]

[Public, No.
317.]
35 Stat. L.,
pt. 1, p. 815.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the preservation and maintenance of existing river and harbor works, heretofore appropriated for by Congress, and for continuing in operation such dredging and other plants or equipment of any kind owned by the United States Government, and constructed or acquired for use on river and harbor improvements, there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, the sum of eight million one hundred and eighty-five thousand seven hundred and fifty dollars: *Provided,* That allotments from the amount herein named shall be made by the Secretary of War, and the same shall be recommended by the local engineer having such channel, improvement, or other public work in charge and the Chief of Engineers, respectively: *Provided further,* That the amount allotted to any specific

River and
harbor works.
Appropriation
for preservation,
etc.

Immediately
available.

Provisos.
Allotments.

Limitation.

channel or improvement shall not be greater than the estimated amount required for preservation and maintenance as transmitted by the Chief of Engineers in a communication dated February seventeenth, nineteen hundred and nine, which said letter was filed with the House of Representatives on the eighteenth day of February, nineteen hundred and nine, and designated as House Document Numbered Fourteen hundred and sixty-two, Sixtieth Congress, second session.

* * * * *

Hawaii.

HAWAII.

Kahului Harbor, island of Maui.

Hanapepe Bay, island of Kauai.

* * * * *

Mar. 3, 1909. **CHAP. 269.**—An Act To amend section eighty-six of an Act to
 [H. R. 21896.] provide a government for the Territory of Hawaii, to provide for
 additional judges, and for other judicial purposes.

[Public, No.
 322.]

35 Stat. L.,
 pt. 1, p. 838.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eighty-six of the Act approved April thirtieth, nineteen hundred, entitled "An Act to provide a government for the Territory of Hawaii," be, and the same is hereby, amended so as to read as follows:

Hawaii.
 Federal
 court.

District
 court with two
 judges author-
 ized.

"SEC. 86. There shall be established in the said Territory a district court, to consist of two judges, who shall reside therein and be called district judges, and who shall each receive an annual salary of six thousand dollars. The said court while in session shall be presided over by only one of said judges. The two judges shall from time to time, either by order or rules of court, prescribe at what times and in what class of cases each of them shall preside. The said two judges shall have the same powers in all matters coming before said court.

Division of
 cases.

Appoint-
 ment.

"The President of the United States, by and with the advice and consent of the Senate of the United States, shall appoint two district judges, a district attorney, and a marshal of the United States for the said district, and said judges, attorney, and marshal shall hold office for six years unless sooner removed by the President.

Jurisdiction.

"The said court shall have, in addition to the ordinary jurisdiction of district courts of the United States, jurisdiction of all cases cognizable in a circuit court of the United States, and shall proceed therein in the same manner as a circuit court; and the said judges, district attorney, and marshal shall have and exercise in the Territory of Hawaii all the powers conferred by the laws of the United States upon the judges, district attorneys, and marshals of district and circuit courts of the United States.

“ Writs of error and appeals from the said district court shall be had and allowed to the circuit court of appeals for the ninth judicial circuit in the same manner as writs of error and appeals are allowed from circuit courts to circuit courts of appeal as provided by law, and appeals and writs of error may be taken to the Supreme Court of the United States from said district court in cases where appeals and writs of error are allowed from the district and circuit courts of the United States to the Supreme Court, and the laws of the United States relating to juries and jury trials shall be applicable to said district court. The laws of the United States relating to appeals, writs of error, removal of causes, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii. Regular terms of said court shall be held in Honolulu on the second Monday in April and October, and special terms may be held at such times and places in said district as the said judges may deem expedient. The said district judges shall appoint a clerk of said court at a salary of three thousand dollars per annum and shall appoint a reporter of said court at a salary of one thousand two hundred dollars per annum: *Provided*, That writs of error and appeals may also be taken from the supreme court of the Territory of Hawaii to the Supreme Court of the United States in all cases where the amount involved, exclusive of costs, exceeds the sum or value of five thousand dollars.”

Procedure, etc.

Terms of court.

Clerk.

Reporter.

Proviso. Appeals, etc., to Supreme Court.

* * * * *

SEC. 23. That this Act shall take effect and be in force on and after the first day of July, nineteen hundred and nine. In so far only as the provisions of this Act are in conflict with other or prior Acts the other or prior Acts are hereby repealed.

In effect July 1, 1909. Repeal.

CHAP. 297.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 4, 1909. [H. R. 23464.] [Public, No. 326.] 35 Stat. L., pt. 1, p. 847.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and ten, for the objects hereinafter expressed, namely:

* * * * *

LEGISLATIVE.

* * * * *

(*Pay of Delegate in Congress.* See p. 221.)

* * * * *

GOVERNMENT IN THE TERRITORIES.

Hawaii. TERRITORY OF HAWAII: For governor, five thousand dollars; secretary, three thousand dollars; chief justice, five thousand five hundred dollars; and two associate justices, at five thousand dollars each; in all, twenty-three thousand five hundred dollars.

For judges of circuit courts, at three thousand dollars each, so much as may be necessary, for the fiscal year ending June thirtieth, nineteen hundred and ten.

For contingent expenses of the Territory of Hawaii, to be expended by the governor for stationery, postage, and incidentals, one thousand dollars, and for private secretary to the governor, two thousand dollars; for traveling expenses of the governor while absent from the capital on official business, five hundred dollars; in all, three thousand five hundred dollars.

* * * * *

JUDICIAL.

* * * * *

Hawaii courts. DISTRICT COURT, TERRITORY OF HAWAII: For the payment of the salaries of the judge, clerk, and the reporter of the United States district court for the Territory of Hawaii, at five thousand dollars, three thousand dollars, and one thousand two hundred dollars, respectively, nine thousand two hundred dollars.

* * * * *

Mar. 4, 1909. CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June [H. R. 28376.] thirtieth, nineteen hundred and nine, and for prior years, and for [Public, No. 327.] other purposes.

35 Stat. L., pt. 1, p. 907. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

UNITED STATES COURTS.

Hawaii. District judges. SALARIES, DISTRICT COURT, TERRITORY OF HAWAII: For the increase in the salary of the existing district judge for the Territory of Hawaii and for the salary of the ad-

ditional district judge for said Territory, for the fiscal year nineteen hundred and ten, seven thousand dollars.

* * * * *

OUT OF THE POSTAL REVENUES.

* * * * *

For transportation of foreign mails: To pay the Pacific Mail Steamship Company and the Occidental and Oriental Steamship Company for carrying mails from Hawaii to the Orient during the fiscal years nineteen hundred and one to nineteen hundred and six, fifty-three thousand and forty dollars and eighty-nine cents.

Foreign mails.
Hawaii to the Orient.

* * * * *

CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 4, 1909.
[H. R. 28245.]
[Public No. 328.]
35 Stat. L., pt. 1, p. 945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

Sundry civil expenses appropriations.

UNDER THE TREASURY DEPARTMENT.

PUBLIC BUILDINGS.

* * * * *

Honolulu, Hawaii, post-office, court-house, and custom-house: For continuation of building under present limit, one hundred and fifty thousand dollars.

Honolulu, Hawaii.

* * * * *

QUARANTINE STATIONS.

* * * * *

Honolulu Quarantine Station: Electric wiring and fixtures, two thousand six hundred dollars; water system and distribution, nine thousand dollars; in all, eleven thousand six hundred dollars.

Honolulu.

* * * * *

UNDER THE SMITHSONIAN INSTITUTION.

* * * * *

AMERICAN ETHNOLOGY: For continuing ethnological researches among the American Indians and the natives of Hawaii, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, forty-two thousand dollars, of which sum not exceeding one thousand five hundred dollars may be used for rent of building.

* * * * *

MISCELLANEOUS OBJECTS, TREASURY DEPARTMENT.

	*	*	*	*	*
Leprosy hospital, Hawaii.	Maintenance of leprosy hospital, Hawaii: For maintenance of the leprosy hospital, Hawaii, forty-five thousand dollars.				
Extending water supply.	To enable the Secretary of the Treasury to accept the proposal of the proper authorities of the Territory of Hawaii, in amount not to exceed four thousand five hundred dollars, to make sufficient extension of the present water-supply system of the leper settlement on Molokai to provide an adequate water supply also to the leprosy investigation station of the United States, provided that the right is granted said adequate water supply in perpetuity by the Territory of Hawaii, four thousand five hundred dollars, to be immediately available.				
Boat landing.	For constructing boat landing at the leprosy investigation station, Hawaii, one thousand dollars, to be immediately available.				

* * * * *

(Maintenance and expenses of quarantine system of Hawaiian Islands. See p. 222.)

* * * * *

UNDER THE DEPARTMENT OF COMMERCE AND LABOR.

* * * * *

LIGHT-HOUSE ESTABLISHMENT.

* * * * *

(Lighting of rivers in Hawaiian waters. See p. 222.)

UNDER THE WAR DEPARTMENT.

* * * * *

ENGINEER DEPARTMENT.

	*	*	*	*	*
Hilo, Hawaii.	Improving harbor at Hilo, Hawaii: For continuing improvement in completion of contract authorization, one hundred thousand dollars.				
	*	*	*	*	*
	<i>(Bringing home remains of officers and soldiers who die abroad; Seacoast defenses in Hawaii; Military post at Waikiki, Honolulu, Hawaii; Cavalry post, Hawaii Territory. See p. 113.)</i>				
	*	*	*	*	*

JUDICIAL.

* * * * *

(*Expenses, United States courts in Hawaii.* See p. 224.)

* * * * *

CHAP. 301.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 4, 1909.
[H. R. 27053.]

[Public, No. 330.]

(*Services of weather bureau in Hawaii; Establishment and maintenance of agricultural experiment stations in Hawaii.* See pp. 224, 225.) 35 Stat. L.,
pt. 1, p. 1039.

CHAP. 320.—An Act To amend the Acts respecting copyright. Mar. 4, 1909.
[H. R. 28192.]

(*Applicable to Hawaii.* See sec. 34, p. 236.) [Public, No. 349.]
35 Stat. L.,
pt. 1, p. 1075.

CHAP. 321.—An Act To codify, revise, and amend the penal laws of the United States. Mar. 4, 1909.
[S. 2982.]

(See p. 242.) [Public, No. 350.]
35 Stat. L.,
pt. 1, p. 1088.

RESOLUTIONS.

ADDITIONAL JUDGES, ETC.

Mar. 1, 1909.
[H. C. Res., No. 75.]

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives (H. R. 21896), Sixtieth Congress, "An Act to amend section eighty-six of an act to provide a government for the Territory of Hawaii, and to provide for additional judges, and for other judicial purposes." 35 Stat. L.,
pt. 2, p. 1636.
Additional
judges, etc.
Return of bill
requested.

ADDITIONAL JUDGES.

Mar. 2, 1909.
[H. C. Res. No. 76.]

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House and the President of the Senate be authorized to cancel their signatures to (H. R. 21896) "An Act to amend section eighty-six of an Act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," and that the bill be re-enrolled, with the correction in Section twenty-three, line two, after the word "and" strike out the word "eight" and insert "nine", so that the sentence shall read: "SEC. 23. That this Act shall take effect and be in force on and after the first day of July, nineteen hundred and nine." 35 Stat. L.,
pt. 2, p. 1636.
Additional
judges, etc.
Enrollment
of, corrected.

ISTHMIAN CANAL ZONE.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 27.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

Feb. 15, 1908.
[H. R. 14766.]
[Public, No.
24.]
35 Stat. L.,
pt. 1, p. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

Urgent deficiencies appropriations.

* * * * *

NAVAL ESTABLISHMENT.

* * * * *

(Repairs and improvements to marine barracks, Camp Elliott, Isthmian Canal Zone. See p. 57.)

* * * * *

THE ISTHMIAN CANAL.

For salaries of members, officers, and employees of the Isthmian Canal Commission, including assistant purchasing and shipping agents, and all other employees in the United States, eighteen thousand six hundred dollars.

Salaries in the United States.

For pay of officers and employees on the Isthmus other than skilled and unskilled labor, including civil engineers, superintendents, instrument men, transitmen, levelmen, rodmen, draftsmen, timekeepers, mechanical and electrical engineers, supervisors, clerks, accountants, stenographers, storekeepers, messengers, office boys, foremen and subforemen, watchmen, wagon masters, stewards, hospital dispensers, internes, nurses, and attendants, including those necessarily and temporarily detailed for duty away from the Isthmus, for the departments of construction and engineering, auditing, disbursing, and labor, quarters and subsistence, two hundred and ten thousand and seven hundred dollars.

Construction, etc., departments.
Pay of officers, etc., on Isthmus.

Temporary details.

- Labor, etc.** For skilled and unskilled labor on the Isthmus, including engineers, conductors, firemen, brakemen, electricians, teamsters, cranesmen, machinists, blacksmiths, and other artisans, and their helpers, janitors, sailors, cooks, waiters, and dairymen, for the departments of construction and engineering, accounting, disbursements, and labor, quarters and subsistence, five million five hundred and thirty-six thousand three hundred dollars.
 - Purchase of materials, etc.** For purchase and delivery of material, supplies, and equipment, including cost of inspecting material and of paying traveling expenses incident thereto, whether on the Isthmus or elsewhere, and such other expenses not in the United States as the Commission deems necessary to best promote the construction of the Isthmian Canal, for the departments of construction and engineering, auditing, disbursing, and labor, quarters and subsistence, six million and eighty-five thousand seven hundred dollars.
 - Miscellaneous.** For miscellaneous expenditures, cable and telegraph service, stationery and printing, and traveling and incidental expenses on the Isthmus, for the departments of construction and engineering, accounting, disbursing, and labor, quarters and subsistence, one hundred and fifty-seven thousand seven hundred dollars.
 - Health and sanitation. Skilled and unskilled labor.** For skilled and unskilled labor engaged in the sanitation department on the Isthmus of Panama, one hundred and sixty-nine thousand nine hundred dollars:
 - Appropriations continued available.** Appropriations made for the construction of the Isthmian Canal in the Sundry Civil Appropriation Act, approved March fourth, nineteen hundred and seven, and in this Act shall continue available until expended.
- * * * * *

Apr. 22, 1908. [H. R. 20310.] **CHAP. 149.**—An Act Relating to the liability of common carriers by railroad to their employees in certain cases.
 [Public, No. 100.] *(Liability of common carriers by railroad in Isthmian Canal Zone to their employees. See p. 196.)*
 35 Stat. L., pt. 1, p. 65.

May 13, 1908. [H. R. 20471.] **CHAP. 166.**—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.
 [Public, No. 115.] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, for the naval service of the Government for the year ending June thirtieth, nineteen hundred and nine, and for other purposes.
 35 Stat. L., pt. 1, p. 127. Naval service appropriations.
 * * * * *
(Repairs of Marine Barracks, Isthmus of Panama. See p. 76.)
 * * * * *

For miscellaneous expenditures, cable and telegraph service, stationery and printing, and traveling and incidental expenses on the Isthmus, for the departments of construction and engineering, accounting, disbursing, and labor, quarters and subsistence, one hundred and fifty-seven thousand seven hundred dollars. Miscellaneous.

For skilled and unskilled labor engaged in the sanitation department on the Isthmus of Panama, one hundred and sixty-nine thousand nine hundred dollars: Health and sanitation.
Skilled and unskilled labor.

Appropriations made for the construction of the Isthmian Canal in the Sundry Civil Appropriation Act, approved March fourth, nineteen hundred and seven, and in this Act shall continue available until expended. Appropriations continued available.

CHAP. 183.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine. May 21, 1908.
[H. R. 20345.]

(Relief and protection of American seamen. See p. 198.) [Public, No. 127.]
35 Stat. L., pt. 1, p. 171.

CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 27, 1908.
[H. R. 21260.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

* * * * *

THE ISTHMIAN CANAL.

To continue the construction of the Isthmian Canal, to be expended under the direction of the President in accordance with an Act entitled "An Act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June twenty-eighth, nineteen hundred and two: Construction.

First. For salaries of officers and employees of the Isthmian Canal Commission, including assistant purchasing and shipping agents, and all other employees in the United States, one hundred and forty-nine thousand dollars; Canal Commission.
Salaries in the United States.

Second. For incidental expenses, including rents, cable and telegraph service, supplies, stationery and printing, and actual necessary traveling expenses in the United States (including rent of the Panama Canal building in the District of Columbia, seven thousand five hundred Incidental expenses.

Rent.

- dollars, and text-books and books of reference, one thousand dollars, and additional compensation to the Auditor for the War Department for extra services in auditing accounts of the Isthmian Canal, one thousand dollars), twenty-seven thousand dollars, and the unexpended balances of appropriations for these objects available June thirtieth, nineteen hundred and eight;
- Balances.** Third. For pay of members of the Commission and officers and employees on the Isthmus other than skilled and unskilled labor, including civil engineers, superintendents, instrumentmen, transitmen, levelmen, rodmen, draftsmen, timekeepers, mechanical and electrical engineers, supervisors, clerks, accountants, stenographers, storekeepers, messengers, office boys, foremen and subforemen, watchmen, wagon masters, stewards, hospital dispensers, internes, nurses, and attendants, including those necessarily and temporarily detailed for duty away from the Isthmus, for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, and expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus, three million four hundred thousand dollars;
- Commissioners.**
- Construction, etc., departments.**
- Pay of officers, etc., on the Isthmus.**
- Temporary details.**
- Labor.** Fourth. For skilled and unskilled labor on the Isthmus, including engineers, conductors, firemen, brakemen, electricians, teamsters, cranesmen, machinists, blacksmiths, and other artisans, and their helpers, janitors, sailors, cooks, waiters, and dairymen, for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, eight million four hundred thousand dollars;
- Purchase of materials, etc.** Fifth. For purchase and delivery of material, supplies, and equipment, including cost of inspecting material and of paying traveling expenses incident thereto, whether on the Isthmus or elsewhere, and such other expenses not in the United States as the Commission deems necessary to best promote the construction of the Isthmian canal, for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, and to enable the Secretary of War to purchase for the Panama Railroad Company two steamships of American register each to be of not less than nine thousand gross registered tonnage and at a cost of not to exceed one million five hundred and fifty thousand dollars, said ships to be controlled and operated by said Panama Railroad Company in like manner as other ships of said Company including the transportation of supplies, equipment and material for use in the construction of the Panama Canal and the transportation of officers and employees of the Panama Canal Commission: *Provided*, That, when said ships are no longer required for use as aforesaid in the transportation of supplies, equipment and material for the construction of the Panama Canal the
- Two steamships for Panama Railroad Company.**
- Operation.**
- Proviso.**
Transfer to Navy when no longer required.

same shall be transferred to the Secretary of the Navy for use as colliers or other auxiliary vessels belonging to the Navy, twelve million eight hundred thousand dollars;

Sixth. To continue the equipment and construction of the Panama Railroad, to be disbursed directly under the Isthmian Canal Commission, one million one hundred thousand dollars; no part of said sum shall be expended until the obligation of the Panama Railroad Company for the full amount thereof and drawing four per centum interest payable to the United States shall have been delivered to the Secretary of the Treasury of the United States and by him accepted;

Panama Railroad.

Restriction

Seventh. For miscellaneous expenditures, cable and telegraph service, stationery and printing, and traveling and incidental expenses on the Isthmus, for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, four hundred thousand dollars;

Miscellaneous.

Eighth. For pay of officers and employees other than skilled and unskilled labor in the service of the government of the Canal Zone, two hundred and twenty-five thousand dollars and the unexpended balances of appropriations for these objects available June thirtieth, nineteen hundred and eight;

Government of Canal Zone. Pay of officers and employees.

Ninth. For skilled and unskilled labor in the service of the government of the Canal Zone, sixteen thousand dollars and the unexpended balances of appropriations for these objects June thirtieth, nineteen hundred and eight;

Labor.

Tenth. For material, supplies, equipment, new buildings, and contingent expenses for account of the government of the Canal Zone, the unexpended balances of appropriations for these objects June thirtieth, nineteen hundred and eight;

Materials, etc.

Eleventh. For pay of officers and employees other than skilled and unskilled labor engaged in the sanitation department on the Isthmus, seven hundred thousand dollars and the unexpended balances of appropriations for these objects June thirtieth, nineteen hundred and eight;

Sanitation department. Pay of officers and employees.

Twelfth. For skilled and unskilled labor engaged in the sanitation department on the Isthmus of Panama, five hundred thousand dollars;

Labor.

Thirteenth. For material, supplies, equipment, new buildings, and contingent expenses of the sanitation department on the Isthmus, three hundred and seventy-five thousand dollars, and the unexpended balances of appropriations for these objects June thirtieth, nineteen hundred and eight;

Materials, etc.

Fourteenth. For the construction of the new Panama Railroad to be disbursed directly under the Isthmian Canal Commission, one million and eighty-five thousand dollars;

Panama Railroad. Construction of new.

Amount. In all, twenty-nine million one hundred and seventy-seven thousand dollars, the same to be available until expended: *Provided*, That all expenditures from the appropriation herein and hereinafter made for the Isthmian Canal shall be paid from, or reimbursed to the Treasury of the United States out of, the proceeds of the sale of the bonds authorized in section eight of the Act approved June twenty-eighth, nineteen hundred and two.

Proviso. Expenditures paid from proceeds of bond sales.
Pembroke B. Banton. To pay Pembroke B. Banton, of Waterloo, Iowa, to compensate him for injuries received while in the employment of the Government on the Isthmian Canal, ten thousand dollars.
Payment for injuries.

Ten per cent interchangeable. Ten per centum of the foregoing amounts shall be available interchangeably for expenditure on objects named; but not more than ten per centum shall be added to any one item of the appropriation: *Provided, however*, That any surplus in the appropriations for any of the above classified heads may be used for expenditure under any of the classified appropriations for the department of construction and engineering.

Proviso. Use of surplus plus for construction department.
Panama Railroad Company. SEC. 2. The foregoing appropriations shall be available to reimburse the Panama Railroad Company for marine losses, or for losses due to destruction of or damage to its plant, equipment, or commissary supplies by fire: *Provided, however*, That upon this appropriation becoming effective the Panama Railroad Company shall cease to carry insurance against loss from causes covered by this appropriation.
Reimbursement for marine and fire losses.
Proviso. Insurance to cease.

Distribution of revenues. SEC. 3. All funds hereafter collected by the government of the Canal Zone from rentals of public lands and buildings in the Canal Zone and the cities of Panama and Colon, and from the Zone postal service, and from court fees, and collected or raised by taxation in whatever form under the laws of the government of the Canal Zone, are hereby appropriated until and including June thirtieth, nineteen hundred and nine, as follows: The revenues derived from the postal service to the maintenance of that service; the remaining revenues, after setting aside a miscellaneous and contingent fund of ten thousand dollars, to the maintenance of the public school system in the Zone; to the construction and maintenance of public improvements within the Zone; to the maintenance of the administrative districts, including payment of salaries and wages incident thereto; to the maintenance of Canal Zone charity patients in the hospitals of the Isthmian Canal Commission, and to the maintenance of administrative district prisoners. A detailed and classified statement of all receipts and expenditures without the duplication of items under this paragraph shall be submitted to Congress after the close of the fiscal year nineteen hundred and nine.

Statement to Congress.
Sums available for construction contracts. SEC. 4. All sums appropriated hereunder or that may hereafter be appropriated for the construction of the Isthmian Canal shall be available for the payment of the

direct obligations of the Canal Commission, or of the Commission's obligations under any contract or contracts that may hereafter be entered into for the construction of the Isthmian Canal.

SEC. 5. All funds that hereafter may be derived from customs duties collected upon property of the United States imported from the Canal Zone are hereby reappropriated for the construction of the Isthmian Canal and may be expended under any of the classified appropriations for the department of construction and engineering.

Customs revenue from Canal Zone. Reappropriated for construction.

SEC. 6. All funds realized during the fiscal year nineteen hundred and nine by the Isthmian Canal Commission from the performance of services by the Commission, or from the sale of materials and supplies upon the Isthmus under the custody and control of the Commission, are hereby reappropriated for expenditure under any of the foregoing classified appropriations for the department of construction and engineering, and a full and separate report in detail of all transactions hereunder shall be made to Congress.

Funds from services, sales, etc. Reappropriated for construction.

SEC. 7. The officers of the Isthmian Canal Commission are relieved from liability to account for eleven thousand two hundred and five dollars and fifty-three cents, for materials and supplies furnished to the sufferers by the Jamaica earthquake of January fourteenth, nineteen hundred and seven.

Jamaica earthquake. Supplies furnished sufferers allowed.

SEC. 8. The National Academy of Sciences is required, at their next meeting, to take into consideration the methods and expenses of conducting all surveys of a scientific character, and all chemical, testing, and experimental laboratories and to report to Congress as soon thereafter as may be practicable a plan for consolidating such surveys, chemical, testing, and experimental laboratories so as to effectually prevent duplication of work and reduce expenditures without detriment to the public service.

Scientific surveys and laboratories. National Academy of Sciences to report plan for consolidating.

It is the judgment of Congress that any person who holds employment under the United States or who is employed by and receives a regular salary from any scientific bureau or institution that is required to report to Congress should refrain from participation in the deliberations of said National Academy of Science on this subject and from voting on or joining in any recommendation hereunder.

Officials who should not participate.

SEC. 9. That all sums appropriated by this Act for salaries of officers and employees of the Government shall be in full for such salaries for the fiscal year nineteen hundred and nine, and all laws or parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.

Sums for salaries to be in full.

May 30, 1908. CHAP. 229.—An Act To amend the national banking laws.
 [H. R. 21871.] * * * * *

[Public, No. 169.] SEC. 9. That section fifty-two hundred and fourteen of
 35 Stat. L., the Revised Statutes, as amended, be further amended to
 pt. 1, p. 546. read as follows:

Tax on cir- "SEC. 5214. National banking associations having on
 culation. deposit bonds of the United States, bearing interest at
 R. S., sec. 2 the rate of two per centum per annum, including the
 5214. bonds issued for the construction of the Panama Canal,
 Secured by 2 the rate of two per centum per annum, including the
 per cent bonds. bonds issued for the construction of the Panama Canal,
 under the provisions of section eight of 'An Act to pro-
 vide for the construction of a canal connecting the wa-
 ters of the Atlantic and Pacific oceans,' approved June
 twenty-eighth, nineteen hundred and two, to secure its cir-
 culating notes, shall pay to the Treasurer of the United
 States, in the months of January and July, a tax of one-
 fourth of one per centum each half year upon the aver-
 age amount of such of its notes in circulation as are based
 upon the deposit of such bonds; and such associations
 having on deposit bonds of the United States bearing
 interest at a rate higher than two per centum per annum
 shall pay a tax of one-half of one per centum each half
 year upon the average amount of such of its notes in
 circulation as are based upon the deposit of such bonds.

By bonds of higher interest.

By other securities.

Monthly re- turns of cir- culation on other than United States bonds.

Use of taxes on notes se- cured by other than United States bonds.

National banking associations having circulating notes secured otherwise than by bonds of the United States shall pay for the first month a tax at the rate of five per centum per annum upon the average amount of such of their notes in circulation as are based upon the deposit of such securities, and afterwards an additional tax of one per centum per annum for each month until a tax of ten per centum per annum is reached, and thereafter such tax of ten per centum per annum, upon the average amount of such notes. Every national banking association having outstanding circulating notes secured by a deposit of other securities than United States bonds shall make monthly returns, under oath of its president or cashier, to the Treasurer of the United States, in such form as the Treasurer may prescribe, of the average monthly amount of its notes so secured in circulation; and it shall be the duty of the Comptroller of the Currency to cause such reports of notes in circulation to be verified by examination of the banks' records. The taxes received on circulating notes secured otherwise than by bonds of the United States shall be paid into the Division of Redemption of the Treasury and credited and added to the reserve fund held for the redemption of United States and other notes."

* * * * *

May 30, 1908. CHAP. 236.—An Act Granting to certain employees of the
 [H. R. 21884.] United States the right to receive from it compensation for in-
 [Public, No. 176.] juries sustained in the course of their employment.

35 Stat. L., pt. 1, p. 556. (*Compensation to employees of the Government for in-
 juries sustained on certain public works. See p. 211 et
 seq.*)

SIXTIETH CONGRESS, SECOND SESSION.

CHAP. 179.—An Act Relating to injured employees on the Isthmian Canal. Feb. 24, 1909.
[H. R. 22340.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing contained in the Act approved May thirtieth, nineteen hundred and eight, entitled "An Act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," shall prevent the Isthmian Canal Commission, under rules to be fixed by the commission, from granting to its injured employees, whether engaged in a hazardous employment or otherwise, leave of absence with pay for time necessarily lost as a result of injuries received in the course of employment, not exceeding in the aggregate thirty days per annum: *Provided, however,* That compensation paid to such injured employees under such regulations shall be deducted from any compensation which such employees may be entitled to receive under the terms of the said Act.

[Public, No. 256.]
35 Stat. L., pt. 1, p. 645.
Isthmian Canal Commission may grant leave of absence with pay to injured employees.

Time limit.

Proviso.
Compensation.

CHAP. 224.—An Act Relating to the use, control, and ownership of lands in the Canal Zone, Isthmus of Panama. Feb. 27, 1909.
[H. R. 18694.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to grant leases of the public lands in the Canal Zone, Isthmus of Panama, for such period, not exceeding twenty-five years, and upon such terms and conditions as he may deem advisable. No lease, however, shall be granted for a tract of land in excess of fifty hectares, nor to any person who shall not have first established, by affidavit and by such other proof as may be required, that such person is the head of a family or over the age of twenty-one years, and that the application for a lease is made in good faith for the purposes of actual settlement and cultivation, and not for the benefit of any other person whatsoever, and that such person will faithfully comply with all the requirements of law as to settlement, residence, and cultivation. In granting such leases preference shall be accorded to actual occupants of lands in good faith.

[Public, No. 284.]
35 Stat. L., pt. 1, p. 658.
Canal Zone. Leases of public lands on.

Conditions.

Preference to occupants.

Lands excepted.

SEC. 2. That no portion of the lands of the United States within the Canal Zone shall be leased hereunder

unless it shall first be made to appear, by a statement or plat filed by the Isthmian Canal Commission with the collector of revenues for the Canal Zone, that it is not contemplated to use such lands in the work of canal construction or to set the same aside as a town site; and all leases shall be made subject to the provision that if at any time it shall become necessary, notwithstanding, for the United States to occupy or use any portion of the leased lands, it shall have the right to do so without further compensation to the lessee than for the reasonable value of the necessary improvements made upon said tracts by the lessee, the same to be determined by the courts of the Canal Zone.

Resumption of public use.

Mineral, etc., rights reserved.

SEC. 3. That all leases of lands hereunder shall reserve to the United States all mineral, oil, and gas rights in the lands leased.

Survey.

SEC. 4. That the President may, in his discretion, require a land survey to be made of the Canal Zone.

Delegation of authority.

SEC. 5. That the powers conferred upon the President under this Act may be exercised by him through the Isthmian Canal Commission or in such other manner as he may designate.



Mar. 2, 1909.
[H. R. 27523.]
[Public, No. 292.]
35 Stat. L.,
pt. 1, p. 672.

CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten.

* * * * *

(Relief and protection of American seamen in Panama Canal Zone. See p. 221.)



Mar. 3, 1909.
[H. R. 26394.]
[Public, No. 308.]
35 Stat. L.,
pt. 1, p. 753.

CHAP. 255.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

(Repairs of marine barracks, Isthmus of Panama. See p. 111.)



Mar. 3, 1909.
[H. R. 28243.]
[Public, No. 317.]
35 Stat. L.,
pt. 1, p. 815.

CHAP. 264.—An Act To provide for the repair, maintenance, and preservation of public works on rivers and harbors, and for other purposes.

* * * * *

Government locks, canals, etc.

SEC. 6. That section four of the river and harbor Act approved July fifth, eighteen hundred and eighty-four, be, and is hereby, amended and reenacted so as to read as follows:

Free passage through locks, canals, and canalized rivers.

“SEC. 4. That no tolls or operating charges whatever shall be levied upon or collected from any vessel, dredge, or other water craft for passing through any lock, canal, canalized river, or other work for the use and benefit of

navigation, now belonging to the United States or that may be hereafter acquired or constructed; and for the purpose of preserving and continuing the use and navigation of said canal and other public works without interruption, the Secretary of War, upon the recommendation of the Chief of Engineers, United States Army, is hereby authorized to draw his warrant or requisition, from time to time, upon the Secretary of the Treasury to pay the actual expenses of operating, maintaining, and keeping said works in repair, which warrants or requisitions shall be paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated: *Provided*, That whenever, in the judgment of the Secretary of War, the condition of any of the aforesaid works is such that its entire reconstruction is absolutely essential to its efficient and economical maintenance and operation as herein provided for, the reconstruction thereof may include such modifications in plan and location as may be necessary to provide adequate facilities for existing navigation: *Provided further*, That the modifications are necessary to make the reconstructed work conform to similar works previously authorized by Congress and forming a part of the same improvement, and that such modifications shall be considered and approved by the Board of Engineers for Rivers and Harbors and be recommended by the Chief of Engineers before the work of reconstruction is commenced: *Provided further, also*, That an itemized statement of said expenses shall accompany the annual report of the Chief of Engineers: *And provided further*, That nothing herein contained shall be held to apply to the Panama Canal."

Permanent appropriation for maintenance.

Provisos. Reconstruction authorized.

Recommendation required.

Report of expenses.

Panama Canal not included.

* * * * *

CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine, and for prior years, and for other purposes.

Mar. 4, 1909. [H. R. 28376.]

[Public, No. 327.]
35 Stat. L., pt. 1, p. 907.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

DEPARTMENT OF STATE.

* * * * *

For the payment of the annual installments for the calendar years nineteen hundred and eight and nineteen

Colombia. Annual payments to.

hundred and nine, of two hundred and fifty thousand dollars each, under the assignment and transfer made by the Republic of Panama to the Republic of Colombia, in manner and form as contained in the treaty between the Republic of Colombia and the Republic of Panama of January ninth, nineteen hundred and nine, the recognition of which assignment and acceptance of notice thereof are given by the United States in Article V of the treaty between the United States and the Republic of Colombia concluded January ninth, nineteen hundred and nine, five hundred thousand dollars.

* * * * *

THE ISTHMIAN CANAL.

Construction. To continue the construction of the Isthmian Canal, to be expended under the direction of the President in accordance with an Act entitled "An Act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June twenty-eighth, nineteen hundred and two:

Salaries on the Isthmus. For pay of members of the commission and officers and employees on the Isthmus other than skilled and unskilled labor, including civil engineers, superintendents, instrumentmen, transitmen, levelmen, rodmen, draftsmen, timekeepers, mechanical and electrical engineers, supervisors, clerks, accountants, stenographers, storekeepers, messengers, office boys, foremen and subforemen, watchmen, wagon masters, stewards, hospital dispensers, internes, nurses and attendants, including those necessarily and temporarily detailed for duty away from the Isthmus for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, and expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus, six hundred thousand dollars.

Labor. For skilled and unskilled labor on the Isthmus, including engineers, conductors, firemen, brakemen, electricians, teamsters, cranesmen, machinists, blacksmiths, and other artisans, and their helpers, janitors, sailors, cooks, waiters, and dairymen, for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, two million four hundred and fifty-eight thousand dollars.

Material, supplies, etc. For purchase and delivery of material, supplies, and equipment, including cost of inspecting material and of paying traveling expenses incident thereto, whether on the Isthmus or elsewhere, and such other expenses not in the United States as the commission deems necessary to best promote the construction of the Isthmian Canal, for the departments of construction and engineering, disbursing, examination of accounts, and labor, quarters and subsistence, two million four hundred thousand dollars.

Authority is hereby granted for the payment of salaries and wages accrued or hereafter earned of retired army and navy officers and enlisted men now in the employment of the Isthmian Canal Commission, in addition to their retired pay, where their compensation under such employment does not exceed two thousand five hundred dollars per annum.

Payment to retired officers. Limitation.

In all for the Isthmian Canal, five million four hundred and fifty-eight thousand dollars.

CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 4, 1909. [H. R. 28245.]

[Public. No. 328.]
35 Stat. L., pt. 1, p. 945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

* * * * *

UNDER THE WAR DEPARTMENT.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(Bringing home remains of officers and soldiers who die abroad. See p. 113.)

* * * * *

THE ISTHMIAN CANAL.

To continue the construction of the Isthmian Canal, to be expended under the direction of the President in accordance with an Act entitled "An Act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June twenty-eighth, nineteen hundred and two, and Acts amendatory thereof or supplementary thereto:

Construction.

First. For salaries of officers and employees of the Isthmian Canal Commission, including assistant purchasing and shipping agents, and all other employees in the United States, one hundred and fifty thousand dollars: *Provided*, That not more than five thousand dollars of this appropriation shall be paid as compensation to the secretary of the commission;

Canal Commission. Salaries in the United States.

Proviso. Pay of secretary.

Second. For incidental expenses, including rents, cable and telegraph service, supplies, stationery and printing, and actual necessary traveling expenses in the United States (including rent of the Panama Canal building in

Incidental expenses.

Rent.

the District of Columbia, seven thousand five hundred dollars, text-books and books of reference, one thousand dollars, and additional compensation to the Auditor for the War Department for extra services in auditing accounts of the Isthmian Canal, one thousand dollars), seventy-five thousand dollars.

Commissioners. Third. For pay of members of the commission and officers and employees on the Isthmus other than skilled and unskilled labor, including civil engineers, superintendents, instrumentmen, transitmen, levelmen, rodmen, draftsmen, timekeepers, mechanical and electrical engineers, quartermasters, clerks, accountants, stenographers, storekeepers, messengers, office boys, foremen and subforeman, wagon masters, watchmen and stewards, including those temporarily detailed for duty away from the Isthmus, in the departments of construction and engineering, quartermaster's, subsistence, disbursements and examination of accounts, and expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus, three million eight hundred and seventy-one thousand dollars;

Temporary details. Fourth. For skilled and unskilled labor on the Isthmus, including engineers, conductors, firemen, brakemen, electricians, teamsters, cranesmen, machinists, blacksmiths, and other artisans, and their helpers, janitors, sailors, cooks, waiters, and dairymen, for the departments of construction and engineering, quartermaster's, subsistence, disbursements, and examination of accounts, twelve million dollars;

Labor. Fifth. For purchase and delivery of material, supplies and equipment, including cost of inspecting material and of paying traveling expenses incident thereto, whether on the Isthmus or elsewhere, and such other expenses not in the United States as the commission deems necessary to best promote the construction of the Isthmian Canal, for the departments of construction and engineering, quartermaster, subsistence, disbursements and examination of accounts, ten million five hundred and seventeen thousand dollars;

Purchase of material, etc. Sixth. To continue the equipment and construction of the Panama Railroad, to be disbursed directly under the Isthmian Canal Commission, seven hundred thousand dollars; no part of said sum shall be expended until the obligation of the Panama Railroad Company for the full amount thereof, and drawing four per centum interest, payable to the United States, shall have been delivered to the Secretary of the Treasury of the United States, and by him accepted.

Panama Railroad. Seventh. For miscellaneous expenditures, cable and telegraph service, stationery and printing, local railway transportation, special trains, including pay-train service; transportation of currency to the Isthmus, recruiting and transporting laborers, transporting employees from the

Restriction. Miscellaneous. For miscellaneous expenditures, cable and telegraph service, stationery and printing, local railway transportation, special trains, including pay-train service; transportation of currency to the Isthmus, recruiting and transporting laborers, transporting employees from the

United States, repatriating laborers and employees, actual necessary traveling expenses while on the Isthmus on official business; and all other incidental and contingent expenses not otherwise provided for, for the departments of construction and engineering, quartermaster's, subsistence, disbursements and examination of accounts, and labor, quarters and subsistence, one million dollars.

Eighth. For pay of the member of the Commission in charge, of officers and employees other than skilled and unskilled labor, including foremen, subforemen, watchmen, messengers, and storekeepers, of the department of civil administration, including those necessary and temporarily detailed for duty away from the Isthmus, four hundred and seventy thousand dollars;

Government of Canal Zone. Pay of commissioner, officers, etc.

Ninth. For skilled and unskilled labor for the department of civil administration, twenty thousand dollars;

Labor.

Tenth. For material, supplies, equipment, construction and repairs of buildings, and contingent expenses of the Department of Civil Administration, one hundred and forty thousand dollars;

Material, etc.

Eleventh. For pay of the member of the commission in charge, of officers and employees other than skilled and unskilled labor, including hospital dispensers, internes, nurses, attendants, messengers, office boys, foremen, subforemen, watchmen, and stewards, of the department of sanitation on the isthmus, including those temporarily detailed for duty away from the Isthmus, seven hundred and twenty-five thousand dollars.

Sanitation department. Pay of officers and employees.

Twelfth. For skilled and unskilled labor of every grade and kind, for the department of sanitation on the Isthmus four hundred and fifty thousand dollars;

Labor.

Thirteenth. For material, supplies, equipment, construction and repairs of buildings, and contingent expenses of the department of sanitation on the Isthmus, seven hundred and forty thousand dollars.

Material, etc.

Fourteenth. For the payment of the cost of relocating the Panama Railroad, including salaries, wages, cost of material, supplies, and all other expenses incident thereto, one million nine hundred and eighty thousand dollars.

Relocating Panama Railroad, etc.

For salaries, wages, cost of material, supplies, and all other expenses incident to continuing the extension, grading, and paving of streets, building sewers, and extending water mains in the cities of Panama and Colon, eight hundred thousand dollars.

Panama and Colon. Grading and paving streets, etc.

In all, thirty-three million six hundred and thirty-eight thousand dollars, the same to be available until expended:

Amount.

Provided, That all expenditures from the appropriation herein and hereinafter made for the Isthmian Canal shall be paid from, or reimbursed to the Treasury of the United States out of, the proceeds of the sale of bonds authorized in section eight of the said Act approved June twenty-eighth, nineteen hundred and two.

Proviso. Expenditures paid from proceeds of bond sales.

Ten per cent interchangeable.

Ten per cent of the foregoing amounts shall be available interchangeably for expenditure on objects named; but not more than ten per centum shall be added to any one item of the appropriation: *Provided, however,* That any surplus in the appropriations for any of the above classified heads may be used for expenditure under any of the classified appropriations for the department of construction and engineering.

Proviso. Use of surplus for construction department.

Longevity. Restriction on allowances for.

No part of the foregoing appropriations for the Isthmian Canal shall be applied to the payment of allowances for longevity service or layover days other than such as may have accumulated under existing orders of the commission, prior to July first, nineteen hundred and nine.

Panama Railroad Company.

SEC. 2. The foregoing appropriations shall be available to reimburse the Panama Railroad Company for marine losses, or for losses due to destruction of or damage to its plant, equipment, or commissary supplies by fire: *Provided, however,* That the Panama Railroad Company shall carry no insurance against loss from causes covered by this appropriation.

Reimbursement for marine and fire losses.

Proviso. Insurance to cease.

Distribution of revenues.

SEC. 3. All funds hereafter collected by the government of the Canal Zone from rentals of public lands and buildings in the Canal Zone and the cities of Panama and Colon, and from the zone postal service, and from court fees and fines, and collected or raised by taxation in whatever form under the laws of the government of the Canal Zone, are hereby appropriated until and including June thirtieth, nineteen hundred and ten, as follows: The revenues derived from the postal service to the maintenance of that service; the remaining revenues, after setting aside a miscellaneous and contingent fund of ten thousand dollars, to the maintenance of the public-school system in the zone; to the construction and maintenance of public improvements within the zone; to the maintenance of the administrative districts; to the maintenance of Canal Zone charity patients in the hospitals of the Isthmian Canal Commission, and to the maintenance of administrative district prisoners. A detailed and classified statement of all receipts and expenditures without the duplication of items under this paragraph shall be submitted to Congress after the close of the fiscal year nineteen hundred and ten.

Statement to Congress.

Funds from services, sales, etc.

SEC. 4. All funds realized during the fiscal year nineteen hundred and ten by the Isthmian Canal Commission from the performance of services by the commission, or from rentals, or from the sale of materials and supplies under the custody and control of the commission, are hereby reappropriated for expenditure under any of the foregoing classified appropriations for the department of construction and engineering, and a full and separate report in detail of all transactions hereunder shall be made to Congress.

Reappropriated for construction.

* * * * *

CHAP. 321.—An Act To codify, revise, and amend the penal laws of the United States. Mar. 4, 1909.
[S. 2982.]

(Applicable to Isthmian Canal Zone. See p. 244.)

[Public. No.
350.]
35 Stat. L.,
pt. 1, p. 1088.

RESOLUTION.

REPORT OF ISTHMIAN CANAL COMMISSION.

Resolved by the Senate (the House of Representatives concurring), That there be printed three thousand additional copies of the annual report of the Isthmian Canal Commission for nineteen hundred and eight, with accompanying illustrations; one thousand copies for the use of the Senate and two thousand copies for the use of the House of Representatives.

Mar. 3, 1909.
[S. C. Res. No.
105.]
35 Stat. L.,
pt. 2, p. 1636.
Isthmian
Canal Commis-
sion.
Additional
copies of re-
port of, or-
dered printed.

PHILIPPINE ISLANDS.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 105.—An Act To provide for payment of the claims of the Roman Catholic Church in the Philippine Islands.

Mar. 26, 1908.
[H. R. 16143.]

(See p. 122.)

[Private, No.
37.]
35 Stat. L.,
pt. 2, p. 57.

CHAP. 149.—An Act Relating to the liability of common carriers by railroad to their employees in certain cases.

Apr. 22, 1908.
[H. R. 20310.]

(*Applicable to the Philippines.* See pp. 196–197.)

[Public, No.
100.]
35 Stat. L.,
pt. 1, p. 65.

CHAP. 152.—An Act To repeal an Act approved April thirtieth, nineteen hundred and six, entitled “An Act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes,” and for other purposes.

Apr. 29, 1908.
[S. 5262.]

[Public, No.
103.]
35 Stat. L.,
pt. 1, p. 70.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until Congress shall have authorized the registry as vessels of the United States of vessels owned in the Philippine Islands, the government of the Philippine Islands is hereby authorized to adopt, from time to time, and enforce regulations governing the transportation of merchandise and passengers between ports or places in the Philippine Archipelago.

Philippine
Islands.
Interisland
traffic.
Power to
regulate, grant-
ed temporarily
to Philippine
government.

SEC. 2. That on and after the passage of this Act the same tonnage taxes shall be levied, collected, and paid upon all foreign vessels coming into the United States from the Philippine Islands which are required by law to be levied, collected, and paid upon vessels coming into the United States from foreign countries.

Tonnage tax
on foreign ves-
sels to United
States.

SEC. 3. That the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Islands and the United States.

Restrictions
on foreign ves-
sels removed.

SEC. 4. That the Philippine Commission shall be authorized and empowered to issue licenses to engage in

Licenses to
harbor vessels.

lighterage or other exclusively harbor business to vessels or other craft actually engaged in such business at the date of the passage of this Act and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

Philippine government to enforce navigation laws.

SEC. 5. That such of the navigation laws of the United States as are in force in the Philippine Islands in regard to vessels arriving in the Philippine Islands from the mainland territory and other insular possessions of the United States shall continue to be administered by the proper officials of the government of the Philippine Islands.

Repeal.

SEC. 6. That the Act entitled "An Act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Islands, between ports or places in the Philippine Islands, and for other purposes," approved April thirtieth, nineteen hundred and six, and all laws and parts of laws in conflict with the provisions of this Act, are hereby repealed.

May 11, 1908.
[H. R. 17288.]
[Public, No. 112.]
35 Stat. L.,
pt. 1, p. 106.

CHAP. 163.—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nine.

(Expenses military information division Manila; Increased pay for officers and men on army transports in Philippines; Pay of Philippine Scouts; Barracks and quarters; Care and maintenance of Insane natives of the Philippine Islands serving in the Army of the United States. See pp. 62, 67, 68, 69.)

May 11, 1908.
[H. R. 17516.]
[Public, No. 113.]
35 Stat. L.,
pt. 1, p. 125.
Philippine Commission.
Additional member of, authorized.

CHAP. 164.—An Act To increase the membership of the Philippine Commission by one member, 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 number of Commissioners constituting the Philippine Commission is hereby increased by one additional member, making the Commission consist of nine members. Said additional member shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive the same salary and emoluments as is now, or may hereafter, be prescribed by law.

New executive department created.

SEC. 2. That the President is hereby authorized in his discretion to create by Executive order, and name, a new executive department in the Philippine government, and to embrace therein such existing bureaus as he may designate in the order; and in his appointment of any commission member he shall specify in his message to the Senate the department, if any, of which the appointee shall be the secretary.

CHAP. 166.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 13, 1908.
[H. R. 20471.]

(Naval station, Cavite and Olongapo; Naval magazine, Olongapo; Officers' quarters, Olongapo; Machinery plant at Cavite and Olongapo; Pay civil force; Marine Corps clerks in Philippine Islands; Repair of Marine Barracks, Philippine Islands. See pp. 71, 72, 73, 74, 75, 76.)

[Public, No. 115.]
35 Stat. L., pt. 1, p. 127.

CHAP. 171.—An Act To create the office of captain in the Philippine Scouts. May 16, 1908.
[S. 652.]

(See p. 76.)

[Public, No. 118.]
35 Stat. L., pt. 1, p. 163.

CHAP. 179.—An Act For the relief of Captain Charles E. Morton, Sixteenth United States Infantry. E. May 19, 1908.
[H. R. 17056.]

(While stationed in the Philippine Islands. See p. 123.)

[Private, No. 56.]
35 Stat. L., pt. 11, p. 154.

CHAP. 183.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine. May 21, 1908.
[H. R. 20345.]

(Relief and protection of American seamen. See p. 198.)

[Public, No. 127.]
35 Stat. L., pt. 1, p. 171.

CHAP. 186.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 22, 1908.
[H. R. 16882.]

(Pay of Resident Commissioners from the Philippine Islands. See p. 198.)

[Public, No. 130.]
35 Stat. L., pt. 1, p. 184.

CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 27, 1908.
[H. R. 21260.]

(Transportation of three natives of the Philippine Islands to Washington, in connection with coast surveys, ordnance depot at Manila; Bringing home remains of officers and men who die abroad; Back pay and bounty to officers and men serving in the Philippine Islands; Exhibit from the Philippine Islands at Alaska-Yukon-Pacific Exposition. See pp. 18, 77, 203.)

[Public, No. 141.]
35 Stat. L., pt. 1, p. 317.

CHAP. 202.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes. May 27, 1908.
[H. R. 19355.]

(Fortifications in insular possessions. See p. 79.)

[Public, No. 143.]
35 Stat. L., pt. 1, p. 392.

May 27, 1908. **CHAP. 206.**—An Act Making appropriations for the service of
 [H. R. 18347.] the Post-Office Department for the fiscal year ending June thir-
 [Public, No. 147.] tieth, nineteen hundred and nine, and for other purposes.
 35 Stat. L., (Equipments for postal service in the Philippine Is-
 pt. 1, p. 406. lands. See p. 205.)

May 28, 1908. **CHAP. 214.**—An Act Making appropriations for the support of
 [H. R. 21875.] the Military Academy for the fiscal year ending June thirtieth,
 [Public, No. 154.] nineteen hundred and nine, and for other purposes.
 35 Stat. L., (Filipinos to receive instruction at United States Mili-
 pt. 1, p. 430. tary Academy. See pp. 86-87.)

May 30, 1908. **CHAP. 227.**—An Act Making appropriations to supply deficien-
 [H. R. 21946.] cies in the appropriations for the fiscal year ending June thirtieth,
 [Public, No. 167.] nineteen hundred and eight, and for prior years, and for other
 purposes.
 35 Stat. L., (For damages to property of citizens of United States
 pt. 1, p. 478. and Philippine Islands; For compensation of the Resi-
 dent Commissioners of the Philippine Islands. See
 pp. 124, 210.)

RESOLUTIONS.

Feb. 24, 1908. [No. 7.] Joint Resolution Providing for salaries of the Resident
 [H. J. Res. 130.] Commissioners from the Philippine Islands.
 [Pub. Res., No. 7.] *Resolved by the Senate and House of Representatives*
 35 Stat. L., *of the United States of America in Congress assembled,*
 pt. 1, p. 567. *That the Sergeant-at-Arms of the House of Representa-*
 Philippine *tives is authorized to pay to each of the two Resident*
 Islands. *Commissioners from the Philippine Islands, out of the*
 Resident *Commissioners' salaries, and allowance*
 Commission- *in lieu of mile-*
 ers' salaries, *age.*
 and allowance *of mile-*
 in lieu of mile- *age.*
 age. *Commissioners from the Philippine Islands, out of the*
 appropriation made for the current fiscal year for com-
 pensation of the Members of the House of Representa-
 tives, the same rate of compensation as is authorized and
 being paid to the Resident Commissioner from Porto
 Rico, together with two thousand dollars each, as author-
 ized by law, in lieu of mileage.

May 28, 1908. [No. 30.] Joint Resolution Relating to the assignment of space
 [H. J. Res. 186.] in the House Office Building.
 [Pub. Res., No. 30.] (Assignment of rooms to the Commissioners from the
 35 Stat. L., *Philippine Islands.* See p. 215.)
 pt. 1, p. 578.

SIXTIETH CONGRESS, SECOND SESSION.

CHAP. 101.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine.

Feb. 9, 1909.
[H. R. 26399.]
[Public, No. 222.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, namely:

35 Stat. L.,
pt. 1, p. 614.

Urgent deficiencies appropriations.

* * * * *

WAR DEPARTMENT.

That the internal-revenue taxes imposed by the Philippine government and collected under sections one hundred and nine and one hundred and thirty-nine of Act Numbered Eleven hundred and eighty-nine of the Philippine Commission, and under Acts Numbered Fourteen hundred and sixty-one and Seventeen hundred and sixty-one of the Philippine Commission are hereby legalized and ratified, and the collection of all such taxes heretofore or hereafter is hereby legalized and ratified and confirmed as fully to all intents and purposes as if the same had by prior Act of Congress been specifically authorized and directed.

Philippine Islands. Collection, etc., of internal-revenue taxes in, ratified.

* * * * *

CHAP. 227.—An Act To amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

Feb. 27, 1909.
[H. R. 25155.]

[Public, No. 287.]

35 Stat. L.,
pt. 1, p. 659.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of the seventh section of the Act entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved July first, nineteen hundred and two, is hereby amended to read as follows:

Philippine Islands.

Annual sessions of legislature.

"SEC. 7. The legislature shall hold annual sessions, commencing on the first Monday of February in each year and continuing not exceeding ninety days thereafter (Sundays and holidays not included) and the first meet-

Date, etc., of.

ing of the legislature shall be held upon the call of the governor within ninety days after the first election: *Provided*, That the Philippine Legislature after its first meeting as herein provided may by law fix a date other than the first Monday of February in each year for the commencement of its annual sessions: *And provided further*, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid."

Provisos. Legislature may determine date.
Provisions for governmental expenses.

Mar. 1, 1909. [H. R. 26305.] CHAP. 232.—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.
[Public, No. 290.]
35 Stat. L., pt. 1, p. 660. (*Postal equipments for the Philippines.* See p. 220.)

Mar. 2, 1909. [H. R. 27523.] CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten.
[Public, No. 292.]
35 Stat. L., pt. 1, p. 672. (*Relief and protection of American seamen in the Philippine Islands.* See p. 221.)

Mar. 3, 1909. [H. R. 27054.] CHAP. 251.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.
[Public, No. 304.]
35 Stat. L., pt. 1, p. 728. (*Fortifications, armament, etc., for the Philippine Islands.* See p. 102.)

Mar. 3, 1909. [H. R. 26915.] CHAP. 252.—An Act Making appropriations for the support of the army for the fiscal year ending June thirtieth, nineteen hundred and ten.
[Public, No. 305.]
35 Stat. L., pt. 1, p. 732. (*Branch office, military information section, Manila; Annunciator buzzer systems at target ranges, Fort William McKinley, Philippine Islands; Philippine Scouts; Barracks and quarters, Philippine Islands; Care of insane Filipino soldiers; Buildings on Corregidor Island, Philippine Islands.* See pp. 104, 106, 107, 108.)

Mar. 3, 1909. [H. R. 26394.] CHAP. 255.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.
[Public, No. 308.]
35 Stat. L., pt. 1, p. 753. (*Naval station, Cavite, P. I.; Machinery plant, Cavite, P. I.; Two Marine Corps clerks for Philippine Islands; Erection of Marine Barracks in Philippine Islands.* See pp. 109, 110, 111.)

CHAP. 297.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 4, 1909.
[H. R. 23464.]
[Public, No. 326.]
35 Stat. L., pt. 1, p. 847.

(Pay of the Resident Commissioners from the Philippine Islands. See p. 221.)

CHAP. 298.—An Act Making appropriations to supply deficiencies in the appropriations of the fiscal year ending June thirtieth, nineteen hundred and nine, and for prior years, and for other purposes.

Mar. 4, 1909.
[H. R. 28376.]
[Public, No. 327.]
35 Stat. L., pt. 1, p. 907.
Deficiencies appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and nine, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

TREASURY DEPARTMENT.

* * * * *

REIMBURSEMENT OF PHILIPPINE ISLANDS: To enable the Secretary of the Treasury to deposit to the credit of the Philippine Islands special fund the sum of one hundred and thirty-six dollars and sixty-two cents, collected by the collector of customs at San Francisco, California, July twelfth, nineteen hundred and six, as tonnage tax from the British steamship Sutherland, entered at the port of San Francisco from Manila, by way of Iloilo, Philippine Islands, and erroneously covered into the General Treasury of the United States by certificate of deposit numbered one hundred and forty-five, dated July twenty-first, nineteen hundred and six, one hundred and thirty-six dollars and sixty-two cents.

Philippine Islands.
Reimbursement of tonnage tax.

* * * * *

CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes.

Mar. 4, 1909.
[H. R. 28245.]
[Public, No. 328.]
35 Stat. L., pt. 1, p. 945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed,

for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

* * * * *

UNDER THE DEPARTMENT OF COMMERCE AND LABOR.

* * * * *

COAST AND GEODETIC SURVEY.

* * * * *

(Transportation to and from Manila of three Filipinos to be employed in the office of the Coast and Geodetic Survey at Washington, D. C. See p. 223.)

* * * * *

Cumulative leave, force in Philippines.

The Secretary of Commerce and Labor, at his discretion, may hereafter grant to officers of the field force of the Coast and Geodetic Survey on duty in the Philippine Islands, at one time the whole or any portion of the annual leave accrued and unused during a period of three years.

* * * * *

UNDER THE WAR DEPARTMENT.

(Ordnance depot, Manila, P. I.; Bringing home remains of officers and soldiers who die abroad; Seacoast defenses, Philippine Islands; Back pay and allowances for officers and men serving in the Philippine Islands. See pp. 113, 114.)

* * * * *

Thomas Jefferson. Monument to commemorate Louisiana purchase.

SEC. 5. The Louisiana Purchase Exposition Company is authorized to expend not to exceed one hundred and fifty thousand dollars out of the amount which may be due the United States under the Act of March fourth, nineteen hundred and one, in the erection at Saint Louis, Missouri, of a monument to Thomas Jefferson in commemoration of the Louisiana Purchase: *Provided*, That the city of Saint Louis, Missouri, and said Exposition Company shall jointly contribute an amount at least equal to that used from said fund due the United States as aforesaid toward the erection of said monument, and the total amount so expended shall not be less than two hundred thousand dollars, exclusive of site, and the use of any funds of the United States as herein authorized shall finally discharge the United States and the government of the Philippine Islands from all claims of every character whatsoever by said Louisiana Purchase Exposition Company.

Proviso. Contribution by Saint Louis and Exposition Company.

CHAP. 317.—An Act To provide for the distribution of the Congressional Record and public bills, documents, and so forth, to the governor-general of the Philippine Islands at Manila, Philippine Islands.

Mar. 4, 1909.
[H. R. 24864.]

[Public, No.
346.]
35 Stat. L.,
pt. 1, p. 1067.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Public Printer is hereby authorized to furnish gratuitously to the governor-general of the Philippine Islands at Manila ten copies of the daily Congressional Record and three copies of all bills, resolutions, documents, and reports, as printed, and he is hereby directed to print, if necessary, the extra number required to comply with this Act.

Philippine Islands.

Copies of
Congressional
Record, etc., for
governor - gen-
eral.

Printing ex-
tra numbers
authorized.

CHAP. 320.—An Act To amend the Acts respecting copyright.

Mar. 4, 1909.
[H. R. 28192.]

(Applicable to Philippine Islands. See sec. 34, p. 236.)

[Public, No.
349.]
35 Stat. L.,
pt. 1, p. 1075.

CHAP. 321.—An Act To codify, revise, and amend the penal laws of the United States.

Mar. 4, 1909.
[S. 2982.]

(See p. 242.)

[Public, No.
350.]
35 Stat. L.,
pt. 1, p. 1088.

PORTO RICO.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 149.—An Act Relating to the liability of common carriers by railroad to their employees in certain cases. Apr. 22, 1908.
[H. R. 20310.]

(Applicable to Porto Rico. See p. 196.)

[Public, No.
100.]
35 Stat. L.,
pt. 1, p. 65.

CHAP. 163.—An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nine. May 11, 1908.
[H. R. 17288.]

(Porto Rico Provisional Regiment of Infantry. See p. 68.)

[Public, No.
112.]
35 Stat. L.,
pt. 1, p. 106.

CHAP. 166.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. May 13, 1908.
[H. R. 20471.]

(Naval stations at San Juan and Culebra; Repairs, Marine Barracks, Porto Rico. See pp. 72, 76.)

[Public, No.
115.]
35 Stat. L.,
pt. 1, p. 127.

CHAP. 168.—An Act To authorize additional aids to navigation in the Light-House Establishment, and for other purposes. May 14, 1908.
[H. R. 20784.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish and provide the following additional aids to navigation in the Light-House Establishment under the Light-House Board in the Department of Commerce and Labor, in accordance with the respective limits of cost hereinafter respectively set forth, which shall in no case be exceeded:

[Public, No.
116.]
35 Stat. L.,
pt. 1, p. 160.
Light-houses,
beacons, and
fog signals.
Additional, es-
tablished.

* * * * *

THIRD LIGHT-HOUSE DISTRICT.

* * * * *

A storehouse and dock at San Juan, Porto Rico, at a cost not to exceed fifteen thousand dollars.

* * * * *

May 21, 1908. **CHAP. 183.**—An Act Making appropriations for the diplomatic
 [H. R. 20345.] and consular service for the fiscal year ending June thirtieth,
 [Public, No. nineteen hundred and nine.
 127.]
 35 Stat. L., (*Relief and protection of American seamen.* See
 pt. 1, p. 171. p. 198.)

May 22, 1908. **CHAP. 186.**—An Act Making appropriations for the legislative,
 [H. R. 16882.] executive, and judicial expenses of the Government for the fiscal
 [Public, No. year ending June thirtieth, nineteen hundred and nine, and for
 130.] other purposes.
 35 Stat. L.,
 pt. 1, p. 184. (*Pay of the Resident Commissioner from Porto Rico.*
 See p. 198.)

May 23, 1908. **CHAP. 192.**—An Act Making appropriations for the Department
 [H. R. 19158.] of Agriculture for the fiscal year ending June thirtieth, nineteen
 [Public, No. hundred and nine.
 136.]
 35 Stat. L., *Be it enacted by the Senate and House of Representa-*
 pt. 1, p. 251. *tives of the United States of America in Congress assem-*
 Agricultural bled, That the following sums be, and they are hereby,
 Department ap- appropriated, out of any moneys in the Treasury of the
 propriations. United States not otherwise appropriated, in full com-
 pensation for the fiscal year ending June thirtieth, nine-
 teen hundred and nine, for the purposes and objects
 hereinafter expressed, namely:

* * * * *

BUREAU OF ENTOMOLOGY.

* * * * *

General ex- **ENTOMOLOGICAL INVESTIGATIONS:** General expenses, Bu-
 penses. reau of Entomology: Promotion of economic entomology;
 Investiga- tions. investigating the history and habits of insects injurious
 and beneficial to agriculture, horticulture, and arboricul-
 ture; ascertaining the best means of destroying those
 found to be injurious, including an investigation into the
 ravages of insects affecting field crops; investigations of
 the insects affecting small fruit, shade trees, and truck
 crops, forests and forest products and stored products;
 investigation of insects in relation to diseases of men and
 domestic animals, and as animal parasites; miscellaneous
 insect investigations, including tobacco insects; the intro-
 duction of beneficial insects, quarantine work, and the
 study of fungous and other diseases of insects; for the
 expenses of insect laboratory, collections, and experi-
 mental garden; investigations in apiculture; investiga-
 tions of insecticides and insecticide machinery: *Provided,*
 That Porto Rico is not excluded; * * *

Proviso.
 Porto Rico.

* * * * *

OFFICE OF EXPERIMENT STATIONS.

* * * * *

(*Agricultural experiment stations in Porto Rico.* See
 pp. 201-202.)

CHAP. 200.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 27, 1908.
[H. R. 21260.]
[Public No. 141.]
35 Stat. L., pt. 1, p. 317.
Sundry civil expenses appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

MISCELLANEOUS OBJECTS, TREASURY DEPARTMENT.

* * * * *

(For the maintenance and ordinary expenses of the quarantine system of Porto Rico. See p. 202.)

* * * * *

UNDER THE DEPARTMENT OF COMMERCE AND LABOR.

* * * * *

LIGHT-HOUSES, BEACONS, AND FOG SIGNALS.

* * * * *

For a storehouse and dock at San Juan, Porto Rico, fifteen thousand dollars.

San Juan, P. R.
Storehouse.

* * * * *

UNDER THE WAR DEPARTMENT.

* * * * *

ENGINEER DEPARTMENT.

* * * * *

Improving harbor at San Juan, Porto Rico: For continuing improvement, two hundred and twenty thousand dollars.

San Juan, P. R.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(Bringing home the remains of officers, soldiers and civil employes of the Army who die abroad, including the remains of soldiers who die on transports. See p. 77.)

CHAP. 201.—An Act Fixing the status of the Porto Rico Provisional Regiment of Infantry.

May 27, 1908.
[H. R. 18618.]

(See p. 78.)

[Public No. 142.]
35 Stat. L., pt. 1, p. 392.

CHAP. 206.—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 27, 1908.
[H. R. 18347.]

(Equipments for postal service in Porto Rico. See p. 205.)

[Public No. 147.]
35 Stat. L., pt. 1, p. 406.

May 28, 1908. **CHAP. 212.**—An Act To amend the laws relating to navigation,
 [H. R. 21815] and for other purposes.

[Public, No. 152.] *(Amendment affecting inspection service in Porto Rico.*
 35 Stat. L., See p. 205.)
 pt. 1, p. 424.

May 30, 1908. **CHAP. 227.**—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

[Public No. 167.] *(Construction of military hospital at San Juan, Porto Rico; For compensation of the Resident Commissioner from Porto Rico. See pp. 87, 210.)*
 35 Stat. L.,
 pt. 1, p. 478.

* * * * *

May 30, 1908. **CHAP. 228.**—An Act To increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes.

[Public, No. 168.]
 35 Stat. L.,
 pt. 1, p. 520.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of the Treasury of the United States to give effect to and execute the provisions of existing legislation authorizing the acquisition of land for sites or the enlargement thereof, and the erection, enlargement, extension, remodeling, or repair of public buildings in the several cities hereinafter enumerated, the limit of cost heretofore fixed by Congress therefor be, and the same is hereby, increased, respectively, as follows, and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of each of said buildings within its respective limit of cost, including site:

Public buildings, omnibus act.
 Limit of cost increased.

* * * * *

SEC. 27. That the Secretary of the Treasury be, and he is hereby, authorized and empowered, in his discretion, to convey, by quitclaim deed, to the city of San Juan, Porto Rico, for street and other purposes, such portions of the site in said city reserved for Federal building purposes by Executive order dated June thirtieth, nineteen hundred and three, as in the opinion of the Secretary of the Treasury may not be required for the present or probable future needs of the United States for sites for Federal buildings.

San Juan, P. R.
 Lands deeded to city for streets, etc.

* * * * *

JOINT RESOLUTION.

May 29, 1908. [No. 30.] Joint Resolution Relating to the assignment of space [H. J. R. 186.] in the House Office Building.

[Public Res., No. 30.] *(Assignment of rooms to the Commissioner from Porto Rico. See p. 215.)*
 35 Stat. L.,
 pt. 1, p. 578.

SIXTIETH CONGRESS, SECOND SESSION.

CHAP. 65.—An Act To impose a tax upon alcoholic compounds coming from Porto Rico, and for other purposes. Feb. 4, 1909.
[H. R. 22884.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon bay rum, or any article containing alcohol, hereafter brought from Porto Rico into the United States for consumption or sale there shall be paid a tax on the spirits contained therein of one dollar and ten cents per proof gallon, to be collected at the port of entry by the collector of internal revenue of the district in which the port is located. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is hereby authorized to make such rules and regulations as may be necessary to carry this Act into effect.

[Public, No. 205.]
35 Stat. L., pt. 1, p. 594.
Porto Rico. Internal-revenue tax on alcoholic compounds from.

Regulations.

CHAP. 206.—An Act To authorize Behn Brothers, of San Juan, Porto Rico, to construct a bridge across a portion of the Condado Bay, at the eastern extremity of San Juan Island, Porto Rico. Feb. 25, 1909.
[H. R. 26838.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Behn Brothers, of San Juan, Porto Rico, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across a portion of Condado Bay, at the eastern extremity of San Juan Island, Porto Rico, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

[Public, No. 275.]
35 Stat. L., pt. 1, p. 654.
Condado Bay, Porto Rico. Behn Brothers may bridge.

Location.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

CHAP. 232.—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. Mar. 1, 1909.
[H. R. 26305.]

(Postal equipments for Porto Rico. See p. 220.) [Public, No. 290.]
35 Stat. L., pt. 1, p. 660.

CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 2, 1909.
[H. R. 27523.]

(Relief and protection of American seamen in Porto Rico. See p. 221.) [Public, No. 292.]
35 Stat. L., pt. 1, p. 672.

Mar. 3, 1909. **CHAP. 252.**—An Act Making appropriations for the support
 [H. R. 26915.] of the army for the fiscal year ending June thirtieth, nineteen
 [Public, No. hundred and ten.
 305.]
 35 Stat. L., (For Porto Rico Regiment of Infantry, see p. 106.)
 pt. 1, p. 732.

Mar. 3, 1909. **CHAP. 255.**—An Act Making appropriations for the naval
 [H. R. 26934.] service for the fiscal year ending June thirtieth, nineteen hundred
 [Public, No. and ten, and for other purposes.
 308.]
 35 Stat. L., (Marine barracks in Porto Rico. See p. 111.)
 pt. 1, p. 753.

Mar. 3, 1909. **CHAP. 264.**—An Act To provide for the repair, maintenance,
 [H. R. 28243.] and preservation of public works on rivers and harbors, and for
 [Public, No. other purposes.
 317.]

35 Stat. L., *Be it enacted by the Senate and House of Representa-*
 pt. 1, p. 815. *tives of the United States of America in Congress assem-*
bled, That for the preservation and maintenance of exist-
ing river and harbor works, heretofore appropriated for
by Congress, and for continuing in operation such dredg-
ing and other plants or equipment of any kind owned by
the United States Government, and constructed or ac-
quired for use on river and harbor improvements, there
be, and is hereby, appropriated, out of any money in the
Treasury not otherwise appropriated, to be immediately
available and to be expended under the direction of the
Secretary of War and the supervision of the Chief of
Engineers, the sum of eight million one hundred and
eighty-five thousand seven hundred and fifty dollars:
Provided, That allotments from the amount herein named
shall be made by the Secretary of War, and the same shall
be recommended by the local engineer having such chan-
nel, improvement, or other public work in charge and the
Chief of Engineers, respectively: Provided further, That
the amount allotted to any specific channel or improve-
ment shall not be greater than the estimated amount re-
quired for preservation and maintenance as transmitted
by the Chief of Engineers in a communication dated
February seventeenth, nineteen hundred and nine, which
said letter was filed with the House of Representatives
on the eighteenth day of February, nineteen hundred and
nine, and designated as House Document Numbered
Fourteen hundred and sixty-two, Sixtieth Congress,
second session.

Immediately available.

Provisos. Allotments.

Limitation.

* * * * *

PORTO RICO.

Arecibo Harbor.

* * * * *

CHAP. 297.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. Mar. 4, 1909.
[H. R. 28464.]

(*Pay of Resident Commissioner from Porto Rico.* See p. 221.) [Public. No. 326.]
35 Stat. L., pt. 1, p. 847.

CHAP. 299.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. Mar. 4, 1909.
[H. R. 28245.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and ten, namely:

[Public. No. 328.]
35 Stat. L., pt. 1, p. 945.
Sundry civil expenses appropriations.

UNDER THE TREASURY DEPARTMENT.

PUBLIC BUILDINGS.

* * * * *

San Juan, Porto Rico, post-office and court-house: For continuation of building under present limit, fifty thousand dollars. San Juan,
P. R.

* * * * *

QUARANTINE STATIONS.

* * * * *

San Juan Quarantine Station: For lazaretto, executive building, attendants' quarters, and laundry now authorized twenty-five thousand dollars; disinfecting building on shore one thousand two hundred dollars; in all, twenty-six thousand two hundred dollars. San Juan.

* * * * *

(*Quarantine system of Porto Rico.* See p. 222.)

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UNDER THE WAR DEPARTMENT.

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ENGINEER DEPARTMENT.

* * * * *

Improving harbor at San Juan, Porto Rico: For continuing improvement, three hundred thousand dollars.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(*Bringing home remains of officers and soldiers who die abroad.* See p. 113.)

* * * * *

DEPARTMENT OF STATE.

Porto Rico.
Payment to
Roman Cath-
olic Church of,
for certain
lands, etc., in.

PAYMENT TO THE CATHOLIC CHURCH IN PORTO RICO:
To give effect on the part of the United States to the basis of settlement of all matters in dispute between the Roman Catholic Church in Porto Rico on the one part and the United States and the people of Porto Rico on the other part, signed at San Juan, Porto Rico, on August twelfth, nineteen hundred and eight, by commissioners for the United States, the Roman Catholic Church of Porto Rico, and the people of Porto Rico, respectively, the Secretary of the Treasury is hereby authorized to pay to the Bishop of Porto Rico as the representative and trustee of the Roman Catholic Church in that island, and for the exclusive benefit of the Roman Catholic Church in Porto Rico, the sum of one hundred and twenty thousand dollars, in full satisfaction of all claims of every nature whatsoever relative to the properties claimed by the Roman Catholic Church in Porto Rico which are now in the possession of the United States, to wit, the building known as the Santo Domingo Barracks and the land pertaining thereto, and the site of the building formerly known as the Ballaja Barracks, now known as the Infantry Barracks, both properties in the city of San Juan, Porto Rico: *Provided*, That the Roman Catholic Church shall guarantee the title to, and shall relinquish all rights and actions regarding said properties, and that the said properties shall belong exclusively to the United States: *And provided further*, That upon the acceptance of this sum the Roman Catholic Church shall relinquish all claims of any kind whatsoever against the United States arising in Porto Rico prior to the approval of this Act.

Provisos.
Title.

Relinquish-
ment of all
claims.

* * * * *

Mar. 4, 1909.
[H. R. 27053.]

CHAP. 301.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten.

[Public, No.
330.]
35 Stat. L.,
pt. 1, p. 1039.

(*Services of weather bureau in Porto Rico; Establishment and maintenance of agricultural experiment stations in Porto Rico. See p. 224.*)

Mar. 4, 1909.
[H. R. 28192.]

CHAP. 320.—An Act To amend the Acts respecting copyright.

[Public, No.
349.]
35 Stat. L.,
pt. 1, p. 1075.

(*Applicable to Porto Rico. See p. 225.*)

Mar. 4, 1909.
[S. 2982.]

CHAP. 321.—An Act To codify, revise, and amend the penal laws of the United States.

[Public, No.
350.]
35 Stat. L.,
pt. 1, p. 1088.

(*Applicable to Porto Rico. See p. 242.*)

LEGISLATION APPLICABLE TO NONCONTIGUOUS TERRITORY OF THE UNITED STATES AND TO CUBA.

SIXTIETH CONGRESS, FIRST SESSION.

CHAP. 123.—An Act To amend section forty-four hundred and sixty-three of the Revised Statutes, relating to the complement of crews of vessels, and for the better protection of life.

Apr. 2, 1908.
[H. R. 225.]

[Public, No. 84.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-four hundred and sixty-three of the Revised Statutes of the United States be amended so as to read:

“SEC. 4463. Any vessel of the United States subject to the provisions of this title or to the inspection laws of the United States shall not be navigated unless she shall have in her service and on board such complement of licensed officers and crew as may, in the judgment of the local inspectors who inspect the vessel, be necessary for her safe navigation. The local inspectors shall make in the certificate of inspection of the vessel an entry of such complement of officers and crew, which may be changed from time to time by indorsement on such certificate by local inspectors by reason of change of conditions or employment. Such entry or indorsement shall be subject to a right of appeal, under regulations to be made by the Secretary of Commerce and Labor, to the supervising inspector and from him to the supervising inspector-general, who shall have the power to revise, set aside, or affirm the said determination of the local inspectors.

Steam vessels.
Licensed officers and crews.
Inspectors to prescribe the minimum number of.
R. S., sec. 4463.
Changes in certificates of inspection.

Appeal.

“If any such vessel is deprived of the services of any member of the crew without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage, if in the judgment of the master she is sufficiently manned for such voyage.

Vessels unavoidably deprived of member of crew.

“If the master shall fail to explain in writing such deficiency in the crew to the local inspectors within twelve hours of the time of the arrival of the vessel at her destination, he shall be liable to a penalty of fifty dollars. If the vessel shall have been insufficiently manned in the judgment of the local inspectors, the master shall be liable to a penalty of one hundred dollars, or in case of an insufficient number of licensed officers to a penalty of five hundred dollars.”

Failure to explain deficiency.

Penalty. Vessels insufficiently manned.
Penalty.

SEC. 2. That this Act shall take effect on July first, nineteen hundred and eight.

Effect.

Apr. 22, 1908.
[H. R. 20310.]

CHAP. 149.—An Act Relating to the liability of common carriers by railroad to their employees in certain cases.

[Public, No.

100.]

35 Stat. L.

pt. 1, p. 65.

Railroad
common car-
riers.

Liability of
for injuries,
etc., to employ-
ees from negli-
gence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every common carrier by railroad while engaging in commerce between any of the several States or Territories, or between any of the States and Territories, or between the District of Columbia and any of the States or Territories, or between the District of Columbia or any of the States or Territories and any foreign nation or nations, shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

Damages for
injuries, etc., in
Territories, etc.

SEC. 2. That every common carrier by railroad in the Territories, the District of Columbia, the Panama Canal Zone, or other possessions of the United States shall be liable in damages to any person suffering injury while he is employed by such carrier in any of said jurisdictions, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

Negligence of
officers, etc.

Contributory
negligence of
employee no bar
to recovery.

SEC. 3. That in all actions hereafter brought against any such common carrier by railroad under or by virtue of any of the provisions of this Act to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee: *Provided*, That no such employee who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Diminished
damages.

Proviso.

Exception.

SEC. 4. That in any action brought against any common carrier under or by virtue of any of the provisions of this Act to recover damages for injuries to, or the death of, any of its employees, such employee shall not be held to have assumed the risks of his employment in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Employment risks not assumed if law has been violated.

SEC. 5. That any contract, rule, regulation, or device whatsoever, the purpose or intent of which shall be to enable any common carrier to exempt itself from any liability created by this Act, shall to that extent be void: *Provided*, That in any action brought against any such common carrier under or by virtue of any of the provisions of this Act, such common carrier may set off therein any sum it has contributed or paid to any insurance, relief benefit, or indemnity that may have been paid to the injured employee or the person entitled thereto on account of the injury or death for which said action was brought.

Attempts to evade liability by contract, etc., void.

Proviso.

Certain contributions by employers to be deducted.

SEC. 6. That no action shall be maintained under this Act unless commenced within two years from the day the cause of action accrued.

Time limit for actions.

SEC. 7. That the term "common carrier" as used in this Act shall include the receiver or receivers or other persons or corporations charged with the duty of the management and operation of the business of a common carrier.

Receivers, etc., included in term "common carriers."

SEC. 8. That nothing in this Act shall be held to limit the duty or liability of common carriers or to impair the rights of their employees under any other Act or Acts of Congress, or to affect the prosecution of any pending proceeding or right of action under the Act of Congress entitled "An Act relating to liability of common carriers in the District of Columbia and Territories, and to common carriers engaged in commerce between the States and between the States and foreign nations to their employ-ees," approved June eleventh, nineteen hundred and six.

Prior laws not affected.

CHAP. 183.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine.

May 21, 1908. [H. R. 20345.]

[Public, No. 127.]
35 Stat. L., pt. 1, p. 171.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and nine, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

Diplomatic and consular appropriations.

* * * * *

SCHEDULE A.

* * * * *

INTERNATIONAL UNION OF AMERICAN REPUBLICS.

Bureau of American Republics.
Provisos.
 Use of receipts from other Republics, sales, etc.

International Bureau of American Republics, fifty-four thousand dollars: *Provided*, That any moneys received from the other American Republics for the support of the Bureau, or from the sale of the Bureau publications, shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the Secretary of State for the purpose of meeting the expenses of the Bureau: *And provided further*, That the Public Printer be, and he is hereby, authorized to print an edition of the Monthly Bulletin, not to exceed five thousand copies, for distribution by the Bureau every month during the fiscal year ending June thirtieth, nineteen hundred and nine.

Monthly Bulletin.

* * * * *

SCHEDULE C.

* * * * *

RELIEF AND PROTECTION OF AMERICAN SEAMEN.

Relief of American seamen.

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, the Panama Canal Zone, and the Philippine Islands, thirty thousand dollars, or so much thereof as may be necessary.

* * * * *

May 22, 1908.
 [H. R. 10882.]
 [Public. No. 130.]
 35 Stat. L., pt. 1, p. 184.

CHAP. 186.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

Legislative, executive, and judicial expenses appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and nine, for the objects hereinafter expressed, namely:

LEGISLATIVE.

* * * * *

HOUSE OF REPRESENTATIVES.

Pay of Delegates and Resident Commissioners.

For compensation of * * * Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands,

* * * * *

and the salary of each of the Resident Commissioners from the Philippine Islands shall be the same as that of the Resident Commissioner from Porto Rico.

* * * * *

CHAP. 192.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine. May 23, 1908.
[H. R. 19158.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June thirtieth, nineteen hundred and nine, for the purposes and objects hereinafter expressed, namely:

[Public, No. 136.]
35 Stat. L., pt. 1, p. 251.
Agricultural Department appropriations.

WEATHER BUREAU.

SALARIES, STATION EMPLOYEES, WEATHER BUREAU: Professors of meteorology, inspectors, district forecasters, local forecasters, section directors, research observers, observers, assistant observers, operators, skilled mechanics, repairmen, station agents, messengers, messenger boys, laborers, and other necessary employees, for duty in the District of Columbia or elsewhere in the United States, in the West Indies or on adjacent coasts, in the Hawaiian Islands, and in Bermuda, five hundred and eighty-six thousand seven hundred and fifty dollars. Station employees.

GENERAL EXPENSES, WEATHER BUREAU: Every expenditure requisite for and incident to the establishment, equipment and maintenance of meteorological observation stations in the United States, in the West Indies or on adjacent coasts, * * * including the purchase of stationery, furniture, instruments, storm-warning towers, and all other necessary supplies and materials; * * *

General expenses.
Maintenance.

PURCHASE AND DISTRIBUTION OF VALUABLE SEEDS: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, and electric current, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for rent and repairs; the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, two hundred and fifty-eight thousand dollars, of which amount not less than two hundred and two thousand dollars shall be allotted for Congressional distribution. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing,

Seeds.
Purchase, distribution, etc.

Allotment.
Seeds to be adapted to locality.

and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States.

Congressional distribution. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the Department

Packages. upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster-General may jointly determine: *Provided*, That

Provisos. all seeds, bulbs, plants, and cuttings herein allotted to Senators, Representatives, and Delegates in Congress, remaining uncalled for on the first day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the Department: *And provided also*,

Distribution of uncalled-for seeds, etc. That the Secretary shall report, as provided in this Act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used

Report of purchases. for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the tenth day of January: *Provided further*, That fifty-six thousand dollars of which sum, or so much thereof as the Secretary of Agriculture shall direct, may be used to collect, purchase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries or from our possessions for experiments

Diversion of appropriation forbidden.

Indication on wrappers.

Early delivery to southern section.

Purchase of rare seeds, etc., for experimental tests.

with reference to their introduction into and cultivation in this country; and the seeds, bulbs, trees, shrubs, vines, cuttings, and plants thus collected, purchased, tested, and propagated shall not be included in general distribution, but shall be used for experimental tests, to be carried on with the cooperation of the agricultural experiment stations.

* * * * *

FOREST SERVICE.

* * * * *

GENERAL EXPENSES, FOREST SERVICE.

To ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests of the United States, * * * to be exported from the State, Territory, or the district of Alaska, in which said forests are respectively situated: Utilizing reserves.
Sales of timber.

* * * * *

And there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of six hundred thousand dollars, to be expended as the Secretary of Agriculture may direct, for the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other permanent improvements necessary for the proper and economical administration, protection, and development of the National Forests. Permanent improvements.

* * * * *

BUREAU OF SOILS.

* * * * *

Soil Investigations: General expenses, Bureau of Soils: * * * to investigate the soils and conditions of tobacco growth in Cuba, Sumatra, and other tobacco-competing countries; Tobacco.

* * * * *

OFFICE OF EXPERIMENT STATIONS.

* * * * *

AGRICULTURAL EXPERIMENT STATIONS: * * * and the Secretary of Agriculture is hereby authorized to expend eighty-three thousand dollars of said sum to establish and maintain agricultural experiment stations in Agricultural experiment stations.

Stations, in Alaska, Hawaii, Porto Rico, and the Island of Guam, including the erection of buildings, the printing (in Hawaii and Porto Rico), illustration, and distribution of reports and bulletins: *Provided*, That not more than five thousand dollars shall be expended at Guam, and not more than twenty-six thousand dollars shall be expended for the maintenance of stations in either Alaska, Hawaii, or Porto Rico; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the Island of Guam, and to apply the money received from the sale of such products to the maintenance of said stations, and this fund shall be available until used; * * *

* * * * *

May 27, 1908. **CHAP. 200.**—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

[Public No. 141.]
35 Stat. L., pt. 1, p. 317.
Sundry civil expenses a p-
ropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, nineteen hundred and nine, namely:

* * * * *

MISCELLANEOUS OBJECTS, TREASURY DEPARTMENT.

* * * * *

Quarantine Service.

QUARANTINE SERVICE: For the maintenance and ordinary expenses, including pay of officers and employees of quarantine stations at * * * Port Townsend and supplemental stations, quarantine system of the Hawaiian Islands, and the quarantine system of Porto Rico * * *

* * * * *

UNDER THE DEPARTMENT OF COMMERCE AND LABOR.

* * * * *

LIGHT-HOUSE ESTABLISHMENT.

* * * * *

Lighting of rivers.

LIGHTING OF RIVERS: * * *; and for establishing, supplying, and maintaining post lights * * *; in Alaskan waters and Hawaiian waters; the Light-House Board being hereby authorized to lease the necessary ground for all such lights and beacons as are for tem-

porary use or are used to point out changeable channels, and which in consequence can not be made permanent, three hundred and seventy-five thousand dollars.

* * * * *

COAST AND GEODETIC SURVEY.

For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, including the survey of rivers to the head of tide water or ship navigation; deep-sea soundings, temperature and current observations along the coast and throughout the Gulf Stream and Japan Stream flowing off the said coasts; tidal observations; the necessary resurveys; the preparation of the Coast Pilot; continuing researches and other work relating to physical hydrography and terrestrial magnetism and the magnetic maps of the United States and adjacent waters, and the tables of magnetic declination, dip, and intensity usually accompanying them, astronomical and gravity observations; and including compensation, not otherwise appropriated for, of persons employed in the field work, in conformity with the regulations for the government of the Coast and Geodetic Survey adopted by the Secretary of Commerce and Labor.

Survey of
coasts under
jurisdiction of
United States.

Coast Pilot.

* * * * *

FOR FIELD EXPENSES: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States: *Provided*, That not more than twenty-five thousand dollars of this amount shall be expended on the coasts of the before-mentioned outlying islands, seventy thousand dollars, to be immediately available.

Field ex-
penses.

Proviso.
Island limi-
tations.

For surveys and necessary resurveys of the Pacific coast, including the Hawaiian Islands and Alaska and other coasts on the Pacific Ocean under the jurisdiction of the United States: *Provided*, That this appropriation be available for the transportation to and from Manila and employment in the office at Washington of not to exceed three Filipinos at any one time, one hundred and sixty thousand dollars, to be immediately available.

Pacific coast.

Proviso.
Employment,
etc., of Filippi-
nos.

* * * * *

UNITED STATES GEOLOGICAL SURVEY.

* * * * *

FOR GENERAL EXPENSES OF THE GEOLOGICAL SURVEY: For the Geological Survey and the classification of the public lands and examination of the geological structure, mineral resources, and the products of the national domain, to continue the preparation of a geological map of the

Expenses.

United States, gauging streams and determining the water supply, and for surveying forest reserves, including the pay of necessary clerical and scientific force and other employees in the field and in the office at Washington, District of Columbia, and all other absolutely necessary expenses, including telegrams, furniture, stationery, telephones, and all other necessary articles required in the field, to be expended under the direction of the Secretary of the Interior, namely:

Skilled laborers. 1 a-

For pay of skilled laborers and various temporary employees, twenty thousand dollars.

* * * * *

Forest reserves surveys.

For continuation of the topographical surveys of the public lands that have been or may hereafter be designated as forest reserves, seventy-five thousand dollars, to be immediately available.

* * * * *

UNDER THE WAR DEPARTMENT.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(Bringing home the remains of officers, soldiers and civil employees of the Army who die abroad, including the remains of soldiers who die on transports. See p. 77.)

* * * * *

JUDICIAL.

UNITED STATES COURTS.

Expenses.

EXPENSES OF THE UNITED STATES COURTS: For defraying the expenses of * * * district courts of the United States, including the district court in the Territory of Hawaii; * * * of the district court of Alaska; * * *

* * * * *

ALASKA-YUKON-PACIFIC EXPOSITION.

(Exhibits from Alaska, Hawaii and the Philippine Islands. See p. 18.)

May 27, 1908. [H. R. 19355.]
[Public, No. 143.]
35 Stat. L., pt. 1, p. 392.

CHAP. 202.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

(Fortifications in insular possessions. See p. 79.)

CHAP. 206.—An Act Making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes.

May 27, 1908.
[H. R. 18437.]
[Public, No. 147.]
35 Stat. L., pt. 1, p. 406.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated for the service of the Post-Office Department, in conformity with the Act of July second, eighteen hundred and thirty-six, as follows:

Postal service appropriations.

* * * * *

OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

* * * * *

For mail bags, cord fasteners, label cases, and labor and material necessary for manufacture and repairing equipment, and for incidental expenses pertaining thereto, five hundred thousand dollars: *Provided,* That out of this appropriation the Postmaster-General is authorized to use so much of the sum not exceeding four thousand five hundred dollars as may be deemed necessary for the purchase of material, and the manufacture of such small quantities of distinctive equipment as may be required by other Executive Departments and for service in Alaska, Porto Rico, Philippine Islands, Hawaii, or other island possessions, and for such special equipment for testing and for other purposes in connection with the reduction in weight of mail pouches and sacks.

Mail bags, etc.

Proviso.
Equipments for Alaska and island service.

* * * * *

OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL.

* * * And it shall hereafter be the duty of the Auditor for the Post-Office Department to maintain a complete and permanent record of all unpaid money orders issued by postmasters in the United States, or such of its insular possessions as are amenable to the authority of the Postmaster-General for payment within its own territory, such record to serve as a basis for adjudicating claims for payment by warrant of the amounts of said orders.

Record of unpaid orders.

* * * * *

CHAP. 212.—An Act To amend the laws relating to navigation, and for other purposes.

May 28, 1908.
[H. R. 21815.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-seven hundred and ninety-two of the Revised Statutes be, and is hereby, amended by

[Public, No. 152.]
35 Stat. L., pt. 1, p. 424.
Navigation laws.
Entry, etc.

adding thereto, thirty days after the passage of this Act, the following:

Vessels making triweekly trips exempt from fees.
R. S., sec. 2792, amended.

“Any passenger vessel engaged triweekly or oftener in trade between ports of the United States and foreign ports shall be exempt from entrance and clearance fees and tonnage taxes while such service triweekly or oftener is maintained.”

Licensed officers.

SEC. 2. That section forty-four hundred and thirty-eight of the Revised Statutes is hereby amended to read as follows sixty days after the passage of this Act:

Licenses of masters, etc., modified.
R. S., sec. 4438, amended.

“SEC. 4438. The boards of local inspectors shall license and classify the masters, chief mates, and second and third mates, if in charge of a watch, engineers, and pilots of all steam vessels, and the masters of sail vessels of over seven hundred gross tons, and all other vessels of over one hundred gross tons carrying passengers for hire. It shall be unlawful to employ any person or for any person to serve as a master, chief mate, engineer, or pilot of any steamer or as master of any sail vessel of over seven hundred gross tons or of any other vessel of over one hundred gross tons carrying passengers for hire who is not licensed by the inspectors; and anyone violating this section shall be liable to a penalty of one hundred dollars for each offense.”

Sail vessels.

Penalty for violations.

SEC. 3. That section forty-four hundred and sixty-seven of the Revised Statutes is hereby amended to read as follows:

Count of passengers required.
R. S., sec. 4467, amended.

“SEC. 4467. The master of every passenger steamer shall keep a correct count of all the passengers received and delivered from day to day, which count shall be open to the inspection of the inspectors and officers of the customs at all times, and the aggregate number of passengers shall be furnished to inspectors as often as called for:

Provisos. List required on seagoing, etc., steamers.

Provided, however, That a correct list of passengers received and delivered from day to day shall be kept, instead of a correct count, by the masters of seagoing passenger steamers in the coastwise trade and by the masters of passenger steamers on the Great Lakes on routes exceeding three hundred miles: *Provided further,* That nothing herein shall affect existing laws relative to vessels running between this country and foreign ports.”

Foreign trade not affected.

SEC. 4. That section forty-four hundred and sixty-eight of the Revised Statutes is hereby amended to read as follows:

Penalty for failure.
R. S., sec. 4468, p. 865, amended.

“SEC. 4468. Every master of any passenger steamer who fails, through negligence or design, to keep a count or list of passengers as required by the preceding section shall be liable to a penalty of one hundred dollars.”

Yachts. Reciprocal exemption of foreign, from tonnage, etc., fees.
R. S., sec. 4216.

SEC. 5. That whenever it shall be made to appear to the satisfaction of the President of the United States that yachts belonging to any regularly organized yacht club of the United States are allowed to arrive at and depart from any foreign port and to cruise in the waters of such port without entering or clearing at the custom-house

thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage taxes or charges for cruising licenses, the Secretary of Commerce and Labor may authorize and direct the customs authorities at the various ports and subports of entry of the United States to allow yachts from such foreign port belonging to any regularly organized yacht club thereof to arrive at and depart from any port or subport of the United States and to cruise in waters of the United States without the payment of any charges for entering or clearing, dues, duty per ton, or tonnage taxes, but the Secretary of Commerce and Labor may, in his discretion, direct that such foreign yachts shall be required to obtain licenses to cruise, in a form prescribed by him, before they shall be allowed under the provisions of this Act to cruise in waters of the United States. Such licenses shall be issued without cost to such yachts and shall prescribe such limitations as to length of time, direction, and place of cruising and action, and such other particulars as the Secretary of Commerce and Labor may deem proper: *Provided*, That the privileges of this section shall not extend to any yacht built outside of the United States and owned, chartered, or used by a citizen of the United States unless such ownership or charter was acquired prior to February fifth, eighteen hundred and ninety-seven.

Licenses.

Limitations,
etc.

Proviso.
Foreign
yachts owned,
etc., by citizens
excluded.

SEC. 6. That section forty-two hundred and sixteen of the Revised Statutes is hereby repealed.

R. S. sec.
4216, repealed.

SEC. 7. That thirty days after the passage of this Act if a shipowner desires to use for the purpose of a private code any rockets, lights, or other similar signals, he may register those signals and house flags and funnel marks with the Commissioner of Navigation, who shall give public notice from time to time of the signals, house flags, and funnel marks so registered in such manner as he may think requisite for preventing those signals from being mistaken for signals of distress or signals for pilots. The Commissioner of Navigation may refuse to register any signals which in his opinion can not easily be distinguished from signals of distress, signals for pilots, or signals prescribed by laws for preventing collisions.

Private sig-
nals.

Registry,
etc., permitted.

SEC. 9. That section forty-four hundred and fourteen of the Revised Statutes of the United States be amended by inserting in the first paragraph thereof, after the words "and Burlington, Vermont," and before the words "one inspector of hulls," the words "Honolulu, Hawaii, and San Juan, Porto Rico;" and that the said section be further amended by inserting in the fifth paragraph thereof, after the words "and Norfolk, Virginia," and before the words "at the rate of two thousand dollars," the words "Honolulu, Hawaii, and San Juan, Porto Rico."

Inspectors of
hulls and boll-
ers.

R. S. sec.
4414, amended.
Honolulu,
Hawaii, and
San Juan, P.
R., added.

SEC. 10. That on and after January first, nineteen hundred and nine, the local inspectors of steamboats shall at least once in every year inspect the hull and equipment

Seagoing
barges
Annual in-
spection to be
made.

of every seagoing barge of one hundred gross tons or over, and shall satisfy themselves that such barge is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the crew, and is in a condition to warrant the belief that she may be used in navigation with safety to life. They shall then issue a certificate of inspection in the manner and for the purposes prescribed in sections forty-four hundred and twenty-one and forty-four hundred and twenty-three of the Revised Statutes.

Certificates.
R. S. secs.
4421, 4423.

Life-saving
appliances re-
quired.

SEC. 11. That every such barge shall be equipped with the following appliances of kinds approved by the Board of Supervising Inspectors: At least one lifeboat, at least one anchor with suitable chain or cable, and at least one life-preserver for each person on board.

Requirements
before registry,
etc.

SEC. 12. That a register, enrollment, or license shall not be issued or renewed by any collector or other officer of customs to any such barge unless at the time of issue or renewal such barge has in force the certificates of inspection prescribed by section ten and on board the equipment prescribed by section eleven.

Penalty for
violations.

SEC. 13. That if any such barge shall be navigated without such certificate of inspection, or without any part of the equipment prescribed by section eleven, the owner shall be liable to a penalty of five hundred dollars for each offense.

Towing ves-
sels in inland
waters.

Regulations
for hawsers,
etc., to be pre-
pared.

SEC. 14. That the chairman of the Light-House Board, the Supervising Inspector-General of the Steamboat-Inspection Service, and the Commissioner of Navigation shall convene as a board at such times as the Secretary of Commerce and Labor shall prescribe to prepare regulations limiting the length of hawsers between towing vessels and seagoing barges in tow and the length of such tows within any of the inland waters of the United States designated and defined from time to time pursuant to section two of the Act approved February nineteenth, eighteen hundred and ninety-five, and such regulations when approved by the Secretary of Commerce and Labor shall have the force of law.

Enforcement.

Penalty for
violation by
master.

SEC. 15. That the master of the towing vessel shall be liable to the suspension or revocation of his license for any willful violation of regulations issued pursuant to section fourteen in the manner now prescribed for incompetency, misconduct, or unskillfulness.

May 30, 1908.
[H. R. 19795.]

CHAP. 225.—An Act To promote the safety of employees on railroads.

[Public, No.
165.]

35 Stat. L.,
pt. 1, p. 476.

Locomotive
ash pan.

Engines to be
equipped with
safety pans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the first day of January, nineteen hundred and ten, it shall be unlawful for any common carrier engaged in interstate or foreign commerce by rail-

road to use any locomotive in moving interstate or foreign traffic, not equipped with an ash pan, which can be dumped or emptied and cleaned without the necessity of any employee going under such locomotive.

SEC. 2. That on and after the first day of January, nineteen hundred and ten, it shall be unlawful for any common carrier by railroad in any Territory of the United States or the District of Columbia to use any locomotive not equipped with an ash pan, which can be dumped or emptied and cleaned without the necessity of any employee going under such locomotive.

Use of locomotives not equipped with, forbidden.

SEC. 3. That any such common carrier using any locomotive in violation of any of the provisions of this Act shall be liable to a penalty of two hundred dollars for each and every such violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorney to bring such suits upon duly verified information being lodged with him of such violation having occurred; and it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge.

Penalty for violation.

Suits.

Information.

SEC. 4. That it shall be the duty of the Interstate Commerce Commission to enforce the provisions of this Act, and all powers heretofore granted to said Commission are hereby extended to it for the purpose of the enforcement of this Act.

Interstate Commerce Commission to enforce act.

SEC. 5. That the term "common carrier" as used in this Act shall include the receiver or receivers or other persons or corporations charged with the duty of the management and operation of the business of a common carrier.

Receivers, etc., included in term "common carrier."

SEC. 6. That nothing in this Act contained shall apply to any locomotive upon which, by reason of the use of oil, electricity, or other such agency, an ash pan is not necessary.

Exception.

CHAP. 227.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and eight, and for prior years, and for other purposes.

May 30, 1908. [H. R. 21946.]

[Public, No. 167.]
35 Stat. L.,
pt. 1, p. 478.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year nineteen hundred and eight, and for prior years, and for other objects hereinafter stated, namely:

* * * * *

LEGISLATIVE.

* * * * *

HOUSE OF REPRESENTATIVES.

House of Representatives. For compensation of * * * , Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, and Resident Commissioners.

* * * * *

May 30, 1908. CHAP. 234.—An Act To promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation.

[Public, No. 174.]
35 Stat. L., pt. 1, p. 554.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful to transport, carry, or convey any dynamite, gunpowder, or other explosive between a place in any foreign country and a place within the United States, or a place in any State, Territory, or District of the United States, and a place in any other State, Territory, or District thereof, on any vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire: *Provided,* That it shall be lawful to transport on any such vessel, or vehicle, small arms ammunition in any quantity, and such fuses, torpedoes, rockets, or other signal devices as may be essential to promote safety in operation, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle; but such samples shall not be carried in that part of a vessel or vehicle which is intended for the transportation of passengers for hire: *And provided further,* That nothing in this section shall be construed to prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment vessels or vehicles.

Explosives. Carrying dynamite, etc., on passenger vessels and vehicles prohibited.

Provisos. Exceptions, samples, etc.

Restriction.

Transportation of military and naval munitions of war, etc., allowed.

Regulations. Interstate Commerce Commission to promulgate.

Changes.

SEC. 2. That within ninety days from the passage of this Act the Interstate Commerce Commission shall formulate regulations for the safe transportation of explosives, and said regulations shall be binding upon all common carriers engaged in interstate commerce which transport explosives by land, and violations of them shall be subject to the penalties hereinafter provided. The Interstate Commerce Commission, on its own motion or upon application made by any interested party, may make changes or modifications of the regulations for the safe transportation of explosives, made desirable by new information or altered conditions, and such changed regulations shall have all the force of the original regulations. The regulations for the safe transportation of explosives referred to in this section shall be in accord with the best known

Packing, marking, etc.

practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport. The regulations for the safe transportation of explosives shall take effect three months after their formulation and publication by the Interstate Commerce Commission, and shall be in effect until reversed, set aside, or modified.

Effect.

SEC. 3. That it shall be unlawful to transport, carry, or convey liquid nitroglycerine, fulminate in bulk in dry condition, or other like explosive between a place in a foreign country and a place within the United States, or a place in one State, Territory, or District of the United States and a place in any other State, Territory, or District thereof, on any vessel or vehicle of any description operated by a common carrier in the transportation of passengers or articles of commerce by land or water.

Nitroglycerine, etc. Interstate, etc. transportation of, prohibited.

SEC. 4. Every package containing explosives or other dangerous articles when presented to a common carrier for shipment shall have plainly marked on the outside thereof the contents thereof, and it shall be unlawful for any person to deliver, for interstate or foreign transportation, to any common carrier engaged in interstate or foreign commerce by land or water, or to cause to be delivered, or to carry, any explosive, or other dangerous article, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier of the true character thereof, at or before the time such delivery or carriage is made.

Marking packages of explosives.

Deceptive marking.

SEC. 5. That every person who knowingly violates, or causes to be violated, any of the foregoing provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished for each offense by a fine not exceeding two thousand dollars, or by imprisonment not exceeding eighteen months, or by both such fine and imprisonment, in the discretion of the court.

Penalty. R. S. sec. 5253, amended.

SEC. 6. That this Act shall take effect immediately, and all Acts or parts of Acts in conflict therewith are hereby repealed, except section forty-four hundred and twenty-two of the Revised Statutes of the United States, which shall remain in full force and effect.

Effect. Repeal. R. S., sec. 4422.

CHAP. 236.—An Act Granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment. [Public. No. 176.] 35 Stat. L., pt. 1, p. 556. [H. R. 21844.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when, on or after August first, nineteen hundred and eight, any person employed by the United States as an artisan or laborer in any of its manufacturing establishments, arsenals, or navy-yards, or in the con-

Government employees. Compensation for injuries sustained during employment.

Character of work specified. construction of river and harbor or fortification work or in hazardous employment on construction work in the reclamation of arid lands or the management and control of the same, or in hazardous employment under the Isthmian Canal Commission, is injured in the course of such employment, such employee shall be entitled to receive for one year thereafter, unless such employee, in the opinion of the Secretary of Commerce and Labor, be sooner able to resume work, the same pay as if he continued to be employed, such payment to be made under such regulations as the Secretary of Commerce and Labor may prescribe: *Provided*, That no compensation shall be paid under this Act where the injury is due to the negligence or misconduct of the employee injured, nor unless said injury shall continue for more than fifteen days. All questions of negligence or misconduct shall be determined by the Secretary of Commerce and Labor.

Time limit.

Proviso. Restriction.

Compe n s a - tion to widow, etc.

Regulations.

Proviso. Remain i n g beneficiaries to receive deceased widow's portion.

Reports of injuries.

Character of reports.

SEC. 2. That if any artisan or laborer so employed shall die during the said year by reason of such injury received in the course of such employment, leaving a widow, or a child or children under sixteen years of age, or a dependent parent, such widow and child or children and dependent parent shall be entitled to receive, in such portions and under such regulations as the Secretary of Commerce and Labor may prescribe, the same amount, for the remainder of the said year, that said artisan or laborer would be entitled to receive as pay if such employee were alive and continued to be employed: *Provided*, That if the widow shall die at any time during the said year her portion of said amount shall be added to the amount to be paid to the remaining beneficiaries under the provisions of this section, if there be any.

SEC. 3. That whenever an accident occurs to any employee embraced within the terms of the first section of this Act, and which results in death or a probable incapacity for work, it shall be the duty of the official superior of such employee to at once report such accident and the injury resulting therefrom to the head of his Bureau or independent office, and his report shall be immediately communicated through regular official channels to the Secretary of Commerce and Labor. Such report shall state, first, the time, cause, and nature of the accident and injury and the probable duration of the injury resulting therefrom; second, whether the accident arose out of or in the course of the injured person's employment; third, whether the accident was due to negligence or misconduct on the part of the employee injured; fourth, any other matters required by such rules and regulations as the Secretary of Commerce and Labor may prescribe. The head of each Department or independent office shall have power, however, to charge a special official with the duty of making such reports.

SEC. 4. That in the case of any accident which shall result in death, the persons entitled to compensation under this Act or their legal representatives shall, within ninety days after such death, file with the Secretary of Commerce and Labor an affidavit setting forth their relationship to the deceased and the ground of their claim for compensation under the provisions of this Act. This shall be accompanied by the certificate of the attending physician setting forth the fact and cause of death, or the nonproduction of the certificate shall be satisfactorily accounted for. In the case of incapacity for work lasting more than fifteen days, the injured party desiring to take the benefit of this Act shall, within a reasonable period after the expiration of such time, file with his official superior, to be forwarded through regular official channels to the Secretary of Commerce and Labor, an affidavit setting forth the grounds of his claim for compensation, to be accompanied by a certificate of the attending physician as to the cause and nature of the injury and probable duration of the incapacity, or the nonproduction of the certificate shall be satisfactorily accounted for. If the Secretary of Commerce and Labor shall find from the report and affidavit or other evidence produced by the claimant or his or her legal representatives, or from such additional investigation as the Secretary of Commerce and Labor may direct, that a claim for compensation is established under this Act, the compensation to be paid shall be determined as provided under this Act and approved for payment by the Secretary of Commerce and Labor.

Affidavit filed
in case of
death.

Time limit.

Physician's
certificate.
Affidavit in
case of injury.

Contents of
affidavit, etc.

Determining
compensation.

SEC. 5. That the employee shall, whenever and as often as required by the Secretary of Commerce and Labor, at least once in six months, submit to medical examination, to be provided and paid for under the direction of the Secretary, and if such employee refuses to submit to or obstructs such examination his or her right to compensation shall be lost for the period covered by the continuance of such refusal or obstruction.

Medical ex-
amination.

Refusal to
be examined.

SEC. 6. That payments under this Act are only to be made to the beneficiaries or their legal representatives other than assignees, and shall not be subject to the claims of creditors.

Payments to
beneficiaries,
etc.

SEC. 7. That the United States shall not exempt itself from liability under this Act by any contract, agreement, rule, or regulation, and any such contract, agreement, rule, or regulation shall be pro tanto void.

Contracts ex-
empting from
liability void.

SEC. 8. That all Acts or parts of Acts in conflict herewith or providing a different scale of compensation or otherwise regulating its payment are hereby repealed.

Repeal.

JOINT RESOLUTION.

May 28, 1908. [No. 30.] Joint Resolution Relating to the assignment of space
 [H. J. R. 186.] in the House Office Building.

[Pub. Res., No.

30.]

35 Stat. L.,
 pt. 1, p. 578.

House Office
 Building.

Assignment
 of rooms.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,
 That the assignment of rooms in the office building of the House of Representatives, which shall hereafter be designated as the House Office Building, heretofore made by resolution or order of the House of Representatives, shall continue in force until modified or changed in accordance with the provisions of this resolution, and the room so assigned to any Representative shall continue to be held by such Representative as his individual office room so long as he shall remain a member or member-elect of the House of Representatives, or until he shall relinquish the same, subject, however, to the provisions of this resolution, and no Representative shall allow his office room to be used for any other purpose.

Filing writ-
 ten requests for
 vacant rooms.

Any member or member-elect of the House of Representatives may file with the Superintendent of the Capitol Building and Grounds a request in writing that any individual office room be assigned to him whenever it shall become vacant. If only one such request has been made for any room which shall at any time have become vacant, the room shall be assigned as requested. If two or more requests are made for the same vacant room, preference shall be given to the Representative making the request who has been longest in continuous service as a member and member-elect of the House of Representatives. If two or more Representatives with equal length of continuous service, or two or more Representatives-elect make request for the same room, preference shall be given to the one first preferring his request. A Representative or Representative-elect making request for the assignment of a vacant room may withdraw the same at any time and no one shall have pending at the same time more than one such request. The assignment of a new room to a Representative, upon his request, or the appointment of any Representative having an individual office room as chairman of a committee having a committee room, shall act as a relinquishment by him of the room previously assigned to him.

Preference
 rights.

First request
 to be granted.

Assignment
 of new room,
 etc.

Exchange of
 rooms.

Record of as-
 signments and
 changes.

Representatives having rooms assigned to them in the foregoing manner may exchange rooms one with another, but such exchange shall be valid only so long as both members making the exchange shall remain continuously members or members-elect of the House of Representatives.

The Superintendent of the Capitol Building and Grounds shall keep a record of the assignment of rooms heretofore or hereafter made, exchanges which may be made, requests for vacant rooms which may be filed, and

the assignment thereof, which record shall be open for the inspection of Representatives or Representatives-elect of the House.

In the matter of the assignment of rooms under this resolution, Delegates in Congress and the Commissioners from Porto Rico and the Philippine Islands shall be treated the same as Representatives. Delegates and Resident Commissioners.

The assignment and reassignment of the rooms and other space in the House Office Building shall be subject to the control of the House of Representatives by rule, resolution, order, or otherwise. Nothing in this resolution shall be construed to affect or repeal the provisions of law heretofore enacted placing said House Office Building under the control of the Superintendent of the Capitol Building and Grounds, subject to the approval and direction of the Commissions provided for respectively in the Act of March third, nineteen hundred and three, and the Act of March fourth, nineteen hundred and seven. Assignments, etc., subject to control of House. Superintendent of Capitol, etc., control, etc., not affected.

Unoccupied space in said building shall be assigned by the Superintendent of the Capitol Building and Grounds under the direction of the Commission and subject to the control of the House of Representatives. Unoccupied space.

SIXTIETH CONGRESS, SECOND SESSION.

Dec. 19, 1908. CHAP. 6.—An Act To amend section one of the passenger Act
[S. 5083.] of eighteen hundred and eighty-two.

[Public, No.
183.]
35 Stat. L.,
pt. 1, p. 583.
Steerage pas-
sengers.
Accommoda-
tions for.

*Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assem-
bled,* That section one of the passenger Act of eighteen
hundred and eighty-two be, and is hereby, amended so as
to read:

Provis ions
for compart-
ments, etc., on
all vessels.

“It shall not be lawful for the master of any vessel
whereon steerage passengers have been taken at any port
or place in a foreign country or dominion (ports and
places in foreign territory contiguous to the United States
excepted) to bring such vessel and passengers to or take
from any port or place in the United States unless the
compartments, spaces, and accommodations hereinafter
mentioned have been provided, allotted, maintained, and
used for and by such passengers during the entire voyage,
unobstructed by cargo, stores, or goods. The master of
a vessel coming to a port or place in the United States in
violation of any of the provisions of this section shall be
deemed guilty of a misdemeanor; and if the number of
steerage passengers carried or brought in the vessel, or
in any compartment, space, poop, or deck house thereof,
is greater than the number allowed to be carried or
brought therein, respectively, as hereinafter prescribed,
the said master shall be fined fifty dollars for each and
every such passenger in excess of the proper number, and
may also be imprisoned not exceeding six months.

Punishme nt
for violat ions.

Comput ing
number of pas-
sengers.

“In computing the number of passengers carried or
brought in any vessel, children under one year of age
shall not be included, and two children between one and
eight years of age shall be counted as one passenger; and
any person brought in such vessel who shall have been,
during the voyage, taken from any other vessel wrecked
or in distress on the high seas, or have been picked up at
sea from any boat, raft, or otherwise, shall not be in-
cluded in such computation.

Exception.

Meaning of
“steerage pas-
sengers.”

“Second. The expression ‘steerage passenger’ means
all passengers except cabin passengers, and persons shall
not be deemed cabin passengers unless the space allotted
to their exclusive use is in the proportion of at least
thirty-six clear superficial feet to each passenger.

Defining cer-
tain decks.

“Third. The expression ‘lowest passenger deck’ means
the deck next below the water line; and the expression
‘passenger deck’ includes every deck or portion of a deck
which is above the lowest passenger deck, and is appro-
priated for passengers.

“Fourth. A vessel shall not carry passengers, whether cabin or steerage passengers, on more than one deck below the water line. Decks below water line.

“Fifth. The height between that part of any deck on which steerage passengers are carried and the deck immediately above it shall not be less than six feet. Height between decks.

“Sixth. No steerage passengers shall be carried on the lowest passenger deck unless it is efficiently lighted by side scuttles and otherwise to the satisfaction of the inspector. Side scuttles, etc., for lowest passenger decks.

“Seventh. No greater number of steerage passengers shall be carried on the lowest passenger deck than in the proportion of one steerage passenger to every twenty-one clear superficial feet allotted to their use. If, however, the height between the lowest passenger deck and the deck immediately above it is less than seven feet, and the apertures, exclusive of side scuttles, through which light and air are admitted are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, no greater number of steerage passengers shall be carried on that deck than in the proportion of one steerage passenger to every thirty clear superficial feet thereof, subject to the allowance for measurement of public rooms, lavatories, and bath rooms, if any, provided for by paragraph ten. Proportion of passengers allowed. Light and ventilation.

“Eighth. No greater number of steerage passengers may be carried on a passenger deck than in the proportion of one steerage passenger to every eighteen clear superficial feet of deck allotted to their use, subject to the allowance for measurement of public rooms, lavatories, and bath rooms, if any, provided for by paragraph ten. If, however, the height between any passenger deck and the deck immediately above it be less than seven feet, no greater number of steerage passengers may be carried on that deck than in the proportion of one steerage passenger to every twenty-one clear superficial feet thereof, subject to the allowance for measurement of public rooms, lavatories, and bath rooms, if any, provided for by paragraph ten. Deck space restrictions.

“Ninth. A vessel, whatever be the superficial space of the passenger decks and of the lowest passenger deck, shall not carry a greater number of steerage passengers on the whole than in the proportion of one steerage passenger to every five superficial feet of air or promenade space provided on a deck so open as not to be included in the tonnage and approved by the inspector, and this space shall not be counted or included in the area available for any other passengers, or in other areas for steerage passengers prescribed by this section. One passenger for every 5 superficial feet of air space.

“Tenth. In the measurement of the passenger decks and of the lowest passenger deck, the space occupied by that part of the personal baggage of the steerage passengers which the inspector permits to be carried there shall Baggage space, etc.

be included, and also, on whatever deck located, commodious and suitable dining rooms, lounging rooms, smoking rooms, lavatories, toilet rooms, and bath rooms: *Provided*, That—

Providso.

Sleeping space, etc.

“(a) The space in any place appropriated to the use of steerage passengers in which they sleep shall not be less than eighteen superficial feet in the case of the lowest passenger deck and fifteen superficial feet in the case of a passenger deck.

“(b) Each space so included in the measurement must be clearly marked to the satisfaction of the inspector as being exclusively appropriated for the use of the steerage passengers.

Marking berth compartments.

“Eleventh. Each separate compartment in which steerage passengers are berthed shall be conspicuously marked, showing the total area of such compartments.”

Repeal.

SEC. 2. That section forty-two and so much of sections forty-three and forty-four of the Act approved February twentieth, nineteen hundred and seven, entitled “An Act to regulate the immigration of aliens into the United States,” as provides for the repeal of section one of the passenger Act of eighteen hundred and eighty-two are hereby repealed.

Effect.

SEC. 3. That this Act shall take effect on January first, nineteen hundred and nine.

Feb. 18, 1909.
[S. 3969.]

CHAP. 144.—An Act To amend the laws of the United States relating to the registration of trade-marks.

[Public No. 238.]
35 Stat. L., pt. 1, p. 627.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section two of the Act of February twentieth, nineteen hundred and five, and Section one of the Act of May fourth, nineteen hundred and six, be, and the same are hereby, amended so that the sections shall, respectively, read as follows:

Trade-marks. Laws of, extended to interstate commerce.

Verified declaration of ownership. R. S., sec. 4938.

“SEC. 2. That the application prescribed in the foregoing section, in order to create any right whatever in favor of the party filing it, must be accompanied by a written declaration verified by the applicant, or by a member of the firm or an officer of the corporation or association applying, to the effect that the applicant believes himself or the firm, corporation, or association in whose behalf he makes the application to be the owner of the trade-mark sought to be registered, and that no other person, firm, corporation, or association, to the best of the applicant’s knowledge and belief, has the right to use such trade-mark in the United States, either in the identical form or in such near resemblance thereto as might be calculated to deceive; that such trade-mark is used in commerce among the several States, or with foreign na-

Use in the United States.

tions, or with Indian tribes, and that the description and drawing presented truly represent the trade-mark sought to be registered. If the applicant resides or is located in a foreign country, the statement required shall, in addition to the foregoing, set forth that the trade-mark has been registered by the applicant, or that an application for the registration thereof has been filed by him in the foreign country in which he resides or is located, and shall give the date of such registration, or the application thereof, as the case may be, except that in the application in such cases it shall not be necessary to state that the mark has been used in commerce with the United States or among the States thereof. The verification required by this section may be made before any person within the United States authorized by law to administer oaths, or, when the applicant resides in a foreign country, before any minister, chargé d'affaires, consul, or commercial agent holding commission under the Government of the United States, or before any notary public, judge, or magistrate having an official seal and authorized to administer oaths in the foreign country in which the applicant may be whose authority shall be proved by a certificate of a diplomatic or consular officer of the United States.

Applicants
residing
abroad.

Proof of reg-
istration, etc.,
in country of
residence.

Verification,
how made.

“SEC. 1. That the owner of a trade-mark used in commerce with foreign nations, or among the several States, or with Indian tribes, provided such owner shall be domiciled within the territory of the United States, or resides in or is located in any foreign country which, by treaty, convention, or law, affords similar privileges to the citizens of the United States, may obtain registration for such trade-mark by complying with the following requirements: First, by filing in the Patent Office an application therefor, in writing, addressed to the Commissioner of Patents, signed by the applicant, specifying his name, domicile, location, and citizenship; the class of merchandise and the particular description of goods comprised in such class to which the trade-mark is appropriated; a statement of the mode in which the same is applied and affixed to goods, and the length of time during which the trade-mark has been used; a description of the trade-mark itself shall be included, if desired by the applicant or required by the Commissioner, provided such description is of a character to meet the approval of the Commissioner. With this statement shall be filed a drawing of the trade-mark, signed by the applicant, or his attorney, and such number of specimens of the trade-mark as actually used as may be required by the Commissioner of Patents. Second, by paying into the Treasury of the United States the sum of ten dollars, and otherwise complying with the requirements of this Act and such regulations as may be prescribed by the Commissioner of Patents.”

Applicati o n
requirements.
R. S., sec.
4937.

Descripti o n
of trade-mark
may be given.

Feb. 15, 1909. **CHAP. 127.**—An Act To amend section seven hundred and four-
 [S. 4535.] teen of the Revised Statutes of the United States, relating to the
 [Public No. 227.] resignation of judges of the courts of the United States.

35 Stat. L., *Be it enacted by the Senate and House of Representa-*
 pt. 1, p. 619. *tives of the United States of America in Congress assem-*
 United States courts, *bled,* That section seven hundred and fourteen of the
 R e t i r e d Revised Statutes of the United States be, and the same is
 judges. hereby, amended to read as follows:
 R. S., sec. 714. "SEC. 714. When any judge of any court of the United

714. States appointed to hold his office during good behavior
 Pay to be that received ten years prior to resignation. resigns his office, after having held a commission or com-
 missions as judge of any such court or courts at least ten
 years continuously, and having attained the age of seventy
 years, he shall, during the residue of his natural life,
 receive the salary which is payable at the time of his
 retirement for the office that he held at a time ten years
 before his resignation."

Mar. 1, 1909. **CHAP. 232.**—An Act Making appropriations for the service of
 [H. R. 26305.] the Post-Office Department for the fiscal year ending June thirtieth,
 [Public No. 290.] nineteen hundred and ten, and for other purposes.

35 Stat. L., *Be it enacted by the Senate and House of Representa-*
 pt. 1, p. 660. *tives of the United States of America in Congress assem-*
 Postal service appropria- *bled,* That the following sums be, and they are hereby,
 tions. appropriated for the service of the Post-Office Depart-
 ment, in conformity with the Act of July second, eighteen
 hundred and thirty-six, as follows:

* * * * *

OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

* * * * *

Mail bags, etc. For mail bags, metal for mail-bag attachments, cord
 fasteners, label cases, and labor and material necessary
 for manufacture and repairing equipment, and for inci-
 dental expenses pertaining thereto, four hundred and
 twenty thousand dollars: *Provided,* That out of this
 appropriation the Postmaster-General is authorized to
 use so much of the sum, not exceeding four thousand five
 hundred dollars, as may be deemed necessary for the pur-
 chase of material, and the manufacture in the mail-bag
 repair shop of such small quantities of distinctive equip-
 ment as may be required by other executive departments,
 and for service in Alaska, Porto Rico, Philippine Islands,
 Hawaii, or other island possessions, and for such special
 equipment for testing and for other purposes in connec-
 tion with the reduction in the weight of mail equipment.

Proviso. Equipments for Alaska and island possessions.

* * * * *

CHAP. 235.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten. Mar. 2, 1909.
[H. R. 27523.]

[Public No. 292.]
35 Stats. L.,
pt. 1, p. 672.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and ten, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

Diplomatic and consular appropriations.

* * * * *

RELIEF AND PROTECTION OF AMERICAN SEAMEN.

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, the Panama Canal Zone, and the Philippine Islands, thirty thousand dollars, or so much thereof as may be necessary.

* * * * *

CHAP. 255.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. Mar. 3, 1909.
[H. R. 26394.]

[Public No. 308.]
35 Stat. L.,
pt. 1, p. 753.

(Pay to civilian employees in island possessions; Sale of naval stores in insular possessions. See pp. 108, 109, 110.)

CHAP. 297.—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes. Mar. 4, 1909.
[H. R. 23464.]

[Public No. 326.]
35 Stat. L.,
pt. 1, p. 847.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and ten, for the objects hereinafter expressed, namely:

Legislative, executive, and judicial expenses appropriations.

LEGISLATIVE.

* * * * *

HOUSE OF REPRESENTATIVES.

For compensation of * * * , Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, * * * Pay of Delegates and Resident Commissioners.

For mileage of * * * and Delegates, and expenses of Resident Commissioners, * * * Mileage.

* * * * *

Mar. 4, 1909. **CHAP. 299.**—An Act Making appropriations for sundry civil
 [H. R. 28245.] expenses of the Government for the fiscal year ending June thir-
 [Public. No. tieth, nineteen hundred and ten, and for other purposes.
 328.]

35 Stat. L.,
 pt. 1, p. 945.

*Be it enacted by the Senate and House of Representa-
 tives of the United States of America in Congress assem-
 bled, That the following sums be, and the same are here-
 by, appropriated, for the objects hereinafter expressed,
 for the fiscal year ending June thirtieth, nineteen hundred
 and ten, namely:*

* * * * *

UNDER THE TREASURY DEPARTMENT.

* * * * *

Quarantine
 Service.

QUARANTINE SERVICE: For the maintenance and ordi-
 nary expenses, including pay of officers and employees
 in the offices of quarantine stations at * * * Port Townsend
 and supplemental stations thereto, quarantine system of the
 Hawaiian Islands, and the quarantine system of Porto
 Rico, four hundred thousand dollars.

* * * * *

**UNDER THE DEPARTMENT OF COMMERCE
 AND LABOR.**

* * * * *

LIGHT-HOUSE ESTABLISHMENT.

* * * * *

Lighting of
 rivers.

LIGHTING OF RIVERS: For the pay of officers and crews
 of light-house tenders and of clerks and other employees
 in the offices of the light-house inspectors; and for est-
 ablishing, supplying, and maintaining post lights
 * * * ; in Alaskan waters and Hawaiian waters; the
 Light-House Board being hereby authorized to lease the
 necessary ground for all such lights and beacons as are
 for temporary use or are used to point out changeable
 channels, and which in consequence can not be made per-
 manent, three hundred and seventy-five thousand dol-
 lars.

* * * * *

COAST AND GEODETIC SURVEY.

* * * * *

Field ex-
 penses.

FOR FIELD EXPENSES: For surveys and necessary resur-
 veys of the Atlantic and Gulf coasts of the United States,
 including the coasts of outlying islands under the juris-
 diction of the United States: *Provided*, That not more
 than twenty-five thousand dollars of this amount shall
 be expended on the coasts of the before-mentioned out-
 lying islands, seventy thousand dollars to be immediately
 available;

Provido.
 Island liml-
 tations.

For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States: *Provided*, That this appropriation be available for the transportation to and from Manila and employment in the office at Washington of not to exceed three Filipinos at any one time, one hundred and sixty thousand dollars, to be immediately available; * * *

Pacific coast.

Proviso.
Employing,
etc., Filipinos.

* * * * *

UNDER THE DEPARTMENT OF THE INTERIOR.

* * * * *

UNITED STATES GEOLOGICAL SURVEY.

* * * * *

FOR GENERAL EXPENSES OF THE GEOLOGICAL SURVEY: For the Geological Survey and the classification of the public lands and examination of the geological structure, mineral resources, and the products of the national domain, to continue the preparation of a geological map of the United States, gauging streams and determining the water supply, and for surveying national forests, including the pay of necessary clerical and scientific force and other employees in the field and in the office at Washington, District of Columbia, and all other absolutely necessary expenses, including telegrams, furniture, stationery, telephones, and all other necessary articles required in the field, to be expended under the direction of the Secretary of the Interior, namely:

Expenses.

* * * * *

For continuation of the topographical surveys of the public lands that have been or may hereafter be designated as national forests, seventy-five thousand dollars, to be immediately available;

Forest re-
serve surveys.

* * * * *

UNDER THE WAR DEPARTMENT.

* * * * *

NATIONAL CEMETERIES.

* * * * *

(Bringing home remains of officers and soldiers who die abroad. See p. 113.)

* * * * *

JUDICIAL.

UNITED STATES COURTS.

Expenses. EXPENSES OF THE UNITED STATES COURTS: For defraying the expenses * * * ; of the circuit and district courts of the United States, including the district court in the Territory of Hawaii; * * * of the district court of Alaska; * * *

Mar. 4, 1909. CHAP. 301.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten.
 [H. R. 27053.]
 [Public, No. 330.]
 35 Stat. L., pt. 1, p. 1039. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June thirtieth, nineteen hundred and ten, for the purposes and objects hereinafter expressed, namely:

* * * *

WEATHER BUREAU.

* * * *

General expenses. GENERAL EXPENSES, WEATHER BUREAU: For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies or on adjacent coasts, in the Hawaiian Islands, and in Bermuda, the provisions of an Act approved October first, eighteen hundred and ninety, so far as they relate to the weather service transferred thereby to the Department of Agriculture, and for every expenditure requisite for and incident to the establishment, equipment, and maintenance of meteorological observation stations, as follows:

* * * *

OFFICE OF EXPERIMENT STATIONS.

* * * *

Stations in Alaska, Hawaii, Porto Rico, and Guam. To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, printing in Hawaii and Porto Rico, illustration, and distribution of reports and bulletins, and all other necessary expenses, ninety-nine thousand dollars, as follows: Alaska, twenty-eight thousand dollars; Hawaii, twenty-eight thousand

dollars; Porto Rico, twenty-eight thousand dollars; and Guam, fifteen thousand dollars, including not to exceed one thousand five hundred dollars for the purchase of land; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, and to apply the money received from the sale of such products to the maintenance of said stations, and this fund shall be available until used.

Sale of products, etc.

* * * * *

CHAP. 320.—An Act To amend and consolidate the Acts respecting copyright.

Mar. 4, 1909.
[H. R. 28192.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person entitled thereto, upon complying with the provisions of this Act, shall have the exclusive right:

[Public No. 349.]
35 Stat. L., pt. 1, p. 1075.
Copyrights.
Rights of owners.
R. S., sec. 4952.

(a) To print, reprint, publish, copy, and vend the copyrighted work;

To print, vend, etc., copyrighted works.

(b) To translate the copyrighted work into other languages or dialects, or make any other version thereof, if it be a literary work; to dramatize it if it be a non-dramatic work; to convert it into a novel or other non-dramatic work if it be a drama; to arrange or adapt it if it be a musical work; to complete, execute, and finish it if it be a model or design for a work of art;

Translate, dramatize, etc.

(c) To deliver or authorize the delivery of the copyrighted work in public for profit if it be a lecture, sermon, address, or similar production;

Deliver in public as lecture, etc.

(d) To perform or represent the copyrighted work publicly if it be a drama or, if it be a dramatic work and not reproduced in copies for sale, to vend any manuscript or any record whatsoever thereof; to make or to procure the making of any transcription or record thereof by or from which, in whole or in part, it may in any manner or by any method be exhibited, performed, represented, produced, or reproduced; and to exhibit, perform, represent, produce, or reproduce it in any manner or by any method whatsoever;

Perform, exhibit, etc., if drama.

(e) To perform the copyrighted work publicly for profit if it be a musical composition and for the purpose of public performance for profit; and for the purposes set forth in subsection (a) hereof, to make any arrangement or setting of it or of the melody of it in any system of notation or any form of record in which the thought of an author may be recorded and from which it may be read or reproduced: *Provided*, That the provisions of this Act, so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical

If a musical composition.

Proviso.
Restriction on control of mechanical reproduction.

work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights: *And provided further, and as a condition of extending the copyright control to such mechanical reproductions,* That whenever the owner of a musical copyright has used or permitted or knowingly acquiesced in the use of the copyrighted work upon the parts of instruments serving to reproduce mechanically the musical work, any other person may make similar use of the copyrighted work upon the payment to the copyright proprietor of a royalty of two cents on each such part manufactured, to be paid by the manufacturer thereof; and the copyright proprietor may require, and if so the manufacturer shall furnish, a report under oath on the twentieth day of each month on the number of parts of instruments manufactured during the previous month serving to reproduce mechanically said musical work, and royalties shall be due on the parts manufactured during any month upon the twentieth of the next succeeding month. The payment of the royalty provided for by this section shall free the articles or devices for which such royalty has been paid from further contribution to the copyright except in case of public performance for profit: *And provided further,* That it shall be the duty of the copyright owner, if he uses the musical composition himself for the manufacture of parts of instruments serving to reproduce mechanically the musical work, or licenses others to do so, to file notice thereof, accompanied by a recording fee, in the Copyright Office, and any failure to file such notice shall be a complete defense to any suit, action, or proceeding for any infringement of such copyright.

Royalty to owner by manufacturer.

Monthly report.

Effect of payment.

Owner to file notice.

Penalty for failure to pay royalty.

Coin-operated machines.

Rights at common law not impaired.

In case of the failure of such manufacturer to pay to the copyright proprietor within thirty days after demand in writing the full sum of royalties due at said rate at the date of such demand the court may award taxable costs to the plaintiff and a reasonable counsel fee, and the court may, in its discretion, enter judgment therein for any sum in addition over the amount found to be due as royalty in accordance with the terms of this Act, not exceeding three times such amount.

The reproduction or rendition of a musical composition by or upon coin-operated machines shall not be deemed a public performance for profit unless a fee is charged for admission to the place where such reproduction or rendition occurs.

SEC. 2. That nothing in this Act shall be construed to annul or limit the right of the author or proprietor of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without his consent, and to obtain damages therefor.

SEC. 3. That the copyright provided by this Act shall protect all the copyrightable component parts of the work copyrighted, and all matter therein in which copyright is already subsisting, but without extending the duration or scope of such copyright. The copyright upon composite works or periodicals shall give to the proprietor thereof all the rights in respect thereto which he would have if each part were individually copyrighted under this Act.

Component parts protected.

Composite works, etc.

SEC. 4. That the works for which copyright may be secured under this Act shall include all the writings of an author.

All writings of author included.

SEC. 5. That the application for registration shall specify to which of the following classes the work in which copyright is claimed belongs:

Classification of applications.

(a) Books, including composite and cyclopædic works, directories, gazetteers, and other compilations;

(b) Periodicals, including newspapers;

(c) Lectures, sermons, addresses, prepared for oral delivery;

(d) Dramatic or dramatico-musical compositions;

(e) Musical compositions;

(f) Maps;

(g) Works of art; models or designs for works of art;

(h) Reproductions of a work of art;

(i) Drawings or plastic works of a scientific or technical character;

(j) Photographs;

(k) Prints and pictorial illustrations:

Provided, nevertheless, That the above specifications shall not be held to limit the subject-matter of copyright as defined in section four of this Act, nor shall any error in classification invalidate or impair the copyright protection secured under this Act.

Proviso. Subject-matter not limited, etc.

SEC. 6. That compilations or abridgements, adaptations, arrangements, dramatizations, translations, or other versions of works in the public domain, or of copyrighted works when produced with the consent of the proprietor of the copyright in such works, or works republished with new matter, shall be regarded as new works subject to copyright under the provisions of this Act; but the publication of any such new works shall not affect the force or validity of any subsisting copyright upon the matter employed or any part thereof, or be construed to imply an exclusive right to such use of the original works, or to secure or extend copyright in such original works.

Compilations, etc., of works in public domain, etc.

Subsisting copyrights not affected.

SEC. 7. That no copyright shall subsist in the original text of any work which is in the public domain, or in any work which was published in this country or any foreign country prior to the going into effect of this Act and has not been already copyrighted in the United States, or in any publication of the United States Government, or any reprint, in whole or in part, thereof: *Provided, however,* That the publication or republication by the Government, either separately or in a public document, of any material

Effect on excluded works.

Proviso. Government publication of copyrighted material, etc.

in which copyright is subsisting shall not be taken to cause any abridgement or annulment of the copyright or to authorize any use or appropriation of such copyright material without the consent of the copyright proprietor.

Issue of, to author, assigns, etc.

SEC. 8. That the author or proprietor of any work made the subject of copyright by this Act, or his executors, administrators, or assigns, shall have copyright for such work under the conditions and for the terms specified in this Act: *Provided, however,* That the copyright secured by this Act shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation, only:

Proviso.
Allen rights.

Resident.

(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

Country a f-
fording recip-
rocal protec-
tion.

(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this Act or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto.

Proclama-
tion.

The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time, as the purposes of this Act may require.

Affixing no-
tice of copy-
right to copies,
etc.

R. S., sec.
4956, amended.

SEC. 9. That any person entitled thereto by this Act may secure copyright for his work by publication thereof with the notice of copyright required by this Act; and such notice shall be affixed to each copy thereof published or offered for sale in the United States by authority of the copyright proprietor, except in the case of books seeking ad interim protection under section twenty-one of this Act.

Certificate of
deposit of cop-
ies.

SEC. 10. That such person may obtain registration of his claim to copyright by complying with the provisions of this Act, including the deposit of copies, and upon such compliance the register of copyrights shall issue to him the certificate provided for in section fifty-five of this Act.

Works not
reproduced for
sale.

SEC. 11. That copyright may also be had of the works of an author of which copies are not reproduced for sale, by the deposit, with claim of copyright, of one complete copy of such work if it be a lecture or similar production or a dramatic or musical composition; of a photographic print if the work be a photograph; or of a photograph or other identifying reproduction thereof if it be a work of art or a plastic work or drawing. But the privilege of registration of copyright secured hereunder shall not exempt the copyright proprietor from the deposit of

copies under sections twelve and thirteen of this Act where the work is later reproduced in copies for sale.

SEC. 12. That after copyright has been secured by publication of the work with the notice of copyright as provided in section nine of this Act, there shall be promptly deposited in the copyright office or in the mail addressed to the register of copyrights, Washington, District of Columbia, two complete copies of the best edition thereof then published, which copies, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in section fifteen of this Act; or if such work be a contribution to a periodical, for which contribution special registration is requested, one copy of the issue or issues containing such contribution; or if the work is not reproduced in copies for sale, there shall be deposited the copy, print, photograph, or other identifying reproduction provided by section eleven of this Act, such copies or copy, print, photograph, or other reproduction to be accompanied in each case by a claim of copyright. No action or proceeding shall be maintained for infringement of copyright in any work until the provisions of this Act with respect to the deposit of copies and registration of such work shall have been complied with.

Deposit of
two copies re-
quired.
R. S., sec.
4959, amended.

SEC. 13. That should the copies called for by section twelve of this Act not be promptly deposited as herein provided, the register of copyrights may at any time after the publication of the work, upon actual notice, require the proprietor of the copyright to deposit them, and after the said demand shall have been made, in default of the deposit of copies of the work within three months from any part of the United States, except an outlying territorial possession of the United States, or within six months from any outlying territorial possession of the United States, or from any foreign country, the proprietor of the copyright shall be liable to a fine of one hundred dollars and to pay to the Library of Congress twice the amount of the retail price of the best edition of the work, and the copyright shall become void.

Penalty for
default.
R. S., sec.
4960, amended.

SEC. 14. That the postmaster to whom are delivered the articles deposited as provided in sections eleven and twelve of this Act shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.

Postmasters
to receipt for
articles, etc.
R. S., sec.
4961, amended.

SEC. 15. That of the printed book or periodical specified in section five, subsections (a) and (b) of this Act, except the original text of a book of foreign origin in a language or languages other than English, the text of all copies accorded protection under this Act, except as below provided, shall be printed from type set within the limits of the United States, either by hand or by the aid of any kind of typesetting machine, or from plates made within the limits of the United States from type set therein, or,

Mechanical
work, etc., to
be done in the
United States.

if the text be produced by lithographic process, or photo-engraving process, then by a process wholly performed within the limits of the United States, and the printing of the text and binding of the said book shall be performed within the limits of the United States; which requirements shall extend also to the illustrations within a book consisting of printed text and illustrations produced by lithographic process, or photo-engraving process, and also to separate lithographs or photo-engravings, except where in either case the subjects represented are located in a foreign country and illustrate a scientific work or reproduce a work of art; but they shall not apply to works in raised characters for the use of the blind, or to books of foreign origin in a language or languages other than English, or to books published abroad in the English language seeking ad interim protection under this Act.

Exceptions.

Affidavits required.

SEC. 16. That in the case of the book the copies so deposited shall be accompanied by an affidavit, under the official seal of any officer authorized to administer oaths within the United States, duly made by the person claiming copyright or by his duly authorized agent or representative residing in the United States, or by the printer who has printed the book, setting forth that the copies deposited have been printed from type set within the limits of the United States or from plates made within the limits of the United States from type set therein; or, if the text be produced by lithographic process, or photo-engraving process, that such process was wholly performed within the limits of the United States, and that the printing of the text and binding of the said book have also been performed within the limits of the United States. Such affidavit shall state also the place where and the establishment or establishments in which such type was set or plates were made or lithographic process, or photo-engraving process or printing and binding were performed and the date of the completion of the printing of the book or the date of publication.

Penalty for false statements.

SEC. 17. That any person who, for the purpose of obtaining registration of a claim to copyright, shall knowingly make a false affidavit as to his having complied with the above conditions shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, and all of his rights and privileges under said copyright shall thereafter be forfeited.

Form of notice required on books, etc.
R. S., sec. 4962, amended.

SEC. 18. That the notice of copyright required by section nine of this Act shall consist either of the word "Copyright" or the abbreviation "Copr.," accompanied by the name of the copyright proprietor, and if the work be a printed literary, musical, or dramatic work, the notice shall include also the year in which the copyright was secured by publication. In the case, however, of copies of works specified in subsections (f) to (k), inclusive, of

section five of this Act, the notice may consist of the letter C inclosed within a circle, thus: ©, accompanied by the initials, monogram, mark, or symbol of the copyright proprietor: *Provided*, That on some accessible portion of such copies or of the margin, back, permanent base, or pedestal, or of the substance on which such copies shall be mounted, his name shall appear. But in the case of works in which copyright is subsisting when this Act shall go into effect, the notice of copyright may be either in one of the forms prescribed herein or in one of those prescribed by the Act of June-eighteenth, eighteen hundred and seventy-four.

Proviso.
Name of
copyright, pro-
prietor, etc.

Manner of
entry.

SEC. 19. That the notice of copyright shall be applied, in the case of a book or other printed publication, upon its title-page or the page immediately following, or if a periodical either upon the title-page or upon the first page of text of each separate number or under the title heading, or if a musical work either upon its title-page or the first page of music: *Provided*, That one notice of copyright in each volume or in each number of a newspaper or periodical published shall suffice.

Place of ap-
plication.

Proviso.
One notice
sufficient.

SEC. 20. That where the copyright proprietor has sought to comply with the provisions of this Act with respect to notice, the omission by accident or mistake of the prescribed notice from a particular copy or copies shall not invalidate the copyright or prevent recovery for infringement against any person who, after actual notice of the copyright, begins an undertaking to infringe it, but shall prevent the recovery of damages against an innocent infringer who has been misled by the omission of the notice; and in a suit for infringement no permanent injunction shall be had unless the copyright proprietor shall reimburse to the innocent infringer his reasonable outlay innocently incurred if the court, in its discretion, shall so direct.

Effect of ac-
cidental omis-
sions.

SEC. 21. That in the case of a book published abroad in the English language before publication in this country, the deposit in the copyright office, not later than thirty days after its publication abroad, of one complete copy of the foreign edition, with a request for the reservation of the copyright and a statement of the name and nationality of the author and of the copyright proprietor and of the date of publication of the said book, shall secure to the author or proprietor an ad interim copyright, which shall have all the force and effect given to copyright by this Act, and shall endure until the expiration of thirty days after such deposit in the copyright office.

Ad interim
protection if
published
abroad.
Deposit of
copy.

SEC. 22. That whenever within the period of such ad interim protection an authorized edition of such book shall be published within the United States, in accordance with the manufacturing provisions specified in section fifteen of this Act, and whenever the provisions of this Act as to deposit of copies, registration, filing of affidavit,

Full term al-
lowed.

and the printing of the copyright notice shall have been duly complied with, the copyright shall be extended to endure in such book for the full term elsewhere provided in this Act.

Duration of term, twenty-eight years.
R. S., sec. 4953, amended.

SEC. 23. That the copyright secured by this Act shall endure for twenty-eight years from the date of first publication, whether the copyrighted work bears the author's true name or is published anonymously or under an assumed name: *Provided*, That in the case of any posthumous work or of any periodical, cyclopedic, or other composite work upon which the copyright was originally secured by the proprietor thereof, or of any work copyrighted by a corporate body (otherwise than as assignee or licensee of the individual author) or by an employer for whom such work is made for hire, the proprietor of such copyright shall be entitled to a renewal and extension of the copyright in such work for the further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in the case of any other copyrighted work, including a contribution by an individual author to a periodical or to a cyclopedic or other composite work when such contribution has been separately registered, the author of such work, if still living, or the widow, widower, or children of the author, if the author be not living, or if such author, widow, widower, or children be not living, then the author's executors, or in the absence of a will, his next of kin shall be entitled to a renewal and extension of the copyright in such work for a further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in default of the registration of such application for renewal and extension, the copyright in any work shall determine at the expiration of twenty-eight years from first publication.

Provisos.
Renewals and extension of posthumous works, etc.
R. S., sec. 4954, amended.

Application time limit.

Further term for separately registered works.

Termination on failure to register.

Renewals, etc.

Provisos.
Composite works.

SEC. 24. That the copyright subsisting in any work at the time when this Act goes into effect may, at the expiration of the term provided for under existing law, be renewed and extended by the author of such work if still living, or the widow, widower, or children of the author, if the author be not living, or if such author, widow, widower, or children be not living, then by the author's executors, or in the absence of a will, his next of kin, for a further period such that the entire term shall be equal to that secured by this Act, including the renewal period: *Provided, however*, That if the work be a composite work upon which copyright was originally secured by the proprietor thereof, then such proprietor shall be entitled to the privilege of renewal and extension granted

under this section: *Provided*, That application for such renewal and extension shall be made to the copyright office and duly registered therein within one year prior to the expiration of the existing term.

Application time limit.

SEC. 25. That if any person shall infringe the copyright in any work protected under the copyright laws of the United States such person shall be liable:

Infringement.

R. S., secs. 4964-4967, amended.

Injunction to restrain Damages.

(a) To an injunction restraining such infringement;

(b) To pay to the copyright proprietor such damages as the copyright proprietor may have suffered due to the infringement, as well as all the profits which the infringer shall have made from such infringement, and in proving profits the plaintiff shall be required to prove sales only and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits such damages as to the court shall appear to be just, and in assessing such damages the court may, in its discretion, allow the amounts as hereinafter stated, but in the case of a newspaper reproduction of a copyrighted photograph such damages shall not exceed the sum of two hundred dollars nor be less than the sum of fifty dollars, and such damages shall in no other case exceed the sum of five thousand dollars nor be less than the sum of two hundred and fifty dollars, and shall not be regarded as a penalty:

Newspaper reproductions of photographs. Limit of damages, etc.

First. In the case of a painting, statue, or sculpture, ten dollars for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Paintings, statuary, etc.

Second. In the case of any work enumerated in section five of this Act, except a painting, statue, or sculpture, one dollar for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Third. In the case of a lecture, sermon, or address, fifty dollars for every infringing delivery;

Lectures, sermons, etc.

Fourth. In the case of a dramatic or dramatico-musical or a choral or orchestral composition, one hundred dollars for the first and fifty dollars for every subsequent infringing performance; in the case of other musical compositions, ten dollars for every infringing performance;

Dramatic, etc., compositions.

(c) To deliver up on oath, to be impounded during the pendency of the action, upon such terms and conditions as the court may prescribe, all articles alleged to infringe a copyright;

Delivery of infringing articles.

(d) To deliver up on oath for destruction all the infringing copies or devices, as well as all plates, molds, matrices, or other means for making such infringing copies as the court may order;

Destruction of plates, etc.

(e) Whenever the owner of a musical copyright has used or permitted the use of the copyrighted work upon the parts of musical instruments serving to reproduce mechanically the musical work, then in case of infringe-

Use of mechanical reproduction of musical works.

ment of such copyright by the unauthorized manufacture, use, or sale of interchangeable parts, such as disks, rolls, bands, or cylinders for use in mechanical music-producing machines adapted to reproduce the copyrighted music, no criminal action shall be brought, but in a civil action an injunction may be granted upon such terms as the court may impose, and the plaintiff shall be entitled to recover in lieu of profits and damages a royalty as provided in section one, subsection (e), of this Act: *Provided also*, That whenever any person, in the absence of a license agreement, intends to use a copyrighted musical composition upon the parts of instruments serving to reproduce mechanically the musical work, relying upon the compulsory license provision of this Act, he shall serve notice of such intention, by registered mail, upon the copyright proprietor at his last address disclosed by the records of the copyright office sending to the copyright office a duplicate of such notice; and in case of his failure so to do the court may, in its discretion, in addition to sums hereinabove mentioned, award the complainant a further sum, not to exceed three times the amount provided by section one, subsection (e), by way of damages, and not as a penalty, and also a temporary injunction until the full award is paid.

Notice of intention to use.

Penalty for failure.

Rules, etc., of procedure.
R. S., sec. 4969, amended.

Enforcement of remedies.

Joining of actions.

Penalty for infringement.

Proviso. Exceptions.

Rules and regulations for practice and procedure under this section shall be prescribed by the Supreme Court of the United States.

SEC. 26. That any court given jurisdiction under section thirty-four of this Act may proceed in any action, suit, or proceeding instituted for violation of any provision hereof to enter a judgment or decree enforcing the remedies herein provided.

SEC. 27. That the proceedings for an injunction, damages, and profits, and those for the seizure of infringing copies, plates, molds, matrices, and so forth, aforementioned, may be united in one action.

SEC. 28. That any person who willfully and for profit shall infringe any copyright secured by this Act, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than one hundred dollars nor more than one thousand dollars, or both, in the discretion of the court: *Provided, however*, That nothing in this Act shall be so construed as to prevent the performance of religious or secular works, such as oratorios, cantatas, masses, or octavo choruses by public schools, church choirs, or vocal societies, rented, borrowed, or obtained from some public library, public school, church choir, school choir, or vocal society, provided the performance is given for charitable or educational purposes and not for profit.

SEC. 29. That any person who, with fraudulent intent, shall insert or impress any notice of copyright required by this Act, or words of the same purport, in or upon any uncopyrighted article, or with fraudulent intent shall remove or alter the copyright notice upon any article duly copyrighted shall be guilty of a misdemeanor, punishable by a fine of not less than one hundred dollars and not more than one thousand dollars. Any person who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in this country, or who shall knowingly import any article bearing such notice or words of the same purport, which has not been copyrighted in this country, shall be liable to a fine of one hundred dollars.

Fraudulent
copyright
notice.
R. S., sec.
4963, p. 959,
amended.

Penalty.

SEC. 30. That the importation into the United States of any article bearing a false notice of copyright when there is no existing copyright thereon in the United States, or of any piratical copies of any work copyrighted in the United States, is prohibited.

Importation
of articles
with false no-
tice.

SEC. 31. That during the existence of the American copyright in any book the importation into the United States of any piratical copies thereof or of any copies thereof (although authorized by the author or proprietor) which have not been produced in accordance with the manufacturing provisions specified in section fifteen of this Act, or any plates of the same not made from type set within the limits of the United States, or any copies thereof produced by lithographic or photo-engraving process not performed within the limits of the United States, in accordance with the provisions of section fifteen of this Act, shall be, and is hereby, prohibited: *Provided, however,* That, except as regards piratical copies, such prohibition shall not apply:

Piratical,
etc., copies.

Provido.
Exceptions.

(a) To works in raised characters for the use of the blind;

(b) To a foreign newspaper or magazine, although containing matter copyrighted in the United States printed or reprinted by authority of the copyright proprietor, unless such newspaper or magazine contains also copyright matter printed or reprinted without such authorization;

(c) To the authorized edition of a book in a foreign language or languages of which only a translation into English has been copyrighted in this country;

(d) To any book published abroad with the authorization of the author or copyright proprietor when imported under the circumstances stated in one of the four subdivisions following, that is to say:

First. When imported, not more than one copy at one time, for individual use and not for sale; but such privilege of importation shall not extend to a foreign reprint of a book by an American author copyrighted in the United States;

Second. When imported by the authority or for the use of the United States;

Third. When imported, for use and not for sale, not more than one copy of any such book in any one invoice, in good faith, by or for any society or institution incorporated for educational, literary, philosophical, scientific, or religious purposes, or for the encouragement of the fine arts, or for any college, academy, school, or seminary of learning, or for any State, school, college, university, or free public library in the United States.

Books purchased for libraries, etc.

Fourth. When such books form parts of libraries or collections purchased en bloc for the use of societies, institutions, or libraries designated in the foregoing paragraph, or form parts of the libraries or personal baggage belonging to persons or families arriving from foreign countries and are not intended for sale: *Provided*, That copies imported as above may not lawfully be used in any way to violate the rights of the proprietor of the American copyright or annul or limit the copyright protection secured by this Act, and such unlawful use shall be deemed an infringement of copyright.

Proviso.
Unlawful use of imported copies.

Forfeiture, etc., of prohibited articles.

SEC. 32. That any and all articles prohibited importation by this Act which are brought into the United States from any foreign country (except in the mails) shall be seized and forfeited by like proceedings as those provided by law for the seizure and condemnation of property imported into the United States in violation of the customs revenue laws. Such articles when forfeited shall be destroyed in such manner as the Secretary of the Treasury or the court, as the case may be, shall direct: *Provided, however*, That all copies of authorized editions of copyright books imported in the mails or otherwise in violation of the provisions of this Act may be exported and returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury, in a written application, that such importation does not involve willful negligence or fraud.

Destruction.

Proviso.
Exception.

Rules, etc., to prevent importation of.

SEC. 33. That the Secretary of the Treasury and the Postmaster-General are hereby empowered and required to make and enforce such joint rules and regulations as shall prevent the importation into the United States in the mails of articles prohibited importation by this Act, and may require notice to be given to the Treasury Department or Post-Office Department, as the case may be, by copyright proprietors or injured parties, of the actual or contemplated importation of articles prohibited importation by this Act, and which infringe the rights of such copyright proprietors or injured parties.

Courts given cognizance of copyright cases.

R. S., sec. 4970, amended.

SEC. 34. That all actions, suits, or proceedings arising under the copyright laws of the United States shall be originally cognizable by the circuit courts of the United States, the district court of any Territory, the supreme court of the District of Columbia, the district courts of

Alaska, Hawaii, and Porto Rico, and the courts of first instance of the Philippine Islands.

SEC. 35. That civil actions, suits, or proceedings arising under this Act may be instituted in the district of which the defendant or his agent is an inhabitant, or in which he may be found.

Institution of suits.

SEC. 36. That any such court or judge thereof shall have power, upon bill in equity filed by any party aggrieved, to grant injunctions to prevent and restrain the violation of any right secured by said laws, according to the course and principles of courts of equity, on such terms as said court or judge may deem reasonable. Any injunction that may be granted restraining and enjoining the doing of anything forbidden by this Act may be served on the parties against whom such injunction may be granted anywhere in the United States, and shall be operative throughout the United States and be enforceable by proceedings in contempt or otherwise by any other court or judge possessing jurisdiction of the defendants.

Injunctions.

Service, etc.

SEC. 37. That the clerk of the court, or judge granting the injunction, shall, when required so to do by the court hearing the application to enforce said injunction, transmit without delay to said court a certified copy of all the papers in said cause that are on file in his office.

Enforcement of.

SEC. 38. That the orders, judgments, or decrees of any court mentioned in section thirty-four of this Act arising under the copyright laws of the United States may be reviewed on appeal or writ of error in the manner and to the extent now provided by law for the review of cases determined in said courts, respectively.

Appeals.

SEC. 39. That no criminal proceeding shall be maintained under the provisions of this Act unless the same is commenced within three years after the cause of action arose.

Criminal action.
Time limit.
R. S., sec. 4968, amended.

SEC. 40. That in all actions, suits, or proceedings under this Act, except when brought by or against the United States or any officer thereof, full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

Allowance of costs, etc.
R. S., sec. 972, amended.

SEC. 41. That the copyright is distinct from the property in the material object copyrighted, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright, nor shall the assignment of the copyright constitute a transfer of the title to the material object; but nothing in this Act shall be deemed to forbid, prevent, or restrict the transfer of any copy of a copyrighted work the possession of which has been lawfully obtained.

Distinction between copyright and material object copyrighted.

SEC. 42. That copyright secured under this or previous Acts of the United States may be assigned, granted, or mortgaged by an instrument in writing signed by the proprietor of the copyright, or may be bequeathed by will.

Assignment, etc.
R. S., sec. 4955, amended.

Assignments executed abroad. SEC. 43. That every assignment of copyright executed in a foreign country shall be acknowledged by the assignor before a consular officer or secretary of legation of the United States authorized by law to administer oaths or perform notarial acts. The certificate of such acknowledgement under the hand and official seal of such consular officer or secretary of legation shall be prima facie evidence of the execution of the instrument.

Certificate of acknowledgment, etc.

Recording assignments. Time limit. SEC. 44. That every assignment of copyright shall be recorded in the copyright office within three calendar months after its execution in the United States or within six calendar months after its execution without the limits of the United States, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, whose assignment has been duly recorded.

Certificate of record, etc. SEC. 45. That the register of copyrights shall, upon payment of the prescribed fee, record such assignment, and shall return it to the sender with a certificate of record attached under seal of the copyright office, and upon the payment of the fee prescribed by this Act he shall furnish to any person requesting the same a certified copy thereof under the said seal.

Use of assignee's name in copyright notice. SEC. 46. That when an assignment of the copyright in a specified book or other work has been recorded the assignee may substitute his name for that of the assignor in the statutory notice of copyright prescribed by this Act.

Copyright office. Preservation of records, etc. in. R. S., s. c. 4948, amended. SEC. 47. That all records and other things relating to copyrights required by law to be preserved shall be kept and preserved in the copyright office, Library of Congress, District of Columbia, and shall be under the control of the register of copyrights, who shall, under the direction and supervision of the Librarian of Congress, perform all the duties relating to the registration of copyrights.

Register of copyrights, assistant, etc. Appointment of, etc. SEC. 48. That there shall be appointed by the Librarian of Congress a register of copyrights, at a salary of four thousand dollars per annum, and one assistant register of copyrights, at a salary of three thousand dollars per annum, who shall have authority during the absence of the register of copyrights to attach the copyright office seal to all papers issued from the said office and to sign such certificates and other papers as may be necessary. There shall also be appointed by the Librarian such subordinate assistants to the register as may from time to time be authorized by law.

Deposit of receipts. SEC. 49. That the register of copyrights shall make daily deposits in some bank in the District of Columbia, designated for this purpose by the Secretary of the Treasury as a national depository, of all moneys received to be applied as copyright fees, and shall make weekly deposits with the Secretary of the Treasury, in such manner as the latter shall direct, of all copyright fees actually applied

under the provisions of this Act, and annual deposits of sums received which it has not been possible to apply as copyright fees or to return to the remitters, and shall also make monthly reports to the Secretary of the Treasury and to the Librarian of Congress of the applied copyright fees for each calendar month, together with a statement of all remittances received, trust funds on hand, moneys refunded, and unapplied balances.

Reports.

SEC. 50. That the register of copyrights shall give bond to the United States in the sum of twenty thousand dollars, in form to be approved by the Solicitor of the Treasury and with sureties satisfactory to the Secretary of the Treasury, for the faithful discharge of his duties.

Bond.
R. S., sec.
4950, amended.

SEC. 51. That the register of copyrights shall make an annual report to the Librarian of Congress, to be printed in the annual report on the Library of Congress, of all copyright business for the previous fiscal year, including the number and kind of works which have been deposited in the copyright office during the fiscal year, under the provisions of this Act.

Annual re-
port.
R. S., sec.
4951, amended.

SEC. 52. That the seal provided under the Act of July eighth, eighteen hundred and seventy, and at present used in the copyright office, shall continue to be the seal thereof, and by it all papers issued from the copyright office requiring authentication shall be authenticated.

Seal, etc.
R. S., sec.
4949, amended.

SEC. 53. That, subject to the approval of the Librarian of Congress, the register of copyrights shall be authorized to make rules and regulations for the registration of claims to copyright as provided by this Act.

Rules and
regulations.

SEC. 54. That the register of copyrights shall provide and keep such record books in the copyright office as are required to carry out the provisions of this Act, and whenever deposit has been made in the copyright office of a copy of any work under the provisions of this Act he shall make entry thereof.

Record books
required.
R. S., sec.
4957, amended.

SEC. 55. That in the case of each entry the person recorded as the claimant of the copyright shall be entitled to a certificate of registration under seal of the copyright office, to contain his name and address, the title of the work upon which copyright is claimed, the date of the deposit of the copies of such work, and such marks as to class designation and entry number as shall fully identify the entry. In the case of a book the certificate shall also state the receipt of the affidavit as provided by section sixteen of this Act, and the date of the completion of the printing, or the date of the publication of the book, as stated in the said affidavit. The register of copyrights shall prepare a printed form for the said certificate, to be filled out in each case as above provided for, which certificate, sealed with the seal of the copyright office, shall, upon payment of the prescribed fee, be given to any person making application for the same, and the said certificate shall be admitted in any court as prima facie evidence

Certificate of
registration.
Legal effect
of.

Receipt for deposited copies. of the facts stated therein. In addition to such certificate the register of copyrights shall furnish, upon request, without additional fee, a receipt for the copies of the work deposited to complete the registration.

Catalogue of copyright entries. Preparation, etc. SEC. 56. That the register of copyrights shall fully index all copyright registrations and assignments and shall print at periodic intervals a catalogue of the titles of articles deposited and registered for copyright, together with suitable indexes, and at stated intervals shall print complete and indexed catalogues for each class of copyright entries, and may thereupon, if expedient, destroy the original manuscript catalogue cards containing the titles included in such printed volumes and representing the entries made during such intervals. The current catalogues of copyright entries and the index volumes herein provided for shall be admitted in any court as prima facie evidence of the facts stated therein as regards any copyright registration.

Legal effect of.

Distribution and sale of current catalogues, etc.

SEC. 57. That the said printed current catalogues as they are issued shall be promptly distributed by the copyright office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster-General, and they shall also be furnished to all parties desiring them at a price to be determined by the register of copyright, not exceeding five dollars per annum for the complete catalogue of copyright entries and not exceeding one dollar per annum for the catalogues issued during the year for any one class of subjects. The consolidated catalogues and indexes shall also be supplied to all persons ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogues shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

Price.

Use of proceeds.

Records open to inspection.

SEC. 58. That the record books of the copyright office, together with the indexes to such record books, and all works deposited and retained in the copyright office, shall be open to public inspection; and copies may be taken of the copyright entries actually made in such record books, subject to such safeguards and regulations as shall be prescribed by the register of copyrights and approved by the Librarian of Congress.

Disposition of deposited articles.

SEC. 59. That of the articles deposited in the copyright office under the provisions of the copyright laws of the United States or of this Act, the Librarian of Congress shall determine what books and other articles shall be transferred to the permanent collections of the Library of Congress, including the law library, and what other

books or articles shall be placed in the reserve collections of the Library of Congress for sale or exchange, or be transferred to other governmental libraries in the District of Columbia for use therein.

SEC. 60. That of any articles undisposed of as above provided, together with all titles and correspondence relating thereto, the Librarian of Congress and the register of copyrights jointly shall, at suitable intervals, determine what of these received during any period of years it is desirable or useful to preserve in the permanent files of the copyright office, and, after due notice as hereinafter provided, may within their discretion cause the remaining articles and other things to be destroyed: *Provided*, That there shall be printed in the Catalogue of Copyright Entries from February to November, inclusive, a statement of the years of receipt of such articles and a notice to permit any author, copyright proprietor, or other lawful claimant to claim and remove before the expiration of the month of December of that year anything found which relates to any of his productions deposited or registered for copyright within the period of years stated, not reserved or disposed of as provided for in this Act: *And provided further*, That no manuscript of an unpublished work shall be destroyed during its term of copyright without specific notice to the copyright proprietor of record, permitting him to claim and remove it.

Destruction
of articles un-
disposed of.

Provisos.
Notice to
owners before
destroying.

Manuscripts
of unpublished
works, etc.

SEC. 61. That the register of copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of any work subject to copyright, deposited under the provisions of this Act, one dollar, which sum is to include a certificate of registration under seal: *Provided*, That in the case of photographs the fee shall be fifty cents where a certificate is not demanded. For every additional certificate of registration made, fifty cents. For recording and certifying any instrument of writing for the assignment of copyright, or any such license specified in section one, subsection (e), or for any copy of such assignment or license, duly certified, if not over three hundred words in length, one dollar; if more than three hundred and less than one thousand words in length, two dollars; if more than one thousand words in length, one dollar additional for each one thousand words or fraction thereof over three hundred words. For recording the notice of user or acquiescence specified in section one, subsection (e), twenty-five cents for each notice if not over fifty words, and an additional twenty-five cents for each additional one hundred words. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, one dollar. For recording the extension or renewal of copyright provided for in sections twenty-three and twenty-four of this Act, fifty cents. For recording the transfer of the proprietorship of copyrighted articles, ten

Fees.
R. S. sec.
4958, amended.
With certifi-
cate.

Provisos.
Photographs
without certi-
ficates, etc.

cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument of assignment. For any requested search of copyright office records, indexes, or deposits, fifty cents for each full hour of time consumed in making such search: *Provided*, That only one registration at one fee shall be required in the case of several volumes of the same book deposited at the same time.

One registration fee, etc.

Construction of "date of publication."

SEC. 62. That in the interpretation and construction of this Act "the date of publication" shall in the case of a work of which copies are reproduced for sale or distribution be held to be the earliest date when copies of the first authorized edition were placed on sale, sold, or publicly distributed by the proprietor of the copyright or under his authority, and the word "author" shall include an employer in the case of works made for hire.

"Author."

Repeal of conflicting laws. Pending cases not affected.

SEC. 63. That all laws or parts of laws in conflict with the provisions of this Act are hereby repealed, but nothing in this Act shall affect causes of action for infringement of copyright heretofore committed now pending in courts of the United States, or which may hereafter be instituted; but such causes shall be prosecuted to a conclusion in the manner heretofore provided by law.

In effect July 1, 1909.

SEC. 64. That this Act shall go into effect on the first day of July, nineteen hundred and nine.

Mar. 4, 1909. [S. 2982.] CHAP. 321.—An Act To codify, revise, and amend the penal laws of the United States.

[Public, No. 350.]
35 Stat. L., pt. 1, p. 1088
Criminal Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the penal laws of the United States be, and they hereby are, codified, revised, and amended, with title, chapters, headnotes, and sections, entitled, numbered, and to read as follows:

Crimes.

CRIMES.

CHAPTER ONE.

OFFENSES AGAINST THE EXISTENCE OF THE GOVERNMENT.

<p>Sec.</p> <p>1. Treason.</p> <p>2. Punishment of treason.</p> <p>3. Misprision of treason.</p> <p>4. Inciting or engaging in rebellion or insurrection.</p> <p>5. Criminal correspondence with foreign governments.</p>	<p>Sec.</p> <p>6. Seditious conspiracy.</p> <p>7. Recruiting soldiers or sailors to serve against the United States.</p> <p>8. Enlistment to serve against the United States.</p>
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Treason defined. R. S., sec. 5331.

SEC. 1. Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason.

SEC. 2. Whoever is convicted of treason shall suffer death; or, at the discretion of the court, shall be imprisoned not less than five years and fined not less than ten thousand dollars, to be levied on and collected out of any or all of his property, real and personal, of which he was the owner at the time of committing such treason, any sale or conveyance to the contrary notwithstanding; and every person so convicted of treason shall, moreover, be incapable of holding any office under the United States.

Punishment
for.
R. S., sec.
5332.

SEC. 3. Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be imprisoned not more than seven years and fined not more than one thousand dollars.

Misprision of
treason defined.
R. S., sec.
5333.

Punishment
for.

SEC. 4. Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be imprisoned not more than ten years, or fined not more than ten thousand dollars, or both; and shall, moreover, be incapable of holding any office under the United States.

Inciting, etc.,
rebellion or in-
surrection.
R. S., sec.
5334.

Punishment
for.

SEC. 5. Every citizen of the United States, whether actually resident or abiding within the same, or in any place subject to the jurisdiction thereof, or in any foreign country, without the permission or authority of the Government, directly or indirectly, commences or carries on any verbal or written correspondence or intercourse with any foreign government or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person, being a citizen of or resident within the United States or in any place subject to the jurisdiction thereof, and not duly authorized, counsels, advises, or assists in any such correspondence with such intent, shall be fined not more than five thousand dollars and imprisoned not more than three years; but nothing in this section shall be construed to abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects.

Criminal cor-
respondence
with foreign
governments.
R. S., sec.
5335.

Punishment
for.

Redress of
private inju-
ries.

SEC. 6. If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force

Seditious
conspiracy.
R. S., sec.
5336.

Punishment for. to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than five thousand dollars, or imprisoned not more than six years, or both.

Recruiting for service against United States. R. S., sec. 5337. SEC. 7. Whoever recruits soldiers or sailors within the United States, or in any place subject to the jurisdiction thereof, to engage in armed hostility against the same, or opens within the United States, or in any place subject to the jurisdiction thereof, a recruiting station for the enlistment of such soldiers or sailors to serve in any manner in armed hostility against the United States, shall be fined not more than one thousand dollars and imprisoned not more than five years.

Punishment for. SEC. 8. Every person enlisted or engaged within the United States or in any place subject to the jurisdiction thereof, with intent to serve in armed hostility against the United States, shall be fined one hundred dollars and imprisoned not more than three years.

Enlisting to serve against United States. R. S., sec. 5338.

Punishment for. SEC. 8. Every person enlisted or engaged within the United States or in any place subject to the jurisdiction thereof, with intent to serve in armed hostility against the United States, shall be fined one hundred dollars and imprisoned not more than three years.

Offenses against neutrality.

CHAPTER TWO.

OFFENSES AGAINST NEUTRALITY.

Sec.	Sec.
9. Accepting a foreign commission.	14. Enforcement of foregoing provisions.
10. Enlisting in foreign service.	15. Compelling foreign vessels to depart.
11. Arming vessels against people at peace with the United States.	16. Armed vessels to give bond on clearance.
12. Augmenting force of foreign vessel of war.	17. Detention by collectors of customs.
13. Military expeditions against people at peace with the United States.	18. Construction of this chapter.

Accepting foreign commission to serve against friendly power. R. S., sec. 5281. SEC. 9. Every citizen of the United States who, within the territory or jurisdiction thereof, accepts and exercises a commission to serve a foreign prince, state, colony, district, or people, in war, by land or by sea, against any prince, state, colony, district, or people, with whom the United States are at peace, shall be fined not more than two thousand dollars and imprisoned not more than three years.

Punishment for. SEC. 9. Every citizen of the United States who, within the territory or jurisdiction thereof, accepts and exercises a commission to serve a foreign prince, state, colony, district, or people, in war, by land or by sea, against any prince, state, colony, district, or people, with whom the United States are at peace, shall be fined not more than two thousand dollars and imprisoned not more than three years.

Enlisting in foreign service. R. S., sec. 5282. SEC. 10. Whoever, within the territory or jurisdiction of the United States, enlists, or enters himself, or hires or retains another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer, shall be fined not more than one thousand dollars and imprisoned not more than three years.

Punishment for. SEC. 10. Whoever, within the territory or jurisdiction of the United States, enlists, or enters himself, or hires or retains another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer, shall be fined not more than one thousand dollars and imprisoned not more than three years.

Arming vessels against friendly powers. SEC. 11. Whoever, within the territory or jurisdiction of the United States, fits out and arms, or attempts to fit

out and arm, or procures to be fitted out and armed, or knowingly is concerned in the furnishing, fitting out, or arming of any vessel, with intent that such vessel shall be employed in the service of any foreign prince or state, or of any colony, district, or people, to cruise or commit hostilities against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, or who ever issues or delivers a commission within the territory or jurisdiction of the United States for any vessel, to the intent that she may be so employed, shall be fined not more than ten thousand dollars and imprisoned not more than three years. And every such vessel, her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores which may have been procured for the building and equipment thereof, shall be forfeited; one half to the use of the informer and the other half to the use of the United States.

R. S., sec.
5283.

Punishment.
Forfeiture of
vessel, etc.

SEC. 12. Whoever, within the territory or jurisdiction of the United States, increases or augments, or procures to be increased or augmented, or knowingly is concerned in increasing or augmenting, the force of any ship of war, cruiser, or other armed vessel which, at the time of her arrival within the United States, was a ship of war, or cruiser, or armed vessel, in the service of any foreign prince or state, or of any colony, district, or people, or belonging to the subjects or citizens of any such prince or state, colony, district, or people, the same being at war with any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, by adding to the number of the guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by adding thereto any equipment solely applicable to war, shall be fined not more than one thousand dollars and imprisoned not more than one year.

Augmenting
force of foreign
armed vessel.

R. S., sec.
5285.

Punishment
for.

SEC. 13. Whoever, within the territory or jurisdiction of the United States, begins, or sets on foot, or provides or prepares the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, shall be fined not more than three thousand dollars and imprisoned not more than three years.

Organizing
military expedi-
tion against
friendly power.

R. S., sec.
5286.

Punishment
for.

SEC. 14. The district courts shall take cognizance of all complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof. In every case in which a vessel is fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel is increased or augmented, or in which any military expedition or enterprise is begun or set on foot, contrary to the provisions and prohibitions of this chapter; and in

Enforcement
by courts.

R. S., sec.
5287.

every case of the capture of a vessel within the jurisdiction or protection of the United States as before defined; and in every case in which any process issuing out of any court of the United States is disobeyed or resisted by any person having the custody of any vessel of war, cruiser, or other armed vessel of any foreign prince or state, or of any colony, district, or people, or of any subjects or citizens of any foreign prince or state, or of any colony, district, or people, it shall be lawful for the President, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of and detaining any such vessel, with her prizes, if any, in order to enforce the execution of the prohibitions and penalties of this chapter, and the restoring of such prizes in the cases in which restoration shall be adjudged; and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territory or jurisdiction of the United States against the territory or dominion of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace.

Employment
of land or
naval forces.

Compelling
foreign vessels
to depart.
R. S., sec.
5288.

SEC. 15. It shall be lawful for the President, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign vessel to depart the United States in all cases in which, by the laws of nations or the treaties of the United States, she ought not to remain within the United States.

Bond from
armed vessels
on clearing.
R. S., sec.
5289.

SEC. 16. The owners or consignees of every armed vessel sailing out of the ports of, or under the jurisdiction of, the United States, belonging wholly or in part to citizens thereof, shall, before clearing out the same give bond to the United States, with sufficient sureties, in double the amount of the value of the vessel and cargo on board, including her armament, conditioned that the vessel shall not be employed by such owners to cruise or commit hostilities against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace.

Detention by
collectors of
customs.
R. S., sec.
5290.

SEC. 17. The several collectors of the customs shall detain any vessel manifestly built for warlike purposes, and about to depart the United States, or any place subject to the jurisdiction thereof, the cargo of which principally consists of arms and munitions of war, when the number of men shipped on board, or other circumstances, render it probable that such vessel is intended to be employed by the owners to cruise or commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, until the decision of the President is had thereon, or until the owner gives such

bond and security as is required of the owners of armed vessels by the preceding section.

SEC. 18. The provisions of this chapter shall not be construed to extend to any subject or citizen of any foreign prince, state, colony, district, or people who is transiently within the United States and enlists or enters himself on board of any vessel of war, letter of marque, or privateer, which at the time of its arrival within the United States was fitted and equipped as such, or hires or retains another subject or citizen of the same foreign prince, state, colony, district, or people who is transiently within the United States to enlist or enter himself to serve such foreign prince, state, colony, district, or people on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such foreign prince, state, colony, district, or people. Nor shall they be construed to prevent the prosecution or punishment of treason, or of any piracy defined by the laws of the United States.

Construction of this chapter. R. S., sec. 5291. Transient aliens.

Prosecutions for treason or piracy not affected.

CHAPTER THREE.

OFFENSES AGAINST THE ELECTIVE FRANCHISE AND CIVIL RIGHTS OF CITIZENS.

Offenses against elective franchise and civil rights.

- Sec.
- 19. Conspiracy to injure, etc., persons in the exercise of civil rights.
 - 20. Depriving citizens of civil rights under color of State laws.
 - 21. Conspiring to prevent officer from performing duties.
 - 22. Unlawful presence of troops at elections.
 - 23. Intimidation of voters by officers, etc., of Army or Navy.

- Sec.
- 24. Officers of Army or Navy prescribing qualifications of voters.
 - 25. Officers, etc., of Army or Navy interfering with officers of election, etc.
 - 26. Persons disqualified from holding office; when soldiers, etc., may vote.

SEC. 19. If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same, or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than five thousand dollars and imprisoned not more than ten years, and shall, moreover, be thereafter ineligible to any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

Conspiring to injure, etc., persons in the exercise of civil rights. R. S., sec. 5508.

Punishment for.

Depriving citizens of civil rights under color of state laws, etc. R. S., sec. 5510.

SEC. 20. Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects, or causes to be subjected, any inhabitant of any State, Territory,

or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

Punishment
for.

Conspiring to
prevent officer
from perform-
ing duties.
R. S., sec.
5518.

SEC. 21. If two or more persons in any State, Territory, or District conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, Territory, District, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined not more than five thousand dollars, or imprisoned not more than six years, or both.

Punishment
for.

Unlawful
presence of
troops at polls.
R. S., sec.
5528.

SEC. 22. Every officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, who orders, brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held in any State, unless such force be necessary to repel armed enemies of the United States, shall be fined not more than five thousand dollars and imprisoned not more than five years.

Punishment
for.

Intimidating
voters by army
or navy offi-
cers, etc.
R. S., sec.
5529.

SEC. 23. Every officer or other person in the military or naval service of the United States who, by force, threat, intimidation, order, advice, or otherwise, prevents, or attempts to prevent, any qualified voter of any State from freely exercising the right of suffrage at any general or special election in such State shall be fined not more than five thousand dollars and imprisoned not more than five years.

Punishment
for.

Army or navy
officers pre-
scribing qual-
ifications of
voters.
R. S., sec.
5530.

SEC. 24. Every officer of the army or navy who prescribes or fixes, or attempts to prescribe or fix, whether by proclamation, order, or otherwise, the qualifications of voters at any election in any State shall be punished as provided in the preceding section.

Interfering
with election
officers by army
or navy officers,
etc.
R. S., sec.
5531.

SEC. 25. Every officer or other person in the military or naval service of the United States who, by force, threat, intimidation, order, or otherwise, compels, or attempts to compel, any officer holding an election in any State to receive a vote from a person not legally qualified to vote, or who imposes, or attempts to impose, any regulations for conducting any general or special election in a State different from those prescribed by law, or who interferes in any manner with any officer of an election

in the discharge of his duty, shall be punished as provided in section twenty-three.

SEC. 26. Every person convicted of any offense defined in the four preceding sections shall, in addition to the punishment therein prescribed, be disqualified from holding any office of honor, profit, or trust under the United States; but nothing therein shall be construed to prevent any officer, soldier, sailor, or marine from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote.

Additional
punishment.
R. S., sec.
5532.
Suffrage by
officers, etc.,
not impaired.

CHAPTER FOUR.

OFFENSES AGAINST THE OPERATIONS OF THE GOVERNMENT.

Offenses
against opera-
tions of the
Government.

Sec.	Sec.
27. Forgery of letters patent.	49. Timber depredations on public lands.
28. Forging bids, public records, etc.	50. Timber, etc., depredations on Indian and other reservations.
29. Forging deeds, powers of attorney, etc.	51. Boxing, etc., timber on public lands for turpentine, etc.
30. Having forged papers in possession.	52. Setting fire to timber on public lands.
31. False acknowledgments.	53. Failing to extinguish fires.
32. Falsely pretending to be United States officer.	54. Fines to be paid into school fund.
33. False personation of holder of public stock.	55. Trespassing on Bull Run National Forest, Oregon.
34. False demand on fraudulent power of attorney.	56. Breaking fence or gate inclosing reserved lands, or driving or permitting live stock to enter upon.
35. Making or presenting false claims.	57. Injuring or removing posts or monuments.
36. Embezzling arms, stores, etc.	58. Interrupting surveys.
37. Conspiracy to commit offense against the United States; all parties liable for acts of one.	59. Agreement to prevent bids at sale of lands.
38. Delaying or defrauding captor or claimant, etc., of prize property.	60. Injuries to United States telegraph, etc., lines.
39. Bribery of United States officer.	61. Counterfeiting weather forecast.
40. Unlawfully taking or using papers relating to claims.	62. Interfering with employees of Bureau of Animal Industry.
41. Persons interested not to act as agents of the Government.	63. Forgery of certificate of entry.
42. Enticing desertions from the military or naval service.	64. Concealment or destruction of invoices, etc.
43. Enticing away workmen.	65. Resisting revenue officer; rescuing or destroying seized property, etc.
44. Injuries to fortifications, harbor defenses, etc.	66. Falsely assuming to be a revenue officer.
45. Unlawfully entering upon military reservation, fort, etc.	67. Offering presents to revenue officer.
46. Robbery or larceny of personal property of the United States.	68. Admitting merchandise to entry for less than legal duty.
47. Embezzling, stealing, etc., public property.	
48. Receivers, etc., of stolen public property.	

- Sec.
- 69. Securing entry of merchandise by false samples, etc.
 - 70. False certification by consular officer.
 - 71. Taking seized property from custody of revenue officer.
 - 72. Forging or altering ship's papers or custom-house documents.
 - 73. Forging military bounty-land warrant, etc.
 - 74. Forging, etc., certificate of citizenship.
 - 75. Engraving, etc., plate for printing, or photographing, selling, or bringing into United States, etc., certificate of citizenship.
 - 76. False personation, etc., in procuring naturalization.

- Sec.
- 77. Using false certificate of citizenship, or denying citizenship, etc.
 - 78. Using false certificate, etc., as evidence of right to vote, etc.
 - 79. Falsely claiming citizenship.
 - 80. Taking false oath in naturalization proceedings.
 - 81. Provisions applicable to all courts of naturalization.
 - 82. Shanghaing and falsely inducing person intoxicated to go on vessel prohibited.
 - 83. Corporations, etc., not to contribute money for political elections, etc.
 - 84. Hunting birds, or taking their eggs from breeding grounds, prohibited.

Forging, etc.,
letters patent.
R. S., sec.
5416.

SEC. 27. Whoever shall falsely make, forge, counterfeit, or alter any letters patent granted or purporting to have been granted by the President of the United States; or whoever shall pass, utter, or publish, or attempt to pass, utter, or publish as genuine, any such forged, counterfeited, or falsely altered letters patent, knowing the same to be forged, counterfeited, or falsely altered, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Punishment
for.

Forging
bonds, olds,
public records,
etc.
R. S., secs.
5418, 5479.

SEC. 28. Whoever shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid, or assist in the false making, altering, forging, or counterfeiting, any bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published as true, or have in his possession with the intent to utter or publish as true, any such false, forged, altered, or counterfeited bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, the office of any officer of the United States, any such false, forged, altered, or counterfeited bond, bid, proposal, contract, guarantee, security, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States, shall be fined not more than one thousand dollars, or imprisoned not more than ten years, or both.

Transmitting
forged, etc.,
papers.

Punishment
for.

Forging
deeds, powers
of attorney,
etc.
R. S., sec.
5421.

SEC. 29. Whoever shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid or assist in the false making, altering, forging, or counterfeiting,

any deed, power of attorney, order, certificate, receipt, contract, or other writing, for the purpose of obtaining or receiving, or of enabling any other person, either directly or indirectly, to obtain or receive from the United States, or any of their officers or agents, any sum of money; or whoever shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited deed, power of attorney, order, certificate, receipt, contract, or other writing, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited; or whoever shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, any office or officer of the Government of the United States, any deed, power of attorney, order, certificate, receipt, contract, or other writing, in support of, or in relation to, any account or claim, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited, shall be fined not more than one thousand dollars and imprisoned not more than ten years.

Transmitting forged, etc., papers.

Punishment for.

SEC. 30. Whoever, knowingly and with intent to defraud the United States, shall have in his possession any false, altered, forged, or counterfeited deed, power of attorney, order, certificate, receipt, contract, or other writing, for the purpose of enabling another to obtain from the United States, or from any officer or agent thereof, any sum of money, shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both.

Having false, etc., papers in possession.
R. S., sec. 5422.

Punishment for.

SEC. 31. Whoever, being an officer authorized to administer oaths or to take and certify acknowledgments, shall knowingly make any false acknowledgment, certificate, or statement concerning the appearance before him or the taking of an oath or affirmation by any person with respect to any proposal, contract, bond, undertaking, or other matter, submitted to, made with, or taken on behalf of, the United States, and concerning which an oath or affirmation is required by law or regulation made in pursuance of law, or with respect to the financial standing of any principal, surety, or other party to any such proposal, contract, bond, undertaking, or other instrument, shall be fined not more than two thousand dollars, or imprisoned not more than two years, or both.

Officer making false acknowledgments.

Punishment for.

SEC. 32. Whoever, with intent to defraud either the United States or any person, shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any Department, or any officer of the Government thereof, and shall take upon himself to act as such, or shall in such pretended character demand or obtain from any person or from the United States, or any Department, or any officer of the Government thereof, any money, paper, document, or other valuable thing, shall be fined not more than one

Falsely pretending to be United States officer.
R. S., sec. 5438.

Punishment for.

thousand dollars, or imprisoned not more than three years, or both.

False per-
sonation of
holder of pub-
lic stocks, pen-
sioner, etc.
R. S., 5435.

SEC. 33. Whoever shall falsely personate any true and lawful holder of any share or sum in the public stocks or debt of the United States, or any person entitled to any annuity, dividend, pension, prize money, wages, or other debt due from the United States, and, under color of such false personation, shall transfer or endeavor to transfer such public stock or any part thereof, or shall receive or endeavor to receive the money of such true and lawful holder thereof, or the money of any person really entitled to receive such annuity, dividend, pension, prize money, wages, or other debt, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Punishment
for.

False de-
mand on fraud-
ulent power of
attorney.
R. S., sec.
5436.

SEC. 34. Whoever shall knowingly or fraudulently demand or endeavor to obtain any share or sum in the public stocks of the United States, or to have any part thereof transferred, assigned, sold, or conveyed, or to have any annuity, dividend, pension, prize money, wages, or other debt due from the United States, or any part thereof, received, or paid by virtue of any false, forged, or counterfeited power of attorney, authority, or instrument, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Punishment
for.

Presenting
false claims.
R. S., sec.
5438.

SEC. 35. Whoever shall make or cause to be made, or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent; or whoever, for the purpose of obtaining or aiding to obtain the payment or approval of such claim, shall make or use, or cause to be made or used, any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry; or whoever shall enter into any agreement, combination, or conspiracy to defraud the Government of the United States, or any department or officer thereof, by obtaining or aiding to obtain the payment or allowance of any false or fraudulent claim; or whoever, having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service, with intent to defraud the United States or willfully to conceal such money or other property, shall deliver or cause to be delivered, to any other person having authority to receive the same, any amount of such money or other property less than that for which he received a certificate or took a receipt; or whoever, being authorized to make or deliver any certificate, voucher, receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other property so used or to be used, shall make or deliver the same to any other person without a

full knowledge of the truth of the facts stated therein, and with intent to defraud the United States, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both. And whoever shall knowingly purchase or receive in pledge for any obligation or indebtedness from any soldier, officer, sailor, or other person called into or employed in the military or naval service, any arms, equipments, ammunition, clothes, military stores, or other public property, whether furnished to the soldier, sailor, officer, or person, under a clothing allowance or otherwise, such soldier, sailor, officer, or other person not having the lawful right to pledge or sell the same, shall be fined not more than five hundred dollars, and imprisoned not more than two years.

Punishment
for.

Unlawful
purchase of
public prop-
erty.

Punishment
for.

SEC. 36. Whoever shall steal, embezzle, or knowingly apply to his own use, or unlawfully sell, convey, or dispose of, any ordnance, arms, ammunition, clothing, subsistence, stores, money, or other property of the United States, furnished or to be used for the military or naval service, shall be punished as prescribed in the preceding section.

Embezzling
arms, stores,
etc.
R. S., sec.
5439.

SEC. 37. If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than ten thousand dollars, or imprisoned not more than two years, or both.

Conspiring to
commit offense
against United
States.
R. S., sec.
5440.

Punishment
for all parties.

SEC. 38. Whoever shall willfully do, or aid or advise in the doing, of any act relating to the bringing in, custody, preservation, sale, or other disposition of any property captured as prize, or relating to any documents or papers connected with the property, or to any deposition or other document or paper connected with the proceedings, with intent to defraud, delay, or injure the United States or any captor or claimant of such property, shall be fined not more than ten thousand dollars, or imprisoned not more than five years, or both.

Fraudulent in-
terference with
delivery, etc.,
of prize prop-
erty.
R. S., sec.
5441.

Punishment
for.

SEC. 39. Whoever shall promise, offer, or give, or cause or procure to be promised, offered, or given, any money or other thing of value, or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, to any officer of the United States, or to any person acting for or on behalf of the United States in any official function, under or by authority of any department or office of the Government thereof, or to any officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or both Houses thereof, with intent to influence his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place

Bribery of
United States
officer.

R. S., sec.
5451.

Punishment for. of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or omit to do any act in violation of his lawful duty, shall be fined not more than three times the amount of money or value of the thing so offered, promised, given, made, or tendered, or caused or procured to be so offered, promised, given, made, or tendered, and imprisoned not more than three years.

Unlawfully taking or using papers relating to claims. **R. S., sec. 5454.** **SEC. 40.** Whoever shall take and carry away, without authority from the United States, from the place where it has been filed, lodged, or deposited, or where it may for the time being actually be kept by authority of the United States, any certificate, affidavit, deposition, written statement of facts, power of attorney, receipt, voucher, assignment, or other document, record, file, or paper, prepared, fitted, or intended to be used or presented in order to procure the payment of money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, whether the same has or has not already been so used or presented, and whether such claim, account, or demand, or any part thereof, has or has not already been allowed or paid; or whoever shall present, use, or attempt to use, any such document, record, file, or paper so taken and carried away, in order to procure the payment of any money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Punishment for.

Persons interested not to act as government agents. **R. S., sec. 1783.** **SEC. 41.** No officer or agent of any corporation, joint stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint stock company, association, or firm. Whoever shall violate the provision of this section shall be fined not more than two thousand dollars and imprisoned not more than two years.

Punishment for.

Enticing desertion from army or navy. **R. S., secs. 1553, 5455.** **SEC. 42.** Whoever shall entice or procure, or attempt or endeavor to entice or procure, any soldier in the military service, or any seaman or other person in the naval service of the United States, or who has been recruited for such service, to desert therefrom, or shall aid any such soldier, seaman, or other person in deserting or in attempting to desert from such service; or whoever shall harbor, conceal, protect, or assist any such soldier, seaman, or other person who may have deserted from such service, knowing him to have deserted therefrom, or shall refuse to give up and

deliver such soldier, seaman, or other person on the demand of any officer authorized to receive him, shall be imprisoned not more than three years and fined not more than two thousand dollars.

SEC. 43. Whoever shall procure or entice any artificer or workman retained or employed in any arsenal or armory, to depart from the same during the continuance of his engagement, or to avoid or break his contract with the United States; or whoever, after due notice of the engagement of such workman or artificer, during the continuance of such engagement, shall retain, hire, or in anywise employ, harbor, or conceal such artificer or workman, shall be fined not more than fifty dollars, or imprisoned not more than three months, or both.

Enticing
workmen from
arsenals or ar-
mories.
R. S., sec.
1668.

Punishment
for.

SEC. 44. Whoever shall willfully trespass upon, injure, or destroy any of the works or property or material of any submarine mine or torpedo, or fortification or harbor-defense system owned or constructed or in process of construction by the United States, or shall willfully interfere with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Injuries to
fortifications,
etc.

Punishment
for.

SEC. 45. Whoever shall go upon any military reservation, army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Unlawfully
entering fort,
etc.

Punishment
for.

SEC. 46. Whoever shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Robbery of
personal prop-
erty of United
States.

R. S., sec.
5456.

Punishment
for.

SEC. 47. Whoever shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Embezzling
public moneys,
etc.

Punishment
for.

SEC. 48. Whoever shall receive, conceal, or aid in concealing, or shall have or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined by any other person, knowing the same to have been so embezzled, stolen, or purloined, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both; and such

Receiving,
etc., stolen
public prop-
erty.

Punishment
for.

person may be tried either before or after the conviction of the principal offender.

Timber depredations on public lands.

SEC. 49. Whoever shall cut, or cause or procure to be cut, or shall wantonly destroy, or cause to be wantonly destroyed, any timber growing on the public lands of the United States; or whoever shall remove, or cause to be removed, any timber from said public lands, with intent to export or to dispose of the same; or whoever, being the owner, master, or consignee of any vessel, or the owner, director, or agent of any railroad, shall knowingly transport any timber so cut or removed from said lands, or lumber manufactured therefrom, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both. Nothing in this section shall prevent any miner or agriculturist from clearing his land in the ordinary working of his mining claim, or in the preparation of his farm for tillage, or from taking the timber necessary to support his improvements, or the taking of timber for the use of the United States. And nothing in this section shall interfere with or take away any right or privilege under any existing law of the United States to cut or remove timber from any public lands.

Punishment for. Rights of entrymen.

Timber, etc., depredations on reservations or Indian lands. R. S., sec. 5388.

SEC. 50. Whoever shall unlawfully cut, or aid in unlawfully cutting, or shall wantonly injure or destroy, or procure to be wantonly injured or destroyed, any tree, growing, standing, or being upon any land of the United States which, in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Punishment for.

Boxing, etc., trees for turpentine.

SEC. 51. Whoever shall cut, chip, chop, or box any tree upon any lands belonging to the United States, or upon any lands covered by or embraced in any unperfected settlement, application, filing, entry, selection, or location, made under any law of the United States, for the purpose of obtaining from such tree any pitch, turpentine, or other substance, or shall knowingly encourage, cause, procure, or aid in the cutting, chipping, chopping, or boxing of any such tree, or shall buy, trade for, or in any manner acquire any pitch, turpentine, or other substance, or any article or commodity made from any such pitch, turpentine, or other substance, when he has knowledge that the same has been so unlawfully obtained from such trees, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Punishment for.

Setting fire to timber on public lands.

SEC. 52. Whoever shall willfully set on fire, or cause to be set on fire, any timber, underbrush, or grass upon the public domain, or shall leave or suffer fire to burn unattended near any timber or other inflammable material,

Punishment for.

shall be fined not more than five thousand dollars, or imprisoned not more than two years, or both.

SEC. 53. Whoever shall build a fire in or near any forest, timber, or other inflammable material upon the public domain shall, before leaving said fire, totally extinguish the same; and whoever shall fail to do so shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

Falling to extinguish fires.

Punishment for.

SEC. 54. In all cases arising under the two preceding sections the fines collected shall be paid into the public school fund of the county in which the lands where the offense was committed are situated.

Fines to be paid into school funds.

SEC. 55. Whoever, except forest rangers and other persons employed by the United States to protect the forest, federal, and state officers in the discharge of their duties, and the employees of the water board of the city of Portland, State of Oregon, shall knowingly trespass upon any part of the reserve known as Bull Run National Forest, in the Cascade Mountains, in the State of Oregon, or shall enter thereon for the purpose of grazing stock, or shall engage in grazing stock thereon, or shall permit stock of any kind to graze thereon, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Trespassing on Bull Run National Forest, Oreg.

Punishment for.

SEC. 56. Whoever shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States which, in pursuance of any law, have been reserved or purchased by the United States for any public use; or whoever shall drive any cattle, horses, hogs, or other live stock upon any such lands for the purpose of destroying the grass or trees on said lands, or where they may destroy the said grass or trees; or whoever shall knowingly permit his cattle, horses, hogs, or other live stock, to enter through any such inclosure upon any such lands of the United States, where such cattle, horses, hogs, or other live stock may or can destroy the grass or trees or other property of the United States on the said lands, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both: *Provided*, That nothing in this section shall be construed to apply to unreserved public lands.

Breaking fences, driving cattle, etc., on inclosed public lands.

Punishment for.

Proviso. Lands excepted.

SEC. 57. Whoever shall willfully destroy, deface, change, or remove to another place any section corner, quarter-section corner, or meander post, on any Government line of survey, or shall willfully cut down any witness tree or any tree blazed to mark the line of a Government survey, or shall willfully deface, change, or remove any monument or bench mark of any Government survey, shall be fined not more than two hundred and fifty dollars, or imprisoned not more than six months, or both.

Injuring or removing survey marks.

Punishment for.

SEC. 58. Whoever in any manner, by threats or force, shall interrupt, hinder, or prevent the surveying of the public lands, or of any private land claim which has been or may be confirmed by the United States, by the persons

Interrupting surveys.
R. S., sec. 2412.

Punishment for. authorized to survey the same, in conformity with the instructions of the Commissioner of the General Land Office, shall be fined not more than three thousand dollars and imprisoned not more than three years.

Agreements to prevent bids at land sales. R. S., sec. 2373.

SEC. 59. Whoever, before or at the time of the public sale of any of the lands of the United States, shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person, that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both.

Punishment for.

Injuries to United States telegraph, etc., lines.

SEC. 60. Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system, operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line, or system, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

Punishment for.

Counterfeiting weather forecasts.

SEC. 61. Whoever shall knowingly issue or publish any counterfeit weather forecast or warning of weather conditions falsely representing such forecast or warning to have been issued or published by the Weather Bureau, United States Signal Service, or other branch of the Government service, shall be fined not more than five hundred dollars, or imprisoned not more than ninety days, or both.

Punishment for.

Molesting Animal-Industry employees.

SEC. 62. Whoever shall forcibly assault, resist, oppose, prevent, impede, or interfere with any officer or employee of the Bureau of Animal Industry of the Department of Agriculture in the execution of his duties, or on account of the execution of his duties, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both; and whoever shall use any deadly or dangerous weapon in resisting any officer or employee of the Bureau of Animal Industry of the Department of Agriculture in the execution of his duties, with intent to commit a bodily injury upon him or to deter or prevent him from discharging his duties, or on account of the performance of his duties, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

Using deadly weapon.

Punishment for.

Forging customs entry certificates. R. S., sec. 5417.

SEC. 63. Whoever shall forge, counterfeit, or falsely alter any certificate of entry made or required to be made in pursuance of law by any officer of the customs, or shall use any such forged, counterfeited, or falsely altered certificate, knowing the same to be forged, coun-

terfeited, or falsely altered, shall be fined not more than ten thousand dollars and imprisoned not more than three years. Punishment for.

SEC. 64. Whoever shall willfully conceal or destroy any invoice, book, or paper relating to any merchandise liable to duty, which has been or may be imported into the United States from any foreign port or country, after an inspection thereof has been demanded by the collector of any collection district, or shall at any time conceal or destroy any such invoice, book, or paper for the purpose of suppressing any evidence of fraud therein contained, shall be fined not more than five thousand dollars, or imprisoned not more than two years, or both. Concealing or destroying invoices, etc.
R. S., sec. 5443.
Punishment for.

SEC. 65. Whoever shall forcibly assault, resist, oppose, prevent, impede, or interfere with any officer of the customs or of the internal revenue, or his deputy, or any person assisting him in the execution of his duties, or any person authorized to make searches and seizures, in the execution of his duty, or shall rescue, attempt to rescue, or cause to be rescued, any property which has been seized by any person so authorized; or whoever before, at, or after such seizure, in order to prevent the seizure or securing of any goods, wares, or merchandise by any person so authorized, shall stave, break, throw overboard, destroy, or remove the same, shall be fined not more than two thousand dollars, or imprisoned not more than one year, or both; and whoever shall use any deadly or dangerous weapon in resisting any person authorized to make searches or seizures, in the execution of his duty, with intent to commit a bodily injury upon him or to deter or prevent him from discharging his duty, shall be imprisoned not more than ten years. Resisting revenue officers, rescuing or destroying seized property, etc.
R. S., sec. 5447.
Punishment for.
Using deadly weapon.
Punishment for.

SEC. 66. Whoever shall falsely represent himself to be a revenue officer, and, in such assumed character, demand or receive any money or other article of value from any person for any duty or tax due to the United States, or for any violation or pretended violation of any revenue law of the United States, shall be fined not more than five hundred dollars and imprisoned not more than two years. Falsely assuming to be a revenue officer.
R. S., sec. 5448.
Punishment for.

SEC. 67. Whoever, being engaged in the importation into the United States of any goods, wares, or merchandise, or being interested as principal, clerk, or agent in the entry of any goods, wares, or merchandise, shall at any time make, or offer to make, to any officer of the revenue, any gratuity or present of money or other thing of value, shall be fined not more than five thousand dollars, or imprisoned not more than two years, or both. Offering presents to customs officer.
R. S., sec. 5452.
Punishment for.

SEC. 68. Whoever, being an officer of the revenue, shall, by any means whatever, knowingly admit or aid in admitting to entry, any goods, wares, or merchandise, upon payment of less than the amount of duty legally due thereon, shall be removed from office and fined not more Admitting entries for less than legal duties.
R. S., sec. 5444.
Punishment for.

than five thousand dollars, or imprisoned not more than two years, or both.

Securing false entry of goods.

R. S., sec. 5445.

Punishment for.

SEC. 69. Whoever, by any means whatever, shall knowingly effect, or aid in effecting, any entry of goods, wares, or merchandise, at less than the true weight or measure thereof, or upon a false classification thereof as to quality or value, or by the payment of less than the amount of duty legally due thereon, shall be fined not more than five thousand dollars, or imprisoned not more than two years, or both.

False certification by consular officer.

R. S., sec. 5442.

Punishment for.

SEC. 70. Whoever, being a consul, or vice-consul, or other person employed in the consular service of the United States, shall knowingly certify falsely to any invoice, or other paper, to which his certificate is by law authorized or required, shall be fined not more than ten thousand dollars and imprisoned not more than three years.

Taking seized property from revenue officer.

R. S., sec. 5446.

Punishment for.

SEC. 71. Whoever shall dispossess or rescue, or attempt to dispossess or rescue, any property taken or detained by any officer or other person under the authority of any revenue law of the United States, or shall aid or assist therein, shall be fined not more than three hundred dollars and imprisoned not more than one year.

Forging or altering ship's or customs-house papers.

R. S., sec. 5423.

Punishment for.

SEC. 72. Whoever shall falsely make, forge, counterfeit, or alter any instrument in imitation of, or purporting to be, an abstract or official copy or certificate of the recording, registry, or enrollment of any vessel, in the office of any collector of the customs, or a license to any vessel for carrying on the coasting trade or fisheries of the United States, or a certificate of ownership, pass, passport, sea letter, or clearance, granted for any vessel, under the authority of the United States, or a permit, debenture, or other official document granted by any collector or other officer of the customs by virtue of his office; or whoever shall utter, publish, or pass, or attempt to utter, publish, or pass, as true, any such false, forged, counterfeited, or falsely altered instrument, abstract, official copy, certificate, license, pass, passport, sea letter, clearance, permit, debenture, or other official document herein specified, knowing the same to be false, forged, counterfeited, or falsely altered, with an intent to defraud, shall be fined not more than one thousand dollars and imprisoned not more than three years.

Forging, etc., military bounty-land warrants, etc.

R. S., sec. 5420.

SEC. 73. Whoever shall falsely make, alter, forge, or counterfeit any military bounty-land warrant, or military bounty-land warrant certificate, issued or purporting to have been issued by the Commissioner of Pensions under any law of Congress, or any certificate or duplicate certificate of location of any military bounty-land warrant, or military bounty-land warrant certificate upon any of the lands of the United States, or any certificate or duplicate certificate of the purchase of any of the lands of the United States, or any receipt or duplicate receipt

for the purchase money of any of the lands of the United States, issued or purporting to have been issued by the register and receiver at any land office of the United States or by either of them; or whoever shall utter, publish, or pass as true, any such false, forged, or counterfeited military bounty-land warrant, military bounty-land warrant certificate, certificate or duplicate certificate of location, certificate or duplicate certificate of purchase, receipt or duplicate receipt for the purchase money of any of the lands of the United States, knowing the same to be false, forged, or counterfeited, shall be imprisoned not more than ten years.

Punishment
for.

SEC. 74. Whoever shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or shall knowingly aid or assist in falsely making, forging, or counterfeiting any certificate of citizenship, with intent to use the same, or with the intent that the same may be used by some other person, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both.

Forging, etc.,
certificates of
citizenship.

Punishment
for.

SEC. 75. Whoever shall engrave, or cause or procure to be engraved, or assist in engraving, any plate in the likeness of any plate designed for the printing of a certificate of citizenship; or whoever shall sell any such plate, or shall bring into the United States from any foreign place any such plate, except under the direction of the Secretary of Commerce and Labor or other proper officer; or whoever shall have in his control, custody, or possession any metallic plate engraved after the similitude of any plate from which any such certificate has been printed, with intent to use or to suffer such plate to be used in forging or counterfeiting any such certificate or any part thereof; or whoever shall print, photograph, or in any manner cause to be printed, photographed, made, or executed, any print or impression in the likeness of any such certificate, or any part thereof; or whoever shall sell any such certificate, or shall bring the same into the United States from any foreign place, except by direction of some proper officer of the United States; or whoever shall have in his possession a distinctive paper which has been adopted by the proper officer of the United States for the printing of such certificate, with intent unlawfully to use the same, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both.

Engraving,
e t c., counter-
feit plates for
citizenship cer-
tificates.

Printing, etc.

Distinctive
paper.

Punishment
for.

SEC. 76. Whoever, when applying to be admitted a citizen, or when appearing as a witness for any such person, shall knowingly personate any person other than himself, or shall falsely appear in the name of a deceased person, or in an assumed or fictitious name; or whoever shall falsely make, forge, or counterfeit any oath, notice, affidavit, certificate, order, record, signature, or other instrument, paper, or proceeding required or authorized by

False person-
ation, etc., in
procuring nat-
uralization.

R. S., sec.
5424.

any law relating to or providing for the naturalization of aliens; or whoever shall utter, sell, dispose of, or shall use as true or genuine, for any unlawful purpose, any false, forged, antedated, or counterfeit oath, notice, certificate, order, record, signature, instrument, paper, or proceeding above specified; or whoever shall sell or dispose of to any person other than the person for whom it was originally issued any certificate of citizenship or certificate showing any person to be admitted a citizen, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

Using false certificate of citizenship. R. S., sec. 5425.

SEC. 77. Whoever shall use or attempt to use, or shall aid, assist, or participate in the use of any certificate of citizenship, knowing the same to be forged, counterfeit, or antedated, or knowing the same to have been procured by fraud or otherwise unlawfully obtained; or whoever, without lawful excuse, shall knowingly possess any false, forged, antedated, or counterfeit certificate of citizenship purporting to have been issued under any law of the United States relating to naturalization, knowing such certificate to be false, forged, antedated, or counterfeit, with the intent unlawfully to use the same; or whoever shall obtain, accept, or receive any certificate of citizenship, knowing the same to have been procured by fraud or by the use or means of any false name or statement given or made with the intent to procure, or to aid in procuring, the issuance of such certificate, or knowing the same to have been fraudulently altered or antedated; or whoever, without lawful excuse, shall have in his possession any blank certificate of citizenship provided by the Bureau of Immigration and Naturalization with the intent unlawfully to use the same; or whoever, after having been admitted to be a citizen, shall, on oath or by affidavit, knowingly deny that he has been so admitted, with the intent to evade or avoid any duty or liability imposed or required by law, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Citizenship blanks.

Denying citizenship.

Punishment for.

Attempting to vote, etc., on false certificate.

R. S., sec. 5426.

SEC. 78. Whoever shall in any manner use, for the purpose of registering as a voter, or as evidence of a right to vote, or otherwise unlawfully, any order, certificate of citizenship, or certificate, judgment, or exemplification, showing any person to be admitted to be a citizen, whether heretofore or hereafter issued or made, knowing that such order, certificate, judgment, or exemplification has been unlawfully issued or made; or whoever shall unlawfully use, or attempt to use, any such order or certificate, issued to or in the name of any other person, or in a fictitious name, or the name of a deceased person, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

Falsely claiming citizenship.

SEC. 79. Whoever shall knowingly use any certificate of naturalization heretofore or which hereafter may be

granted by any court, which has been or may be procured through fraud or by false evidence, or which has been or may hereafter be issued by the clerk or any other officer of the court without any appearance and hearing of the applicant in court and without lawful authority; or whoever, for any fraudulent purpose whatever, shall falsely represent himself to be a citizen of the United States without having been duly admitted to citizenship, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both.

R. S., sec. 5428.

Punishment for.

SEC. 80. Whoever, in any proceeding under or by virtue of any law relating to the naturalization of aliens, shall knowingly swear falsely in any case where an oath is made or affidavit taken, shall be fined not more than one thousand dollars and imprisoned not more than five years.

Falsely swearing in naturalization cases.

R. S., sec. 5395.

Punishment for.

SEC. 81. The provisions of the five sections last preceding shall apply to all proceedings had or taken, or attempted to be had or taken, before any court in which any proceeding for naturalization may be commenced or attempted to be commenced, and whether such court was vested by law with jurisdiction in naturalization proceedings or not.

Provisions applicable to all courts of naturalization.

R. S., sec. 5429.

SEC. 82. Whoever, with intent that any person shall perform service or labor of any kind on board of any vessel engaged in trade and commerce among the several States or with foreign nations, or on board of any vessel of the United States engaged in navigating the high seas or any navigable water of the United States, shall procure or induce, or attempt to procure or induce, another, by force or threats or by representations which he knows or believes to be untrue, or while the person so procured or induced is intoxicated or under the influence of any drug, to go on board of any such vessel, or to sign or in anywise enter into any agreement to go on board of any such vessel to perform service or labor thereon; or whoever shall knowingly detain on board of any such vessel any person so procured or induced to go on board thereof, or to enter into any agreement to go on board thereof, by any means herein defined; or whoever shall knowingly aid or abet in the doing of any of the things herein made unlawful, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

Shanghaiing of sailors, described.

Punishment for.

SEC. 83. It shall be unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a money contribution in connection with any election to any political office. It shall also be unlawful for any corporation whatever to make a money contribution in connection with any election at which Presidential and Vice-Presidential electors or a Representative in Congress is to be voted for, or any election by any State legislature of a United States Senator. Every corporation which shall make any contribution in violation of the foregoing provisions shall be fined not

Corporations contributing for political elections.

Penalty for.

Additional to officers. more than five thousand dollars; and every officer or director of any corporation who shall consent to any contribution by the corporation in violation of the foregoing provisions shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

Hunting, taking eggs, etc., on bird-breeding grounds. SEC. 84. Whoever shall hunt, trap, capture, willfully disturb, or kill any bird of any kind whatever, or take the eggs of any such bird, on any lands of the United States which have been set apart or reserved as breeding grounds for birds, by any law, proclamation, or executive order, except under such rules and regulations as the Secretary of Agriculture may, from time to time, prescribe, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Punishment for.

CHAPTER FIVE.

Offenses relating to official duties.

OFFENSES RELATING TO OFFICIAL DUTIES.

Sec.	Sec.
85. Officer, etc., of the United States guilty of extortion.	104. Certain officers forbidden to purchase, etc., witness, etc., fees.
86. Receipting for larger sums than are paid.	105. Falsely certifying, etc., as to record of deeds, etc.
87. Disbursing officer unlawfully converting, etc., public money.	106. Other false certificates.
88. Failure of Treasurer, etc., to safely keep public money.	107. Inspector of steamboats receiving illegal fees.
89. Custodian of public money failing to safely keep, etc.	108. Pension agent taking fee, etc.
90. Failure of officer to render accounts, etc.	109. Officer not to be interested in claims against the United States.
91. Failure to deposit as required.	110. Member of Congress, etc., soliciting or accepting bribe, etc.
92. Provisions of the five preceding sections, to whom applicable.	111. Offering, etc., Member of Congress bribe, etc.
93. Record evidence of embezzlement.	112. Member of Congress taking consideration for procuring contract, office, etc.; offering Member consideration, etc.
94. Prima facie evidence.	113. Member of Congress, etc., taking compensation in matters to which United States is a party.
95. Evidence of conversion.	114. Member of Congress not to be interested in contract.
96. Banker, etc., receiving deposit from disbursing officer.	115. Officer making contracts with Member of Congress.
97. Embezzlement by internal-revenue officer, etc.	116. Contracts to which two preceding sections do not apply.
98. Officer contracting beyond specific appropriation.	117. United States officer accepting bribe.
99. Officer of United States court failing to deposit moneys, etc.	118. Political contributions not to be solicited by certain officers.
100. Receiving loan or deposit from officer of court.	119. Political contributions not to be received in public offices.
101. Failure to make returns or reports.	
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Sec.
 120. Immunity from official pro-
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 sections.

Sec.
 123. Governmental officer, etc.,
 giving out advance infor-
 mation respecting crop
 reports.
 124. Government officer, etc.,
 knowingly compiling or
 issuing false statistics
 respecting crops.

SEC. 85. Every officer, clerk, agent, or employee of the United States, and every person representing himself to be or assuming to act as such officer, clerk, agent, or employee, who, under color of his office, clerkship, agency, or employment, or under color of his pretended or assumed office, clerkship, agency, or employment, is guilty of extortion, and every person who shall attempt any act which if performed would make him guilty of extortion, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Extortion by
 officials.
 R. S., sec.
 5481.

Punishment
 for.

SEC. 86. Whoever, being an officer, clerk, agent, employee, or other person charged with the payment of any appropriation made by Congress, shall pay to any clerk or other employee of the United States a sum less than that provided by law, and require such employee to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld from any employee of the Government and imprisoned not more than two years.

Receipting
 for larger sums
 than are paid.
 R. S., sec.
 5483.

Punishment
 for.

SEC. 87. Whoever, being a disbursing officer of the United States, or a person acting as such, shall in any manner convert to his own use, or loan with or without interest, or deposit in any place or in any manner, except as authorized by law, any public money intrusted to him; or shall, for any purpose not prescribed by law, withdraw from the Treasurer or any assistant treasurer, or any authorized depository, or transfer, or apply, any portion of the public money intrusted to him, shall be deemed guilty of an embezzlement of the money so converted, loaned, deposited, withdrawn, transferred, or applied, and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both.

Disbursing
 officers unlaw-
 fully using,
 etc., public
 money.
 R. S., sec.
 5488.

Punishment
 for.

SEC. 88. If the Treasurer of the United States or any assistant treasurer, or any public depository, fails safely to keep all moneys deposited by any disbursing officer or disbursing agent, as well as all moneys deposited by any receiver, collector, or other person having money of the United States, he shall be deemed guilty of embezzlement of the moneys not so safely kept, and shall be fined in a sum equal to the amount of money so embezzled and imprisoned not more than ten years.

Failure of
 depositaries to
 safely keep
 public deposits.
 R. S., sec.
 5489.

Punishment
 for.

SEC. 89. Every officer or other person charged by any Act of Congress with the safe-keeping of the public moneys, who shall loan, use, or convert to his own use, or shall deposit in any bank or exchange for other funds,

Custodian
 failing to keep,
 etc., public
 moneys.
 R. S., sec.
 5490.

- except as specially allowed by law, any portion of the public moneys intrusted to him for safe-keeping, shall be guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged, and shall be fined in a sum equal to the amount of money so embezzled and imprisoned not more than ten years.
- Punishment for.** **Failure of officer to render accounts.** R. S., sec. 5491. **SEC. 90.** Every officer or agent of the United States who, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law shall be deemed guilty of embezzlement, and shall be fined in a sum equal to the amount of the money embezzled and imprisoned not more than ten years.
- Punishment for.** **Failure to deposit as required.** R. S., sec. 5492. **SEC. 91.** Whoever, having money of the United States in his possession or under his control, shall fail to deposit it with the Treasurer, or some assistant treasurer, or some public depository of the United States, when required so to do by the Secretary of the Treasury, or the head of any other proper department, or by the accounting officers of the Treasury, shall be deemed guilty of embezzlement thereof, and shall be fined in a sum equal to the amount of money embezzled and imprisoned not more than ten years.
- Punishment for.** **Persons affected.** **SEC. 92.** The provisions of the five preceding sections shall be construed to apply to all persons charged with the safe-keeping, transfer, or disbursement of the public money, whether such persons be indicted as receivers or depositaries of the same.
- Record evidence of embezzlement.** R. S., sec. 5494. **SEC. 93.** Upon the trial of any indictment against any person for embezzling public money under any provision of the six preceding sections, it shall be sufficient evidence, prima facie, for the purpose of showing a balance against such person, to produce a transcript from the books and proceedings of the Treasury, as required in civil cases, under the provisions for the settlement of accounts between the United States and receivers of public money.
- Prima facie evidence.** R. S., sec. 5495. **SEC. 94.** The refusal of any person, whether in or out of office, charged with the safe-keeping, transfer, or disbursement of the public money to pay any draft, order, or warrant, drawn upon him by the proper accounting officer of the Treasury, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received, or may be held, or to transfer or disburse any such money, promptly, upon the legal requirement of any authorized officer, shall be deemed, upon the trial of any indictment against such person for embezzlement, prima facie evidence of such embezzlement.
- Evidence of conversion.** R. S., sec. 5496. **SEC. 95.** If any officer charged with the disbursement of the public moneys accepts, receives, or transmits to the Treasury Department to be allowed in his favor any receipt or voucher from a creditor of the United States without having paid to such creditor in such funds as the officer received for disbursement, or in such funds as he may be authorized by law to take in exchange, the full

amount specified in such receipt or voucher, every such act is an act of conversion by such officer to his own use of the amount specified in such receipt or voucher.

SEC. 96. Every banker, broker, or other person not an authorized depository of public moneys, who shall knowingly receive from any disbursing officer, or collector of internal revenue, or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States, or shall use, transfer, convert, appropriate, or apply any portion of the public money for any purpose not prescribed by law; and every president, cashier, teller, director, or other officer of any bank or banking association who shall violate any provision of this section is guilty of embezzlement of the public money so deposited, loaned, transferred, used, converted, appropriated, or applied, and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both.

Banker, etc.,
receiving unau-
thorized de-
posit of public
money.
R. S., sec.
5497.

Punishment
for.

SEC. 97. Any officer connected with, or employed in, the Internal-Revenue Service of the United States, and any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or other property of the United States, and any officer of the United States, or any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or property which may have come into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or assistant, whether the same shall be the money or property of the United States or of some other person or party, shall, where the offense is not otherwise punishable by some statute of the United States, be fined not more than the value of the money and property thus embezzled or converted, or imprisoned not more than ten years, or both.

Embezzle-
ment by inter-
nal-revenue of-
ficer.

Punishment
for.

SEC. 98. Whoever, being an officer of the United States, shall knowingly contract for the erection, repair, or furnishing of any public building, or for any public improvement, to pay a larger amount than the specific sum appropriated for such purpose, shall be fined not more than two thousand dollars and imprisoned not more than two years.

Officer con-
tracting be-
yond specific
appropriation.
R. S., sec.
5503.

SEC. 99. Whoever, being a clerk or other officer of a court of the United States, shall fail forthwith to deposit any money belonging in the registry of the court, or hereafter paid into court or received by the officers thereof, with the Treasurer, assistant treasurer, or a designated depository of the United States, in the name and to the credit of such court, or shall retain or convert to his own use or to the use of another any such money, is guilty of embezzlement, and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both; but nothing herein shall be held to prevent the delivery of any such money upon security, according to agreement of parties, under the direction of the court.

Court officers
failing to de-
posit money,
etc.
R. S., sec.
5504.

Punishment
for.

Delivery upon
security.

Receiving loan, etc., from court officer. R. S., sec. 5505. **Punishment for.**

SEC. 100. Whoever shall knowingly receive, from a clerk or other officer of a court of the United States, as a deposit, loan, or otherwise, any money belonging in the registry of such court, is guilty of embezzlement, and shall be punished as prescribed in the preceding section.

Failure to make returns or reports. R. S., sec. 1780. **Punishment for.**

SEC. 101. Every officer who neglects or refuses to make any return or report which he is required to make at stated times by any Act of Congress or regulation of the Department of the Treasury, other than his accounts, within the time prescribed by such Act or regulation, shall be fined not more than one thousand dollars.

Aiding in obscene literature trade, etc. R. S., sec. 1785. **Punishment for.**

SEC. 102. Whoever, being an officer, agent, or employee of the Government of the United States, shall knowingly aid or abet any person engaged in violating any provision of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail, obscene or indecent publications, or representations, or means for preventing conception or producing abortion, or other article of indecent or immoral use or tendency, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Trading in public property by collecting or disbursing officer. R. S., secs. 1788, 1789. **Punishment for.**

SEC. 103. Whoever, being an officer of the United States concerned in the collection or the disbursement of the revenues thereof, shall carry on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be fined not more than three thousand dollars, or imprisoned not more than one year, or both, and be removed from office, and thereafter be incapable of holding any office under the United States.

Court officials purchasing fees at less than face value. **Punishment for.**

SEC. 104. Whoever, being a judge, clerk, or deputy clerk of any court of the United States, or of any territory thereof, or a United States district attorney, assistant attorney, marshal, deputy marshal, commissioner, or other person holding any office or employment, or position of trust or profit under the Government of the United States shall, either directly or indirectly, purchase at less than the full face value thereof, any claim against the United States for the fee, mileage, or expenses of any witness, juror, deputy marshal, or any other officer of the court whatsoever, shall be fined not more than one thousand dollars.

Falsely certifying as to records of deeds. **Punishment.**

SEC. 105. Whoever, being an officer or other person authorized by any law of the United States to record a conveyance of real property or any other instrument which by such law may be recorded, shall knowingly certify falsely that such conveyance or instrument has or has not been recorded, shall be fined not more than one thousand dollars, or imprisoned not more than seven years, or both.

Other false certificates. **SEC. 106.** Whoever, being a public officer or other person authorized by any law of the United States to make or give a certificate or other writing, shall knowingly make and deliver as true such a certificate or writing, contain-

ing any statement which he knows to be false, in a case where the punishment thereof is not elsewhere expressly provided by law, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

SEC. 107. Every inspector of steamboats who, upon any pretense, receives any fee or reward for his services, except what is allowed to him by law, shall forfeit his office, and be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Punishment.

Steamboatinspectors taking illegal fees.
R. S., sec. 5482.
Punishment for.

SEC. 108. Every pension agent, or other person employed or appointed by him, who takes, receives, or demands any fee or reward from any pensioner for any service in connection with the payment of his pension, shall be fined not more than five hundred dollars.

Pension agents taking fee.
R. S., sec. 5487.
Punishment for.

SEC. 109. Whoever, being an officer of the United States, or a person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, or under the Senate or House of Representatives of the United States, shall act as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, shall aid or assist in the prosecution or support of any such claim, or receive any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall be fined not more than five thousand dollars, or imprisoned not more than one year, or both.

Officers interested in claims against United States.
R. S., sec. 5498.

Punishment for.

SEC. 110. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, directly or indirectly, ask, accept, receive, or agree to receive, any money, property, or other valuable consideration, or any promise, contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value to him or to any person with his consent, connivance, or concurrence, for his attention to, or services, or with the intent to have his action, vote, or decision influenced, on any question, matter, cause, or proceeding, which may at any time be pending in either House of Congress or before any committee thereof, or which by law or under the Constitution may be brought before him in his official capacity, or in his place as such Member, Delegate, or Resident Commissioner, shall be fined not more than three times the amount asked, accepted, or received, and imprisoned not more than three years; and shall, moreover, forfeit his office or place, and thereafter be forever disqualified from holding any office of honor, trust, or profit under the Government of the United States.

Accepting, etc., bribe by Member of Congress.
R. S., secs. 1781, 5450, 5502.

Punishment for.

Offering, etc., bribe to Member of Congress.
R. S., sec. 5450.

SEC. 111. Whoever shall promise, offer, or give, or cause to be promised, offered, or given, any money or other thing of value, or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value, to any Member of either House of Congress, or Delegate to Congress, or Resident Commissioner, after his election or appointment and either before or after he has qualified, and during his continuance in office, or to any person with his consent, connivance, or concurrence, with intent to influence his action, vote, or decision, on any question, matter, cause, or proceeding which may at any time be pending in either House of Congress, or before any committee thereof, or which by law or under the Constitution may be brought before him in his official capacity or in his place as such Member, Delegate, or Resident Commissioner, shall be fined not more than three times the amount of money or value of the thing so promised, offered, given, made, or tendered, and imprisoned not more than three years.

Punishment for.

Member of Congress taking consideration for procuring contract, etc.
R. S., sec. 1781.

SEC. 112. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, or being an officer or agent of the United States, shall directly or indirectly take, receive, or agree to receive, from any person, any money, property, or other valuable consideration whatever, for procuring, or aiding to procure, any contract, appointive office, or place, from the United States or from any officer or department thereof, for any person whatever, or for giving any such contract, appointive office, or place to any person whomsoever; or whoever, directly or indirectly, shall offer, or agree to give, or shall give, or bestow, any money, property, or other valuable consideration whatever, for the procuring, or aiding to procure, any such contract, appointive office, or place, shall be fined not more than ten thousand dollars and imprisoned not more than two years; and shall, moreover, be disqualified from holding any office of honor, profit, or trust under the Government of the United States. Any such contract or agreement may, at the option of the President, be declared void.

Offering Member of Congress consideration to procure contract, etc.
Punishment for.

Contracts voidable.

Receiving pay by Senator or Member of Congress in matters affecting United States.
R. S., sec. 1782.

SEC. 113. Whoever, being elected or appointed a Senator, Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, or being the head of a department, or other officer or clerk in the employ of the United States, shall, directly or indirectly, receive, or agree to receive, any compensation whatever for any services rendered or to be rendered to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or in-

directly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission whatever, shall be fined not more than ten thousand dollars and imprisoned not more than two years; and shall, moreover, thereafter be incapable of holding any office of honor, trust, or profit under the Government of the United States.

Punishment
for.

SEC. 114. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, directly or indirectly, himself, or by any other person in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in whole or in part, any contract or agreement, made or entered into in behalf of the United States by any officer or person authorized to make contracts on its behalf, shall be fined not more than three thousand dollars. All contracts or agreements made in violation of this section shall be void; and whenever any sum of money is advanced by the United States, in consideration of any such contract or agreement, it shall forthwith be repaid; and in case of failure or refusal to repay the same when demanded by the proper officer of the department under whose authority such contract or agreement shall have been made or entered into, suit shall at once be brought against the person so failing or refusing and his sureties, for the recovery of the money so advanced.

Member of
Congress interested in public
contracts.
R. S., sec.
3739.

Punishment
for.
Contracts
void.
Repayment,
etc.

SEC. 115. Whoever, being an officer of the United States, shall on behalf of the United States, directly or indirectly make or enter into any contract, bargain, or agreement, in writing or otherwise, with any Member of or Delegate to Congress, or any Resident Commissioner, after his election or appointment as such Member, Delegate, or Resident Commissioner, and either before or after he has qualified, and during his continuance in office, shall be fined not more than three thousand dollars.

Making official contract
with Member
of Congress.
R. S., sec.
3742.

SEC. 116. Nothing contained in the two preceding sections shall extend, or be construed to extend, to any contract or agreement made or entered into, or accepted, by any incorporated company, where such contract or agreement is made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange or other property by any Member of or Delegate to Congress, or Resident Commissioner, where the same are ready for delivery, and payment therefor is made, at the time of making or entering into the contract or agreement.

Punishment
for.
Contracts not
affected.
R. S., sec.
3740.

SEC. 117. Whoever, being an officer of the United States, or a person acting for or on behalf of the United States, in any official capacity, under or by virtue of the authority of any department or office of the Government thereof; or whoever, being an officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or of both Houses thereof, shall

Official ac-
cepting bribe.
R. S., secs.
5501, 5502.

ask, accept, or receive any money, or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be fined not more than three times the amount of money or value of the thing so asked, accepted, or received, and imprisoned not more than three years; and shall, moreover, forfeit his office or place and thereafter be forever disqualified from holding any office of honor, trust, or profit under the Government of the United States.

Punishment
for.

Political contributions not to be solicited by officers named.

SEC. 118. No Senator or Representative in, or Delegate or Resident Commissioner to Congress, or Senator, Representative, Delegate, or Resident Commissioner elect, or officer or employee of either House of Congress, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any department, branch, or bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

Political contributions not to be received in public offices.

SEC. 119. No person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States mentioned in the preceding section, or in any navy-yard, fort, or arsenal, solicit in any manner whatever or receive any contribution of money or other thing of value for any political purpose whatever.

Immunity from official proscription.

SEC. 120. No officer or employee of the United States mentioned in section one hundred and eighteen, shall discharge, or promote, or degrade, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose.

Making political contributions to officials.

SEC. 121. No officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of or Delegate to Congress, or Resident Commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

Punishment for violations.

SEC. 122. Whoever shall violate any provision of the four preceding sections shall be fined not more than five thousand dollars, or imprisoned not more than three years, or both.

SEC. 123. Whoever, being an officer or employee of the United States or a person acting for or on behalf of the United States in any capacity under or by virtue of the authority of any department or office thereof, and while holding such office, employment, or position shall, by virtue of the office, employment, or position held by him, become possessed of any information which might exert an influence upon or affect the market value of any product of the soil grown within the United States, which information is by law or by the rules of the department or office required to be withheld from publication until a fixed time, and shall willfully impart, directly or indirectly, such information, or any part thereof, to any person not entitled under the law or the rules of the department or office to receive the same; or shall, before such information is made public through regular official channels, directly or indirectly speculate in any such product respecting which he has thus become possessed of such information, by buying or selling the same in any quantity, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both: *Provided*, That no person shall be deemed guilty of a violation of any such rule, unless prior to such alleged violation he shall have had actual knowledge thereof.

Officials, etc., giving advance information of crop reports.

Punishment for. *Proviso.* Actual knowledge required.

SEC. 124. Whoever, being an officer or employee of the United States and whose duties require the compilation or report of statistics or information relative to the products of the soil, shall knowingly compile for issuance, or issue, any false statistics or information as a report of the United States, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Official knowingly issuing false crop reports.

Punishment for.

CHAPTER SIX.

OFFENSES AGAINST PUBLIC JUSTICE.

Offenses against public justice.

- Sec. 125. Perjury.
- 126. Subornation of perjury.
- 127. Stealing or altering process; procuring false bail, etc.
- 128. Destroying, etc., public records.
- 129. Destroying records by officer in charge.
- 130. Forging signature of judge, etc.
- 131. Bribery of a judge or judicial officer.
- 132. Judge or judicial officer accepting a bribe, etc.
- 133. Juror, referee, master, etc., or judicial officer, etc., accepting bribe.
- 134. Witness accepting bribe.
- 135. Intimidation or corruption of witness, or grand or petit juror, or officer.

- Sec. 136. Conspiring to intimidate party, witness, or juror.
- 137. Attempt to influence juror.
- 138. Allowing prisoner to escape.
- 139. Application of preceding section.
- 140. Obstructing process or assaulting an officer.
- 141. Rescuing, etc., prisoner; concealing, etc., person for whom warrant has issued.
- 142. Rescue at execution.
- 143. Rescue of prisoner.
- 144. Rescue of body of executed offender.
- 145. Extortion by informer.
- 146. Misprision of felony.

Perjury de- **SEC. 125.** Whoever, having taken an oath before a
fined. **R. S., sec.** competent tribunal, officer, or person, in any case in
 5392. which a law of the United States authorizes an oath to
 be administered, that he will testify, declare, depose, or
 certify truly, or that any written testimony, declaration,
 deposition, or certificate by him subscribed, is true, shall
 willfully and contrary to such oath state or subscribe any
 material matter which he does not believe to be true, is
Punishment guilty of perjury, and shall be fined not more than two
for. thousand dollars and imprisoned not more than five
 years.

Subornation **SEC. 126.** Whoever shall procure another to commit
of perjury. any perjury is guilty of subornation of perjury, and pun-
R. S., sec. ishable as in the preceding section prescribed.
 5393.

Stealing or **SEC. 127.** Whoever shall feloniously steal, take away,
altering proc- alter, falsify, or otherwise avoid any record, writ, process,
ess, procuring or other proceeding, in any court of the United States,
false bail, etc. by means whereof any judgment is reversed, made void,
R. S., sec. or does not take effect; or whoever shall acknowledge, or
 5394. procure to be acknowledged, in any such court, any
 recognizance, bail, or judgment, in the name of any other
Punishment person not privy or consenting to the same, shall be fined
for. not more than five thousand dollars, or imprisoned not
 more than seven years, or both; but this provision shall
 not extend to the acknowledgment of any judgment by
 an attorney, duly admitted, for any person against whom
 such judgment is had or given.

Destroying, **SEC. 128.** Whoever shall willfully and unlawfully
etc., public rec- conceal, remove, mutilate, obliterate, or destroy, or at-
ords. tempt to conceal, remove, mutilate, obliterate, or destroy,
R. S., sec. or, with intent to conceal, remove, mutilate, obliterate,
 5403. destroy, or steal, shall take and carry away any record,
 proceeding, map, book, paper, document, or other thing,
 filed or deposited with any clerk or officer of any court of
 the United States, or in any public office, or with any
Punishment judicial or public officer of the United States, shall be
for. fined not more than two thousand dollars, or imprisoned
 not more than three years, or both.

Destroying **SEC. 129.** Whoever, having the custody of any record,
records by offi- proceeding, map, book, document, paper, or other thing
cer in charge. specified in the preceding section, shall willfully and un-
R. S., sec. lawfully conceal, remove, mutilate, obliterate, falsify,
 5408. or destroy any such record, proceeding, map, book, docu-
 ment, paper, or thing, shall be fined not more than two
Punishment thousand dollars, or imprisoned not more than three
for. years, or both; and shall moreover forfeit his office and
 be forever afterward disqualified from holding any office
 under the Government of the United States.

Forging sig- **SEC. 130.** Whoever shall forge the signature of any
nature of judge, judge, register, or other officer of any court of the United
etc. States, or of any Territory thereof, or shall forge or
R. S., sec. counterfeit the seal of any such court, or shall knowingly
 5419. concur in using any such forged or counterfeit signature
 or seal, for the purpose of authenticating any proceeding

or document, or shall tender in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, shall be fined not more than five thousand dollars and imprisoned not more than five years.

Punishment
for.

SEC. 131. Whoever, directly or indirectly, shall give or offer, or cause to be given or offered, any money, property, or value of any kind, or any promise or agreement therefor, or any other bribe, to any judge, judicial officer, or other person authorized by any law of the United States to hear or determine any question, matter, cause, proceeding, or controversy, with intent to influence his action, vote, opinion, or decision thereon, or because of any such action, vote, opinion, or decision, shall be fined not more than twenty thousand dollars, or imprisoned not more than fifteen years, or both; and shall forever be disqualified to hold any office of honor, trust, or profit under the United States.

Bribery of
judicial officer.
R. S., sec.
5449.

Punishment
for.

SEC. 132. Whoever, being a judge of the United States, shall in anywise accept or receive any sum of money, or other bribe, present, or reward, or any promise, contract, obligation, gift, or security for the payment of money, or for the delivery or conveyance of anything of value, with the intent to be influenced thereby in any opinion, judgment, or decree in any suit, controversy, matter, or cause depending before him, or because of any such opinion, ruling, decision, judgment, or decree, shall be fined not more than twenty thousand dollars, or imprisoned not more than fifteen years, or both; and shall be forever disqualified to hold any office of honor, trust, or profit under the United States.

Judicial off-
icer accepting
bribe.
R. S., sec.
5499.

Punishment
for.

SEC. 133. Whoever, being a juror, referee, arbitrator, appraiser, assessor, auditor, master, receiver, United States commissioner, or other person authorized by any law of the United States to hear or determine any question, matter, cause, controversy, or proceeding, shall ask, receive, or agree to receive, any money, property, or value of any kind, or any promise or agreement therefor, upon any agreement or understanding that his vote, opinion, action, judgment, or decision shall be influenced thereby, or because of any such vote, opinion, action, judgment, or decision, shall be fined not more than two thousand dollars, or imprisoned not more than two years, or both.

Juror, ref-
eree, etc., ac-
cepting bribe.

Punishment
for.

SEC. 134. Whoever, being, or about to be, a witness upon a trial, hearing, or other proceeding, before any court or any officer authorized by the laws of the United States to hear evidence or take testimony, shall receive, or agree to receive, a bribe, upon any agreement or understanding that his testimony shall be influenced thereby, or that he will absent himself from the trial, hearing, or other proceeding, or because of such testimony, or such

Witness a c-
cepting bribe.

Punishment
for.

absence, shall be fined not more than two thousand dollars, or imprisoned not more than two years, or both.

Attempting
to influence wit-
ness, juror, or
officer.
R. S., secs.
5399, 5404.

SEC. 135. Whoever corruptly, or by threats or force, or by any threatening letter or communication, shall endeavor to influence, intimidate, or impede any witness, in any court of the United States or before any United States commissioner or officer acting as such commissioner, or any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or officer acting as such commissioner, in the discharge of his duty, or who corruptly or by threats or force, or by any threatening letter or communication, shall influence, obstruct, or impede, or endeavor to influence, obstruct, or impede, the due administration of justice therein, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

Punishment
for.

Conspiring
to intimidate
party, witness,
or juror.
R. S., sec.
5406.

SEC. 136. If two or more persons conspire to deter by force, intimidation, or threat, any party or witness in any court of the United States, or in any examination before a United States commissioner or officer acting as such commissioner, from attending such court or examination, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or on account of his being or having been such juror, each of such persons shall be fined not more than five thousand dollars, or imprisoned not more than six years, or both.

Punishment
for.

Attempting
to influence
juror by writ-
ing.
R. S., sec.
5405.

SEC. 137. Whoever shall attempt to influence the action or decision of any grand or petit juror of any court of the United States upon any issue or matter pending before such juror, or before the jury of which he is a member, or pertaining to his duties, by writing or sending to him any letter or any communication, in print or writing, in relation to such issue or matter, shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both.

Punishment
for.

Allowing
prisoner to es-
cape.
R. S., sec.
5409.

SEC. 138. Whenever any marshal, deputy marshal, ministerial officer, or other person has in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person voluntarily suffers such prisoner to escape, he shall be fined not more than two thousand dollars, or imprisoned not more than two years, or both.

Application
of provisions.

SEC. 139. The preceding section shall be construed to apply not only to cases in which the prisoner who escaped

was charged or found guilty of an offense against the laws of the United States, and to cases in which the prisoner may be in custody charged with offenses against any foreign government with which the United States have treaties of extradition, but also to cases in which the prisoner may be held in custody for removal to or from the Philippine Islands as provided by law.

SEC. 140. Whoever shall knowingly and willfully obstruct, resist, or oppose any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any mesne process or warrant, or any rule or order, or any other legal or judicial writ or process of any court of the United States, or United States commissioner, or shall assault, beat, or wound any officer or other person duly authorized, knowing him to be such officer, or other person so duly authorized, in serving or executing any such writ, rule, order, process, warrant, or other legal or judicial writ or process, shall be fined not more than three hundred dollars and imprisoned not more than one year.

Obstructing process or assaulting officer. R. S., sec. 5398.

Punishment for.

SEC. 141. Whoever shall rescue or attempt to rescue, from the custody of any officer or person lawfully assisting him, any person arrested upon a warrant or other process issued under the provisions of any law of the United States, or shall, directly or indirectly, aid, abet, or assist any person so arrested to escape from the custody of such officer or other person, or shall harbor or conceal any person for whose arrest a warrant or process has been so issued, so as to prevent his discovery and arrest, after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person, shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both.

Rescuing, etc., prisoner; concealing person from arrest.

Punishment for.

SEC. 142. Whoever, by force, shall set at liberty or rescue any person found guilty in any court of the United States of any capital crime, while going to execution or during execution, shall be fined not more than twenty-five thousand dollars and imprisoned not more than twenty-five years.

Rescue at executions. R. S., sec. 5400.

Punishment for.

SEC. 143. Whoever, by force, shall set at liberty or rescue any person who, before conviction, stands committed for any capital crime; or whoever, by force, shall set at liberty or rescue any person committed for or convicted of any offense other than capital, shall be fined not more than five hundred dollars and imprisoned not more than one year.

Rescue of prisoner. R. S., sec. 5401.

Punishment for.

SEC. 144. Whoever, by force, shall rescue or attempt to rescue, from the custody of any marshal or his officers, the dead body of an executed offender, while it is being conveyed to a place of dissection, as provided by section three hundred and thirty-one hereof, or by force shall rescue or attempt to rescue such body from the place where it has been deposited for dissection in pursuance of that sec-

Rescue of dead body of executed offender. R. S., sec. 5402.

Punishment for.

tion, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

Extortion by informer. R. S., sec. 5484.

SEC. 145. Whoever shall, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demand or receive any money or other valuable thing, shall be fined not more than two thousand dollars, or imprisoned not more than one year, or both.

Punishment for.

Misprision of felony. R. S., sec. 5390.

SEC. 146. Whoever, having knowledge of the actual commission of the crime of murder or other felony cognizable by the courts of the United States, conceals and does not as soon as may be disclose and make known the same to some one of the judges or other persons in civil or military authority under the United States, shall be fined not more than five hundred dollars, or imprisoned not more than three years, or both.

Punishment for.

CHAPTER SEVEN.

Offenses against currency, coinage, etc.

OFFENSES AGAINST THE CURRENCY, COINAGE, ETC.

- | Sec. | Sec. |
|---|--|
| 147. "Obligation or other security of the United States" defined. | 163. Counterfeiting gold or silver coins or bars. |
| 148. Forging or counterfeiting United States securities. | 164. Counterfeiting minor coins. |
| 149. Counterfeiting national-bank notes. | 165. Falsifying, mutilating, or lightening coinage. |
| 150. Using plates to print notes without authority, etc. | 166. Debasement of coinage by officers of the Mint. |
| 151. Passing, selling, concealing, etc., forged obligations. | 167. Making or uttering coins in resemblance of money. |
| 152. Taking impressions of tools, implements, etc. | 168. Making or issuing devices of minor coins. |
| 153. Having in possession unlawfully such impressions. | 169. Counterfeiting, etc., dies for coins of United States. |
| 154. Buying, selling, or dealing in forged bonds, notes, etc. | 170. Counterfeiting, etc., dies for foreign coins. |
| 155. Secreting or removing tools or material used for printing bonds, notes, stamps, etc. | 171. Making, importing, or having in possession tokens, prints, etc., similar to United States or foreign coins. |
| 156. Counterfeiting notes, bonds, etc., of foreign governments. | 172. Counterfeit obligations, securities, coins, or material for counterfeiting, to be forfeited. |
| 157. Passing such forged notes, bonds, etc. | 173. Issue of search warrant for suspected counterfeiters, etc.; forfeiture. |
| 158. Counterfeiting notes of foreign banks. | 174. Circulating bills of expired corporations. |
| 159. Passing such counterfeit bank notes. | 175. Imitating national-bank notes with printed advertisements thereon. |
| 160. Having in possession such forged notes, bonds, etc. | 176. Mutilating or defacing national-bank notes. |
| 161. Having unlawfully in possession or using plates for such notes, bonds, etc. | 177. Imitating United States securities or printing business cards on them. |
| 162. Connecting parts of different instruments. | 178. Notes of less than one dollar not to be issued. |

SEC. 147. The words "obligation or other security of the United States" shall be held to mean all bonds, certificates of indebtedness, national-bank currency, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, which have been or may be issued under any Act of Congress.

"Obligation or other security of the United States" defined.
R. S., sec. 5413.

SEC. 148. Whoever, with intent to defraud, shall falsely make, forge, counterfeit, or alter any obligation or other security of the United States shall be fined not more than five thousand dollars and imprisoned not more than fifteen years.

Forging or counterfeiting securities.
R. S., sec. 5414.
Punishment for.

SEC. 149. Whoever shall falsely make, forge, or counterfeit, or cause or procure to be made, forged, or counterfeited, or shall willingly aid or assist in falsely making forging, or counterfeiting, any note in imitation of, or purporting to be in imitation of, the circulating notes issued by any banking association now or hereafter authorized and acting under the laws of the United States; or whoever shall pass, utter, or publish, or attempt to pass, utter, or publish, any false, forged or counterfeited note, purporting to be issued by any such association doing a banking business, knowing the same to be falsely made, forged, or counterfeited; or whoever shall falsely alter, or cause or procure to be falsely altered, or shall willingly aid or assist in falsely altering, any such circulating notes, or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any falsely altered or spurious circulating note issued, or purporting to have been issued, by any such banking association, knowing the same to be falsely altered or spurious, shall be fined not more than one thousand dollars and imprisoned not more than fifteen years.

Counterfeiting national-bank notes.
R. S., sec. 5415.

Punishment for.

SEC. 150. Whoever, having control, custody, or possession of any plate, stone, or other thing, or any part thereof, from which has been printed, or which may be prepared by direction of the Secretary of the Treasury for the purpose of printing, any obligation or other security of the United States, shall use such plate, stone, or other thing, or any part thereof, or knowingly suffer the same to be used for the purpose of printing any such or similar obligation or other security, or any part thereof, except as may be printed for the use of the United States by order of the proper officer thereof; or whoever by any way, art, or means shall make or execute, or cause or procure to be made or executed, or shall assist in making or executing any plate, stone, or other thing in the likeness of any plate designated for the printing of such obligation or other security; or whoever shall sell any such plate, stone, or other thing, or bring into the United States or any place subject to the

Using plates to print notes, without authority, etc.
R. S., sec. 5430.

jurisdiction thereof, from any foreign place, any such plate, stone, or other thing, except under the direction of the Secretary of the Treasury or other proper officer, or with any other intent, in either case, than that such plate, stone, or other thing be used for the printing of the obligations or other securities of the United States; or whoever shall have in his control, custody, or possession any plate, stone, or other thing in any manner made after or in the similitude of any plate, stone, or other thing, from which any such obligation or other security has been printed, with intent to use such plate, stone, or other thing, or to suffer the same to be used in forging or counterfeiting any such obligation or other security, or any part thereof; or whoever shall have in his possession or custody, except under authority from the Secretary of the Treasury or other proper officer, any obligation or other security made or executed, in whole or in part, after the similitude of any obligation or other security issued under the authority of the United States, with intent to sell or otherwise use the same; or whoever shall print, photograph, or in any other manner make or execute, or cause to be printed, photographed, made, or executed, or shall aid in printing, photographing, making, or executing any engraving, photograph, print, or impression in the likeness of any such obligation or other security, or any part thereof, or shall sell any such engraving, photograph, print, or impression, except to the United States, or shall bring into the United States or any place subject to the jurisdiction thereof, from any foreign place any such engraving, photograph, print, or impression, except by direction of some proper officer of the United States; or whoever shall have or retain in his control or possession, after a distinctive paper has been adopted by the Secretary of the Treasury for the obligations and other securities of the United States, any similar paper adapted to the making of any such obligation or other security, except under the authority of the Secretary of the Treasury or some other proper officer of the United States, shall be fined not more than five thousand dollars, or imprisoned not more than fifteen years, or both.

Distinctive paper without authority.

Punishment for.

Uttering, etc., forged obligations. R. S., sec. 5431.

SEC. 151. Whoever, with intent to defraud, shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or shall bring into the United States or any place subject to the jurisdiction thereof, with intent to pass, publish, utter, or sell, or shall keep in possession or conceal with like intent, any falsely made, forged, counterfeited, or altered obligation or other security of the United States, shall be fined not more than five thousand dollars and imprisoned not more than fifteen years.

Punishment for.

Taking im- pressions of tools, imple- ments, etc. R. S., sec. 5432.

SEC. 152. Whoever, without authority from the United States, shall take, procure, or make, upon lead, foil, wax, plaster, paper, or any other substance or material, an impression, stamp, or imprint of, from, or by the use of any

bedplate, bedpiece, die, roll, plate, seal, type, or other tool, implement, instrument, or thing used or fitted or intended to be used in printing, stamping, or impressing, or in making other tools, implements, instruments, or things to be used or fitted or intended to be used in printing, stamping, or impressing any kind or description of obligation or other security of the United States now authorized or hereafter to be authorized by the United States, or circulating note or evidence of debt of any banking association under the laws thereof, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both. Punishment for.

SEC. 153. Whoever, with intent to defraud, shall have in his possession, keeping, custody, or control, without authority from the United States, any imprint, stamp, or impression, taken or made upon any substance or material whatsoever, of any tool, implement, instrument, or thing, used, or fitted or intended to be used, for any of the purposes mentioned in the preceding section; or whoever, with intent to defraud, shall sell, give, or deliver any such imprint, stamp, or impression to any other person, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both. Having unlawful possession of impressions.
R. S., sec. 5433.
Punishment for.

SEC. 154. Whoever shall buy, sell, exchange, transfer, receive, or deliver any false, forged, counterfeited, or altered obligation or other security of the United States, or circulating note of any banking association organized or acting under the laws thereof, which has been or may hereafter be issued by virtue of any Act of Congress, with the intent that the same be passed, published, or used as true and genuine, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both. Dealing in counterfeit securities.
R. S., sec. 5434.
Punishment for.

SEC. 155. Whoever, without authority from the United States, shall secrete within, embezzle, or take and carry away from any building, room, office, apartment, vault, safe, or other place where the same is kept, used, employed, placed, lodged, or deposited by authority of the United States, any bedpiece, bedplate, roll, plate, die, seal, type, or other tool, implement, or thing used or fitted to be used in stamping or printing, or in making some other tool or implement used or fitted to be used in stamping or printing, any kind or description of bond, bill, note, certificate, coupon, postage stamp, revenue stamp, fractional currency note, or other paper, instrument, obligation, device, or document, now or hereafter authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation on behalf of the United States; or whoever, without such authority, shall so secrete, embezzle, or take and carry away any paper, parchment, or other material prepared and intended to be used in the making of any such papers, instruments, obligations, devices, or documents; or who- Secreting or embezzling tools and materials for printing securities.
R. S., sec. 5453.

ever, without such authority, shall so secrete, embezzle, or take and carry away any paper, parchment, or other material printed or stamped, in whole or part, and intended to be prepared, issued, or put in circulation on behalf of the United States as one of the papers, instruments, or obligations hereinbefore named, or printed or stamped, in whole or part, in the similitude of any such paper, instrument, or obligation, whether intended to issue or put the same in circulation or not, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Punishment
for.

Counterfeit-
ing foreign se-
curities.

SEC. 156. Whoever, within the United States or any place subject to the jurisdiction thereof, with intent to defraud, shall falsely make, alter, forge, or counterfeit any bond, certificate, obligation, or other security in imitation of, or purporting to be an imitation of, any bond, certificate, obligation, or other security of any foreign government, issued or put forth under the authority of such foreign government, or any treasury note, bill, or promise to pay issued by such foreign government, and intended to circulate as money, either by law, order, or decree of such foreign government; or whoever shall cause or procure to be so falsely made, altered, forged, or counterfeited, or shall knowingly aid or assist in making, altering, forging, or counterfeiting, any such bond, certificate, obligation, or other security, or any such treasury note, bill, or promise to pay, intended as aforesaid to circulate as money, shall be fined not more than five thousand dollars and imprisoned not more than five years.

Punishment
for.

Uttering
counterfeit for-
eign securities.

SEC. 157. Whoever, within the United States or any place subject to the jurisdiction thereof, knowingly and with intent to defraud, shall utter, pass, or put off, in payment or negotiation, any false, forged, or counterfeited bond, certificate, obligation, security, treasury note, bill, or promise to pay, mentioned in the section last preceding, whether the same was made, altered, forged, or counterfeited within the United States or not, shall be fined not more than three thousand dollars and imprisoned not more than three years.

Punishment
for.

Counterfeit-
ing notes of
foreign banks.

SEC. 158. Whoever, within the United States or any place subject to the jurisdiction thereof, with intent to defraud, shall falsely make, alter, forge, or counterfeit, or cause or procure to be so falsely made, altered, forged, or counterfeited, or shall knowingly aid and assist in the false making, altering, forging, or counterfeiting of any bank note or bill issued by a bank or corporation of any foreign country, and intended by the law or usage of such foreign country to circulate as money, such bank or corporation being authorized by the laws of such country, shall be fined not more than two thousand dollars and imprisoned not more than two years.

Punishment
for.

Uttering
counterfeit
notes on for-
eign banks.

SEC. 159. Whoever, within the United States or any place subject to the jurisdiction thereof, shall utter, pass,

put off, or tender in payment, with intent to defraud, any such false, forged, altered, or counterfeited bank note or bill, as mentioned in the preceding section, knowing the same to be so false, forged, altered, and counterfeited, whether the same was made, forged, altered, or counterfeited within the United States or not, shall be fined not more than one thousand dollars and imprisoned not more than one year. Punishment for.

SEC. 160. Whoever, within the United States or any place subject to the jurisdiction thereof, shall have in his possession any false, forged, or counterfeit bond, certificate, obligation, security, treasury note, bill, promise to pay, bank note, or bill issued by a bank or corporation of any foreign country, with intent to utter, pass, or put off the same, or to deliver the same to any other person with intent that the same may thereafter be uttered, passed, or put off as true, or shall knowingly deliver the same to any other person with such intent, shall be fined not more than one thousand dollars and imprisoned not more than one year. Having in possession counterfeit foreign securities, etc.
Punishment for.

SEC. 161. Whoever, within the United States or any place subject to the jurisdiction thereof, except by lawful authority, shall have control, custody, or possession of any plate, stone, or other thing, or any part thereof, from which has been printed or may be printed any counterfeit note, bond, obligation, or other security, in whole or in part, of any foreign government, bank, or corporation, or shall use such plate, stone, or other thing, or knowingly permit or suffer the same to be used in counterfeiting such foreign obligations, or any part thereof; or whoever shall make or engrave, or cause or procure to be made or engraved, or shall assist in making or engraving, any plate, stone, or other thing, in the likeness or similitude of any plate, stone, or other thing designated for the printing of the genuine issues of the obligations of any foreign government, bank, or corporation; or whoever shall print, photograph, or in any other manner make, execute, or sell, or cause to be printed, photographed, made, executed, or sold, or shall aid in printing, photographing, making, executing, or selling, any engraving, photograph, print, or impression in the likeness of any genuine note, bond, obligation, or other security, or any part thereof, of any foreign government, bank, or corporation; or whoever shall bring into the United States or any place subject to the jurisdiction thereof, any counterfeit plate, stone, or other thing, or engraving, photograph, print, or other impressions of any foreign government, bank, or corporation, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both. Having in possession, etc., counterfeit plates of foreign securities, etc.
Punishment for.

SEC. 162. Whoever shall so place or connect together different parts of two or more notes, bills, or other genuine instruments issued under the authority of the United C o n n e c t i n g parts of different bills, etc.

Punishment
for. States, or by any foreign government, or corporation, as to produce one instrument, with intent to defraud, shall be deemed guilty of forgery in the same manner as if the parts so put together were falsely made or forged, and shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Counterfeit-
ing gold or
silver coins or
bars.
R. S., sec.
5457. SEC. 163. Whoever shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or shall willingly aid or assist in falsely making, forging, or counterfeiting any coin or bars in resemblance or similitude of the gold or silver coins or bars which have been, or hereafter may be, coined or stamped at the mints and assay offices of the United States, or in resemblance or similitude of any foreign gold or silver coin which by law is, or hereafter may be, current in the United States, or are in actual use and circulation as money within the United States; or whoever shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States or any place subject to the jurisdiction thereof, from any foreign place, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person or persons whomsoever, or shall have in his possession any such false, forged, or counterfeited coin or bars, knowing the same to be false, forged, or counterfeited, with intent to defraud any body politic or corporate, or any person or persons whomsoever, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Punishment
for.

Counterfeit-
ing minor
coins.
R. S., sec.
5458. SEC. 164. Whoever shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or shall willingly aid or assist in falsely making, forging, or counterfeiting any coin in the resemblance or similitude of any of the minor coins which have been, or hereafter may be, coined at the mints of the United States; or whoever shall pass, utter, publish, or sell, or bring into the United States or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession any such false, forged, or counterfeited coin, with intent to defraud any person whomsoever, shall be fined not more than one thousand dollars and imprisoned not more than three years.

Punishment
for.

Falsifying
mutilating, or
lightening
coins.
R. S., sec.
5459. SEC. 165. Whoever, fraudulently, by any art, way, or means, shall deface, mutilate, impair, diminish, falsify, scale, or lighten, or cause or procure to be fraudulently defaced, mutilated, impaired, diminished, falsified, scaled, or lightened, or willingly aid or assist in fraudulently defacing, mutilating, impairing, diminishing, falsifying, scaling, or lightening, the gold or silver coins which have been, or which may hereafter be, coined at the mints of the United States, or any foreign gold or silver coins which are by law made current or are in actual use or circulation as money within the United States or in any place subject to the jurisdiction thereof; or whoever shall

pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States or any place subject to the jurisdiction thereof, from any foreign place, knowing the same to be defaced, mutilated, impaired, diminished, falsified, scaled, or lightened, with intent to defraud any person whomsoever, or shall have in his possession any such defaced, mutilated, impaired, diminished, falsified, scaled, or lightened coin, knowing the same to be defaced, mutilated, impaired, diminished, falsified, scaled, or lightened, with intent to defraud any person whomsoever, shall be fined not more than two thousand dollars and imprisoned not more than five years.

Punishment
for.

SEC. 166. If any of the gold or silver coins struck or coined at any of the mints of the United States shall be debased, or made worse as to the proportion of fine gold or fine silver therein contained, or shall be of less weight or value than the same ought to be, pursuant to law, or if any of the scales or weights used at any of the mints or assay offices of the United States shall be defaced, altered, increased, or diminished through the fault or connivance of any officer or person employed at the said mints or assay offices, with a fraudulent intent; or if any such officer or person shall embezzle any of the metals at any time committed to his charge for the purpose of being coined, or any of the coins struck or coined at the said mints, or any medals, coins, or other moneys of said mints or assay offices at any time committed to his charge, or of which he may have assumed the charge, every such officer or person who commits any of the said offenses shall be fined not more than ten thousand dollars and imprisoned not more than ten years.

Punishment
for.

SEC. 167. Whoever, except as authorized by law, shall make or cause to be made, or shall utter or pass, or attempt to utter or pass, any coins of gold or silver or other metal, or alloys of metals, intended for the use and purpose of current money, whether in the resemblance of coins of the United States or of foreign countries, or of original design, shall be fined not more than three thousand dollars, or imprisoned not more than five years, or both.

Making or
uttering coins
resembling
money.
R. S., sec.
5461.

Punishment
for.

SEC. 168. Whoever, not lawfully authorized, shall make, issue, or pass, or cause to be made, issued, or passed, any coin, card, token, or device in metal, or its compounds, which may be intended to be used as money for any one-cent, two-cent, three-cent, or five-cent piece, now or hereafter authorized by law, or for coins of equal value, shall be fined not more than one thousand dollars and imprisoned not more than five years.

Making or
uttering de-
vices of minor
coins.
R. S., sec.
5462.

Punishment
for.

SEC. 169. Whoever, without lawful authority, shall make, or cause or procure to be made, or shall willingly aid or assist in making, any die, hub, or mold, or any part thereof, either of steel or plaster, or any other substance whatsoever, in likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold desig-

Counterfeit-
ing, etc., dies
for United
States coins.

nated for the coining or making of any of the genuine gold, silver, nickel, bronze, copper, or other coins of the United States, that have been or hereafter may be coined at the mints of the United States; or whoever, without lawful authority, shall have in his possession any such die, hub, or mold, or any part thereof, or shall permit the same to be used for or in aid of the counterfeiting of any of the coins of the United States hereinbefore mentioned, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Punishment
for.

Counterfeit-
ing, etc., dies
for foreign
coins.

SEC. 170. Whoever, within the United States or any place subject to the jurisdiction thereof, without lawful authority, shall make, or cause or procure to be made, or shall willingly aid or assist in making, any die, hub, or mold, or any part thereof, either of steel or of plaster, or of any other substance whatsoever, in the likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold designated for the coining of the genuine coin of any foreign government; or whoever, without lawful authority, shall have in his possession any such die, hub, or mold, or any part thereof, or shall conceal, or knowingly suffer the same to be used for the counterfeiting of any foreign coin, shall be fined not more than two thousand dollars, or imprisoned not more than five years, or both.

Punishment
for.

Making, im-
porting, etc.,
tokens, prints,
etc., similar to
United States
or foreign coins.

SEC. 171. Whoever, within the United States or any place subject to the jurisdiction thereof, shall make, or cause or procure to be made, or shall bring therein, from any foreign country, or shall have in possession with intent to sell, give away, or in any other manner use the same, any business or professional card, notice, placard, token, device, print, or impression, or any other thing whatsoever, in the likeness or similitude as to design, color, or the inscription thereon, of any of the coins of the United States or of any foreign country that have been or hereafter may be issued as money, either under the authority of the United States or under the authority of any foreign government, shall be fined not more than one hundred dollars. But nothing in this section shall be construed to forbid or prevent the printing and publishing of illustrations of coins and medals, or the making of the necessary plates for the same, to be used in illustrating numismatic and historical books and journals and the circulars of legitimate publishers and dealers in the same.

Punishment
for.

Illustrations
permitted.

Forfeiture of
counterfeit ob-
ligations, se-
curities, coins,
and material.

SEC. 172. All counterfeits of any obligation or other security of the United States or of any foreign government, or counterfeits of any of the coins of the United States or of any foreign government, and all material or apparatus fitted or intended to be used, or that shall have been used, in the making of any such counterfeit obligation or other security or coins hereinbefore mentioned, that shall be found in the possession of any person without authority from the Secretary of the Treasury or other proper officer

to have the same, shall be taken possession of by any authorized agent of the Treasury Department and forfeited to the United States, and disposed of in any manner the Secretary of the Treasury may direct. Whoever having the custody or control of any such counterfeits, material, or apparatus shall fail or refuse to surrender possession thereof upon request by any such authorized agent of the Treasury Department, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

Punishment for failing to deliver.

SEC. 173. The several judges of courts established under the laws of the United States and United States commissioners may, upon proper oath or affirmation, within their respective jurisdictions, issue a search warrant authorizing any marshal of the United States, or any other person specially mentioned in such warrant, to enter any house, store, building, boat, or other place named in such warrant, in which there shall appear probable cause for believing that the manufacture of counterfeit money, or the concealment of counterfeit money, or the manufacture or concealment of counterfeit obligations or coins of the United States or of any foreign government, or the manufacture or concealment of dies, hubs, molds, plates, or other things fitted or intended to be used for the manufacture of counterfeit money, coins, or obligations of the United States or of any foreign government, or of any bank doing business under the authority of the United States or of any State or Territory thereof, or of any bank doing business under the authority of any foreign government, or of any political division of any foreign government, is being carried on or practiced, and there search for any such counterfeit money, coins, dies, hubs, molds, plates, and other things, and for any such obligations, and if any such be found, to seize and secure the same and to make return thereof to the proper authority; and all such counterfeit money, coins, dies, hubs, molds, plates, and other things, and all such counterfeit obligations so seized shall be forfeited to the United States.

Issue of search warrants for suspected counterfeits, etc.

Forfeiture of seized articles.

SEC. 174. In all cases where the charter of any corporation which has been or may be created by Act of Congress has expired or may hereafter expire, if any director, officer, or agent of the corporation, or any trustee thereof, or any agent of such trustee, or any person having in his possession or under his control the property of the corporation for the purpose of paying or redeeming its notes and obligations, shall knowingly issue, reissue, or utter as money, or in any other way knowingly put in circulation any bill, note, check, draft, or other security purporting to have been made by any such corporation whose charter has expired, or by any officer thereof, or purporting to have been made under authority derived therefrom, or if any person shall knowingly aid in any such act, he shall be fined not more than ten thousand dollars, or imprisoned not more than five years, or both. But nothing

Circulating bills of expired banks.
R. S., sec. 5437.

Punishment for.

Circulation permitted.

herein shall be construed to make it unlawful for any person, not being such director, officer, or agent of the corporation, or any trustee thereof, or any agent of such trustee, or any person having in his possession or under his control the property of the corporation for the purpose hereinbefore set forth, who has received or may hereafter receive such bill, note, check, draft, or other security, bona fide and in the ordinary transactions of business, to utter as money or otherwise circulate the same.

Imitating
national - bank
notes with ad-
vertisements
thereon.
R. S., sec.
5188.

SEC. 175. It shall not be lawful to design, engrave, print, or in any manner make or execute, or to utter, issue, distribute, circulate, or use any business or professional card, notice, placard, circular, handbill, or advertisement in the likeness or similitude of any circulating note or other obligation or security of any banking association organized or acting under the laws of the United States which has been or may be issued under any Act of Congress, or to write, print, or otherwise impress upon any such note, obligation, or security, any business or professional card, notice or advertisement, or any notice or advertisement of any matter or thing whatever. Whoever shall violate any provision of this section shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Punishment
for.

Mutilating,
etc., national-
bank notes.
R. S., sec.
5189.

SEC. 176. Whoever shall mutilate, cut, deface, disfigure, or perforate with holes, or unite or cement together, or do any other thing to any bank bill, draft, note, or other evidence of debt, issued by any national banking association, or shall cause or procure the same to be done, with intent to render such bank bill, draft, note, or other evidence of debt unfit to be reissued by said association, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Punishment
for.

Imitating
securities or
printing adver-
tisements
thereon.
R. S., sec.
3708.

SEC. 177. It shall not be lawful to design, engrave, print, or in any manner make or execute, or to utter, issue, distribute, circulate, or use, any business or professional card, notice, placard, circular, handbill, or advertisement, in the likeness or similitude of any bond, certificate of indebtedness, certificate of deposit, coupon, United States note, Treasury note, gold certificate, silver certificate, fractional note, or other obligation or security of the United States which has been or may be issued under or authorized by any Act of Congress heretofore passed or which may hereafter be passed; or to write, print, or otherwise impress upon any such instrument, obligation, or security, any business or professional card, notice, or advertisement, or any notice or advertisement of any matter or thing whatever. Whoever shall violate any provision of this section shall be fined not more than five hundred dollars.

Punishment
for.

Issuing notes
less than one
dollar.
R. S., sec.
3583.

SEC. 178. No person shall make, issue, circulate, or pay out any note, check, memorandum, token, or other obligation for a less sum than one dollar, intended to circulate

as money or to be received or used in lieu of lawful money of the United States; and every person so offending shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Punishment
for.

CHAPTER EIGHT.

OFFENSES AGAINST THE POSTAL SERVICE.

O f f e n s e s
a g a i n s t p o s t a l
s e r v i c e .

Sec.	Sec.
179. Conducting post-office without authority.	205. Using, selling, etc., canceled stamps; removing cancellation marks from stamps, etc.
180. Illegal carrying of mail by carriers and others.	206. False returns to increase compensation.
181. Conveyance of mail by private express forbidden.	207. Collection of unlawful postage forbidden.
182. Transporting persons unlawfully conveying mail.	208. Unlawful pledging or sale of stamps.
183. Sending letters by private express.	209. Failure to account for postage and to cancel stamps, etc., by officials.
184. Conveying of letters over post routes.	210. Issuing money order without payment.
185. Carrying letters out of the mail on board of vessel.	211. Obscene, etc., matter non-mailable.
186. When conveying of letters by private persons is lawful.	212. Libelous and indecent wrappers and envelopes.
187. Wearing uniform of carrier without authority.	213. Lottery, gift enterprise, etc., circulars, etc., not mailable.
188. Vehicles, etc., claiming to be mail carriers.	214. Postmasters not to be lottery agents.
189. Injuring mail bags, etc.	215. Use of mails to promote frauds.
190. Stealing post-office property.	216. Fraudulently assuming fictitious address.
191. Stealing or forging mail locks or keys.	217. Poisons and explosives non-mailable.
192. Breaking into and entering post-office.	218. Counterfeiting money orders.
193. Unlawfully entering postal car, etc.	219. Counterfeiting postage stamps.
194. Stealing, secreting, embezzling, etc., mail matter or contents.	220. Counterfeiting, etc., foreign stamps.
195. Postmaster or employee of postal service detaining, destroying, or embezzling letter, etc.	221. Inclosing higher class in lower class matter.
196. Postmaster, etc., detaining or destroying newspapers.	222. Postmaster illegally approving bond, etc.
197. Assaulting mail carrier with intent to rob, and robbing mail.	223. False evidence as to second-class matter.
198. Injuring letter boxes or mail matter; assaulting carrier, etc.	224. Inducing or prosecuting false claims.
199. Deserting the mail.	225. Misappropriation of postal funds or property.
200. Delivery of letters by master of vessel.	226. Employees not to become interested in contracts.
201. Obstructing the mail.	227. Fraudulent use of official envelopes.
202. Ferryman delaying the mail.	228. Fraudulent increase of weight of mail.
203. Letters carried in a foreign vessel to be deposited in a post-office.	229. Offenses against foreign mail in transit.
204. Vessels to deliver letters at post-office; oath.	230. Omission to take oath.
	231. Definitions.

Conducting post-office without authority. R. S., sec. 3829. Penalty. SEC. 179. Whoever, without authority from the Postmaster-General, shall set up or profess to keep any office or place of business bearing the sign, name, or title of post-office, shall be fined not more than five hundred dollars.

Illegal carrying of mail by officials, etc. R. S., sec. 3891. Punishment for. SEC. 180. Whoever, being concerned in carrying the mail, shall collect, receive, or carry any letter or packet, or cause or procure the same to be done, contrary to law, shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both.

Conveying mail by private express. R. S., sec. 3982. Punishment for. SEC. 181. Whoever shall establish any private express for the conveyance of letters or packets, or in any manner cause or provide for the conveyance of the same by regular trips or at stated periods over any post route which is or may be established by law, or from any city, town, or place, to any other city, town, or place, between which the mail is regularly carried, or whoever shall aid or assist therein shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both: *Provided*, That nothing contained in this section shall be construed as prohibiting any person from receiving and delivering to the nearest post-office, postal car, or other authorized depository for mail matter, any mail matter properly stamped.

Transporting persons unlawfully conveying mail. R. S., sec. 3981. Penalty. SEC. 182. Whoever, being the owner, driver, conductor, master, or other person having charge of any stagecoach, railway car, steamboat, or other vehicle or vessel, shall knowingly convey or knowingly permit the conveyance of any person acting or employed as a private express for the conveyance of letters or packets, and actually in possession of the same for the purpose of conveying them, contrary to law, shall be fined not more than one hundred and fifty dollars.

Sending letters by private express. R. S., sec. 3984. Penalty. SEC. 183. Whoever shall transmit by private express or other unlawful means, or deliver to any agent thereof, or deposit or cause to be deposited at any appointed place, for the purpose of being so transmitted, any letter or packet, shall be fined not more than fifty dollars.

Carrying letters out of the mail over post routes. R. S., sec. 3985. Penalty. SEC. 184. Whoever, being the owner, driver, conductor, master, or other person having charge of any stage-coach, railway car, steamboat, or conveyance of any kind which regularly performs trips at stated periods on any post route, or from any city, town, or place to any other city, town, or place between which mail is regularly carried, and which shall carry, otherwise than in the mail, any letters or packets, except such as relate to some part of the cargo of such steamboat or other vessel, to the current business of the carrier, or to some article carried at the same time by the same stage-coach, railway car, or other vehicle, except as otherwise provided by law, shall be fined not more than fifty dollars.

Carrying letters out of the mail on vessels. SEC. 185. Whoever shall carry any letter or packet on board any vessel which carries the mail, otherwise than in

such mail, except as otherwise provided by law, shall be fined not more than fifty dollars, or imprisoned not more than one month, or both.

R. S., sec.
3986.
Punishment
for.

SEC. 186. Nothing in this chapter shall be construed to prohibit the conveyance or transmission of letters or packets by private hands without compensation, or by special messenger employed for the particular occasion only.

When conveyance by private persons is lawful.

SEC. 187. Whoever, not being connected with the letter-carrier branch of the postal service, shall wear the uniform or badge which may be prescribed by the Postmaster-General, to be worn by letter carriers, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Wearing carrier's uniform without authority.
R. S., sec.
3867.
Punishment for.

SEC. 188. It shall be unlawful to paint, print, or in any manner to place upon or attach to any steamboat or other vessel, or any car, stage-coach, vehicle, or other conveyance, not actually used in carrying the mail, the words "United States Mail," or any words, letters, or characters of like import; or to give notice, by publishing in any newspaper or otherwise, that any steamboat or other vessel, or any car, stage-coach, vehicle, or other conveyance, is used in carrying the mail, when the same is not actually so used; and every person who shall violate, and every owner, receiver, lessee, or managing operator thereof, who shall cause, suffer, or permit the violation of any provision of this section, shall be liable, and shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both.

Vehicles, etc., claiming to be mail carriers.
R. S., sec.
3979.

SEC. 189. Whoever shall tear, cut, or otherwise injure any mail bag, pouch, or other thing used or designed for use in the conveyance of the mail, or shall draw or break any staple or loosen any part of any lock, chain, or strap attached thereto, with intent to rob or steal any such mail, or to render the same insecure, shall be fined not more than five hundred dollars, or imprisoned not more than three years, or both.

Punishment for.

Injuring mail bags, etc.
R. S., sec.
5476.

SEC. 190. Whoever shall steal, purloin, or embezzle any mail bag or other property in use by or belonging to the Post-Office Department, or shall appropriate any such property to his own or any other than its proper use, or shall convey away any such property to the hindrance or detriment of the public service, shall be fined not more than two hundred dollars, or imprisoned not more than three years, or both.

Punishment for.

Stealing post-office property.
R. S., sec.
5475.

SEC. 191. Whoever shall steal, purloin, embezzle, or obtain by any false pretense, or shall aid or assist in stealing, purloining, embezzling, or obtaining by any false pretense, any key suited to any lock adopted by the Post-Office Department and in use on any of the mails or bags thereof, or any key to any lock box, lock drawer, or other authorized receptacle for the deposit or delivery of mail matter; or whoever shall knowingly and unlawfully make, forge, or counterfeit, or cause to be unlaw-

Punishment for.

Stealing or forging mail locks or keys.
R. S., sec.
5477.

fully made, forged, or counterfeited, any such key, or shall have in his possession any such mail lock or key with the intent unlawfully or improperly to use, sell, or otherwise dispose of the same, or to cause the same to be unlawfully or improperly used, sold, or otherwise disposed of; or whoever, being engaged as a contractor or otherwise in the manufacture of any such mail lock or key, shall deliver or cause to be delivered, any finished or unfinished lock or key used or designed for use by the department, or the interior part of any such lock, to any person not duly authorized under the hand of the Postmaster-General and the seal of the Post-Office Department, to receive the same, unless the person receiving it is the contractor for furnishing the same or engaged in the manufacture thereof in the manner authorized by the contract, or the agent of such manufacturer, shall be fined not more than five hundred dollars and imprisoned not more than ten years.

Punishment
for.

Breaking
into and enter-
ing post-office.
R. S., sec.
5478.

SEC. 192. Whoever shall forcibly break into or attempt to break into any post-office, or any building used in whole or in part as a post-office, with intent to commit in such post-office, or building, or part thereof, so used, any larceny or other depredation, shall be fined not more than one thousand dollars and imprisoned not more than five years.

Unlawfully
entering post-
office car, etc.

SEC. 193. Whoever, by violence, shall enter a post-office car, or any apartment in any car, steamboat, or vessel, assigned to the use of the Mail Service, or shall willfully or maliciously assault or interfere with any postal clerk in the discharge of his duties in connection with such car, steamboat, vessel, or apartment thereof, or shall willfully aid or assist therein, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

Punishment
for.

Stealing,
secreting, em-
bezzling, etc.,
mail matter.
R. S., secs.
3892, 5469.

SEC. 194. Whoever shall steal, take, or abstract, or by fraud or deception obtain, from or out of any mail, post-office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been so stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package, out of any post-office or station thereof, or out of any authorized depository for mail matter, or from any letter or mail carrier, or which has been in any post-office or station thereof,

or other authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall open, secrete, embezzle, or destroy the same, shall be fined not more than two thousand dollars, or imprisoned not more than five years, or both.

Punishment
for.

SEC. 195. Whoever, being a postmaster or other person employed in any department of the postal service, shall unlawfully detain, delay, or open any letter, postal card, package, bag, or mail intrusted to him or which shall come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any carrier, messenger, agent, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or station thereof established by authority of the Postmaster-General; or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail; or shall steal, abstract, or remove from any such letter, package, bag, or mail, any article or thing contained therein, shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both.

Postmaster
or postal em-
ployee detain-
ing, destroy-
ing, or embez-
zling mail mat-
ter.
R. S., secs.
3890, 3891,
5467.

Punishment
for.

SEC. 196. Whoever, being a postmaster or other person employed in any department of the postal service, shall improperly detain, delay, embezzle, or destroy any newspaper, or permit any other person to detain, delay, embezzle, or destroy the same, or open, or permit any other person to open, any mail or package of newspapers not directed to the office where he is employed; or whoever shall open, embezzle, or destroy any mail or package of newspapers not being directed to him, and he not being authorized to open or receive the same; or whoever shall take or steal any mail or package of newspapers from any post-office or from any person having custody thereof, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

Postmasters,
etc., detaining
or destroying
newspapers..
R. S., sec.
5471.

By other
persons.

Punishment
for.

SEC. 197. Whoever shall assault any person having lawful charge, control, or custody of any mail matter, with intent to rob, steal, or purloin such mail matter or any part thereof, or shall rob any such person of such mail or any part thereof, shall, for a first offense, be imprisoned not more than ten years; and if in effecting or attempting to effect such robbery, he shall wound the person having custody of the mail, or put his life in jeopardy by the use of a dangerous weapon, or for a subsequent offense, shall be imprisoned twenty-five years.

Assaulting
mail custodian
with intent to
rob, and rob-
bing mail.
R. S., secs.
5472, 5473.
Punishment
for.

Using weap-
on, etc.

Punishment
for.

SEC. 198. Whoever shall willfully injure, tear down, or destroy any letter box, pillar box, lock box, lock drawer, or other receptacle established or approved by the Postmaster-General for the safe deposit of matter for the mail or for delivery, or any lock or similar device belonging or attached thereto, or any letter box or other receptacle designated or approved by the Post-

Injury to
letter boxes,
etc.
R. S., secs.
3869, 5466.

- master-General for the receipt or delivery of mail matter on any rural free-delivery route, star route, or other mail route, or shall break open the same; or shall willfully injure, deface, or destroy any mail matter deposited in any letter box, pillar box, lock box, lock drawer, or other receptacle established or approved by the Postmaster-General for the safe deposit of matter for the mail or for delivery; or shall willfully take or steal such matter from or out of any such letter box, pillar box, lock box, lock drawer, or other receptacle, or shall willfully and maliciously assault any letter or mail carrier, knowing him to be such, while engaged on his route in the discharge of his duty as such carrier, or shall willfully aid or assist in any offense defined in this section, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.
- Assault on letter carrier.**
Punishment for.
- Deserting the mail.**
 R. S., sec. 5474.
- Punishment for.**
- Delivery of letters by master of vessel.**
 R. S., sec. 3977.
- Penalty for failure.**
- Obstructing the mail.**
 R. S., sec. 3995.
- Punishment for.**
- Ferryman delaying mail.**
 R. S., sec. 3996.
- Penalty.**
- Letters carried in foreign vessel to be deposited in post-office.**
 R. S., sec. 4016.
- SEC. 199.** Whoever, having taken charge of any mail, shall voluntarily quit or desert the same before he has delivered it into the post-office at the termination of the route, or to some known mail carrier, messenger, agent, or other employee in the postal service authorized to receive the same, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.
- SEC. 200.** The master or other person having charge or control of any steamboat or other vessel passing between ports or places in the United States, arriving at any such port or place where there is a post-office, shall deliver to the postmaster or at the post-office within three hours after his arrival, if in the daytime, and if at night, within two hours after the next sunrise, all letters and packages brought by him or within his power or control and not relating to the cargo, addressed to or destined for such port or place, for which he shall receive from the postmaster two cents for each letter or package so delivered, unless the same is carried under a contract for carrying the mail; and for every failure so to deliver such letters or packages, the master or other person having charge or control of such steamboat or other vessel, shall be fined not more than one hundred and fifty dollars.
- SEC. 201.** Whoever shall knowingly and willfully obstruct or retard the passage of the mail, or any carriage, horse, driver, or carrier, or car, steamboat, or other conveyance or vessel carrying the same, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.
- SEC. 202.** Whoever, being a ferryman, shall delay the passage of the mail by willful neglect or refusal to transport the same across any ferry, shall be fined not more than one hundred dollars.
- SEC. 203.** All letters or otherailable matter conveyed to or from any part of the United States by any foreign vessel, except such sealed letters relating to such vessel or any part of the cargo thereof as may be directed to the

owners or consignees of the vessel, shall be subject to postage charge, whether addressed to any person in the United States or elsewhere, provided they are conveyed by the packet or other ship of a foreign country imposing postage on letters or other mailable matter conveyed to or from such country by any vessel of the United States; and such letters or other mailable matter carried in foreign vessels, except such sealed letters relating to the vessel or any part of the cargo thereof as may be directed to the owners or consignees, shall be delivered into the United States post-office by the master or other person having charge or control of such vessel when arriving, and be taken from the United States post-office when departing, and the postage justly chargeable by law paid thereon; and for refusing or failing to do so, or for conveying such letters or other mailable matter, or any letters or other mailable matter, intended to be conveyed in any vessel of such foreign country, over or across the United States, or any portion thereof, the party offending shall be fined not more than one thousand dollars.

Penalty for failure.

SEC. 204. No vessel arriving within a port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered to the nearest post-office, and the master or other person having charge or control thereof has signed and sworn to the following declaration before the collector or other proper customs officer:

Vessels to deliver letters at post-office before entry.
R. S., sec. 3988.

I, A. B., master ———, of the ———, arriving from ———, and now lying in the port of ———, do solemnly swear (or affirm) that I have to the best of my knowledge and belief delivered to the post-office at ——— every letter and every bag, packet, or parcel of letters which was on board the said vessel during her last voyage, or which were in my possession or under my power or control.

Oath.

And any master or other person having charge or control of such vessel who shall break bulk before he has delivered such letters shall be fined not more than one hundred dollars.

Penalty for failure.

SEC. 205. Whoever shall use or attempt to use in payment of postage, any canceled postage stamp, whether the same has been used or not; or shall remove, attempt to remove, or assist in removing, the canceling or defacing marks from any postage stamp, or the superscription from any stamped envelope, or postal card, that has once been used in payment of postage, with the intent to use the same for a like purpose, or to sell or offer to sell the same, or shall knowingly have in possession any such postage stamp, stamped envelope, or postal card, with intent to use the same, or shall knowingly sell or offer to sell any such postage stamp, stamped envelope, or postal card, or use or attempt to use the same in payment of postage; or whoever unlawfully and willfully shall remove from any mail matter any stamp attached thereto in payment of postage; or shall knowingly use or cause to be used in

Using, etc., canceled stamps.
R. S., secs. 3922-3925.

payment of postage, any postage stamp, postal card, or stamped envelope, issued in pursuance of law, which has already been used for a like purpose; shall, if he be a person employed in the postal service, be fined not more than five hundred dollars, or imprisoned not more than three years, or both; and if he be a person not employed in the postal service, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Punishment
for.
Postal em-
ployees.
Other per-
sons.

False returns
by postmasters
to increase
compensation.

SEC. 206. Whoever, being a postmaster or other person employed in any branch of the postal service, shall make, or assist in making, or cause to be made, a false return, statement, or account to any officer of the United States, or shall make, assist in making, or cause to be made, a false entry in any record, book, or account, required by law or the rules or regulations of the Post-Office Department to be kept in respect of the business or operations of any post-office or other branch of the postal service, for the purpose of fraudulently increasing his compensation or the compensation of the postmaster or any employee in a post-office; or whoever, being a postmaster or other person employed in any post-office or station thereof, shall induce, or attempt to induce, for the purpose of increasing the emoluments or compensation of his office, any person to deposit mail matter in, or forward in any manner for mailing at, the office where such postmaster or other person is employed, knowing such matter to be properly mailable at another post-office, shall be fined not more than five hundred dollars, or imprisoned not more than two years, or both.

Punishment
for.

Collecting un-
lawful postage.
R. S., sec.
3899.

SEC. 207. Whoever, being a postmaster or other person authorized to receive the postage of mail matter, shall fraudulently demand or receive any rate of postage or gratuity or reward other than is provided by law for the postage of such mail matter, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Punishment
for.

Unlawful
pledging or sale
of stamps.
R. S., sec.
3920.

SEC. 208. Whoever, being a postmaster or other person employed in any branch of the postal service, and being intrusted with the sale or custody of postage stamps, stamped envelopes, or postal cards, shall use or dispose of them in the payment of debts, or in the purchase of merchandise or other salable articles, or pledge or hypothecate the same, or sell or dispose of them except for cash; or sell or dispose of postage stamps or postal cards for any larger or less sum than the values indicated on their faces; or sell or dispose of stamped envelopes for a larger or less sum than is charged therefor by the Post-Office Department for like quantities; or sell or dispose of, or cause to be sold or disposed of, postage stamps, stamped envelopes, or postal cards at any point or place outside of the delivery of the office where such postmaster or other person is employed; or induce or attempt to induce, for the purpose of increasing the emoluments or compensation of

Inducing pur-
chases to in-
crease pay.

such postmaster, or the emoluments or compensation of any other person employed in such post-office or any station thereof, or the allowances or facilities provided therefor, any person to purchase at such post-office or any station thereof, or from any employee of such post-office, postage stamps, stamped envelopes, or postal cards; or sell or dispose of postage stamps, stamped envelopes, or postal cards; or sell or dispose of postage stamps, stamped envelopes, or postal cards, otherwise than as provided by law or the regulations of the Post-Office Department, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Punishment
for.

SEC. 209. Whoever, being a postmaster or other person engaged in the postal service, shall collect and fail to account for the postage due upon any article of mail matter which he may deliver, without having previously affixed and canceled the special stamp provided by law, or shall fail to affix such stamp, shall be fined not more than fifty dollars.

Failing to account for postage due, etc.

Punishment
for.

SEC. 210. Whoever, being a postmaster or other person employed in any branch of the postal service, shall issue a money order without having previously received the money therefor, shall be fined not more than five hundred dollars.

Issuing unpaid for money orders.

R. S., sec. 4030.

Punishment
for.

SEC. 211. Every obscene, lewd, or lascivious, and every filthy, book, pamphlet, picture, paper, letter, writing, print, or other publication of an indecent character, and every article or thing designed, adapted, or intended for preventing conception or producing abortion, or for any indecent or immoral use; and every article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for preventing conception or producing abortion, or for any indecent or immoral purpose; and every written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information directly or indirectly, where, or how, or from whom, or by what means any of the hereinbefore-mentioned matters, articles, or things may be obtained or made, or where or by whom any act or operation of any kind for the procuring or producing of abortion will be done or performed, or how or by what means conception may be prevented or abortion produced, whether sealed or unsealed; and every letter, packet, or package, or other mail matter containing any filthy, vile, or indecent thing, device, or substance; and every paper, writing, advertisement, or representation that any article, instrument, substance, drug, medicine, or thing may, or can be, used or applied for preventing conception or producing abortion, or for any indecent or immoral purpose; and every description calculated to induce or incite a person to so use or apply any such article, instrument, substance, drug, medicine, or thing, is hereby declared to be nonmailable matter and

Obscene matter unmailable.
R. S., sec. 3893.

Punishment for mailing or taking from mails to circulate.

shall not be conveyed in the mails or delivered from any post-office or by any letter carrier. Whoever shall knowingly deposit, or cause to be deposited for mailing or delivery, anything declared by this section to be nonmailable, or shall knowingly take, or cause the same to be taken, from the mails for the purpose of circulating or disposing thereof, or of aiding in the circulation or disposition thereof, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Libelous and indecent matter on wrappers or envelopes.

SEC. 212. All matter otherwise mailable by law, upon the envelope or outside cover or wrapper of which, or any postal card upon which, any delineations, epithets, terms, or language of an indecent, lewd, lascivious, obscene, libelous, scurrilous, defamatory, or threatening character, or calculated by the terms or manner or style of display and obviously intended to reflect injuriously upon the character or conduct of another, may be written or printed or otherwise impressed or apparent, are hereby declared non-mailable matter, and shall not be conveyed in the mails nor delivered from any post-office nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster-General shall prescribe. Whoever shall knowingly deposit or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable matter, or shall knowingly take the same or cause the same to be taken from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Punishment for mailing.

SEC. 213. No letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance; and no lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance; and no check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme; and no newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier. Whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered

Lottery, gift enterprise, etc., circulars not mailable. U. S., sec. 3894.

Punishment for.

by mail in violation of the provisions of this section, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years. Any person violating any provision of this section may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed.

Place of trial.

SEC. 214. Whoever, being a postmaster or other person employed in the postal service, shall act as agent for any lottery office, or under color of purchase or otherwise, vend lottery tickets, or shall knowingly send by mail or deliver any letter, package, postal card, circular, or pamphlet advertising any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes awarded by means of any such scheme, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

Official acting as lottery agent.
R. S., sec. 3851.

Punishment for.

SEC. 215. Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, bank note, paper money, or any obligation or security of the United States, or of any State, Territory, municipality, company, corporation, or person, or anything represented to be or intimated or held out to be such counterfeit or spurious article, or any scheme or artifice to obtain money by or through correspondence, by what is commonly called the "saw-dust swindle," or "counterfeit-money fraud," or by dealing or pretending to deal in what is commonly called "green articles," "green coin," "green goods," "bills," "paper goods," "spurious Treasury notes," "United States goods," "green cigars," or any other names or terms intended to be understood as relating to such counterfeit or spurious articles, shall, for the purpose of executing such scheme or artifice or attempting so to do, place, or cause to be placed, any letter, postal card, package, writing, circular, pamphlet, or advertisement, whether addressed to any person residing within or outside the United States, in any post-office, or station thereof, or street or other letter box of the United States, or authorized depository for mail matter, to be sent or delivered by the post-office

Using mails to promote frauds.
R. S., sec. 5480.

Counterfeit money.

establishment of the United States, or shall take or receive any such therefrom, whether mailed within or without the United States, or shall knowingly cause to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such letter, postal card, package, writing, circular, pamphlet, or advertisement, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

Using fraudulent fictitious address.

SEC. 216. Whoever, for the purpose of conducting, promoting, or carrying on, in any manner, by means of the post-office establishment of the United States, any scheme or device mentioned in the section last preceding, or any other unlawful business whatsoever, shall use or assume, or request to be addressed by, any fictitious, false, or assumed title, name, or address, or name other than his own proper name, or shall take or receive from any post-office of the United States, or station thereof, or any other authorized depository of mail matter, any letter, postal card, package, or other mail matter addressed to any such fictitious, false, or assumed title, name, or address, or name other than his own proper name, shall be punished as provided in the section last preceding.

Punishment for.

Poisons, explosives, etc., not mailable.

SEC. 217. All kinds of poison, and all articles and compositions containing poison, and all poisonous animals, insects, and reptiles, and explosives of all kinds, and inflammable materials, and infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode, and all disease germs or scabs, and all other natural or artificial articles, compositions, or materials of whatever kind which may kill, or in any wise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property, whether sealed as first-class matter or not, are hereby declared to be nonmailable matter, and shall not be conveyed in the mails or delivered from any post-office or station thereof, nor by any letter carrier; but the Postmaster-General may permit the transmission in the mails, under such rules and regulations as he shall prescribe as to preparation and packing, of any articles hereinbefore described which are not outwardly or of their own force dangerous or injurious to life, health, or property: *Provided*, That all spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, are hereby declared to be nonmailable and shall not be deposited in or carried through the mails. Whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail according to the direction thereon, or at any place at which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, unless in accordance with the rules and regulations hereby authorized to be prescribed by the Postmaster-General, shall be fined not more than one thousand dollars, or imprisoned not more than two

Packing permitted.

Proviso. Intoxicating liquors.

Punishment for mailing.

years, or both; and whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, whether transmitted in accordance with the rules and regulations authorized to be prescribed by the Postmaster-General or not, with the design, intent, or purpose to kill, or in anywise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Mailing articles with injurious intent.

Punishment for.

SEC. 218. Whoever, with intent to defraud, shall falsely make, forge, counterfeit, engrave, or print, or cause to be procured to be falsely made, forged, counterfeited, engraved, or printed, or shall willingly aid or assist in falsely making, forging, counterfeiting, engraving, or printing, any order in imitation of or purporting to be a money order issued by the Post-Office Department, or by any postmaster or agent thereof; or whoever shall forge or counterfeit the signature of any postmaster, assistant postmaster, chief clerk, or clerk, upon or to any money order, or postal note, or blank therefor provided or issued by or under the direction of the Post-Office Department of the United States, or of any foreign country, and payable in the United States, or any material signature or indorsement thereon, or any material signature to any receipt or certificate of identification thereon; or shall falsely alter, or cause or procure to be falsely altered in any material respect, or knowingly aid or assist in falsely so altering any such money order or postal note; or shall, with intent to defraud, pass, utter, or publish any such forged or altered money order or postal note, knowing any material signature or indorsement thereon to be false, forged, or counterfeited, or any material alteration therein to have been falsely made; or shall issue any money order or postal note without having previously received or paid the full amount of money payable therefor, with the purpose of fraudulently obtaining or receiving, or fraudulently enabling any other person, either directly or indirectly, to obtain or receive from the United States, or any officer, employee, or agent thereof, any sum of money whatever; or shall, with intent to defraud the United States, or any person, transmit or present to, or cause or procure to be transmitted or presented to, any officer or employee, or at any office of the Government of the United States, any money order or postal note, knowing the same to contain any forged or counterfeited signature to the same, or to any material indorsement, receipt, or certificate thereon, or material alteration therein unlawfully made, or to have been unlawfully issued without previous payment of the amount required to be paid upon such issue, shall be fined

Counterfeiting, etc., money orders.
R. S., sec. 5463.

Punishment for. not more than five thousand dollars, or imprisoned not more than five years, or both.

Counterfeiting, etc., postage stamps. **R. S., sec. 5464.** **SEC. 219.** Whoever shall forge or counterfeit any postage stamp, or any stamp printed upon any stamped envelope, or postal card, or any die, plate, or engraving therefor; or shall make or print, or knowingly use or sell, or have in possession with intent to use or sell, any such forged or counterfeited postage stamp, stamped envelope, postal card, die, plate, or engraving; or shall make, or knowingly use or sell, or have in possession with intent to use or sell, any paper bearing the watermark of any stamped envelope, or postal card, or any fraudulent imitation thereof; or shall make or print, or authorize or procure to be made or printed, any postage stamp, stamped envelope, or postal card, of the kind authorized and provided by the Post-Office Department, without the special authority and direction of said department; or shall, after such postage stamp, stamped envelope, or postal card has been printed, with intent to defraud, deliver the same to any person not authorized by an instrument in writing, duly executed under the hand of the Postmaster-General and the seal of the Post-Office Department, to receive it, shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both.

Punishment for. **SEC. 220.** Whoever shall forge, or counterfeit, or knowingly utter or use any forged or counterfeited postage stamp of any foreign government, shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both.

Counterfeiting, etc., foreign stamps. **R. S., sec. 5465.** **SEC. 221.** Matter of the second, third, or fourth class containing any writing or printing in addition to the original matter, other than as authorized by law, shall not be admitted to the mails, nor delivered, except upon payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed, unless by direction of the Postmaster-General such postage shall be remitted. Whoever shall knowingly conceal or inclose any matter of a higher class in that of a lower class, and deposit or cause the same to be deposited for conveyance by mail, at a less rate than would be charged for such higher class matter, shall be fined not more than one hundred dollars.

Inclosing higher in lower class matter. **R. S., sec. 3887.** **SEC. 222.** Whoever, being a postmaster, shall affix his signature to the approval of any bond of a bidder, or to the certificate of sufficiency of sureties in any contract, before the said bond or contract is signed by the bidder or contractor and his sureties, or shall knowingly, or without the exercise of due diligence, approve any bond of a bidder with insufficient sureties, or shall knowingly make any false or fraudulent certificate, shall be forthwith dismissed from office and be thereafter disqualified from holding the office of postmaster; and shall also be

Punishment for. **Postmaster illegally approving bond, etc.** **R. S., sec. 3947.**

Punishment for.

fined not more than five thousand dollars, or imprisoned not more than one year, or both.

SEC. 223. Whoever shall knowingly submit or cause to be submitted to any postmaster or to the Post-Office Department or any officer of the postal service, any false evidence relative to any publication for the purpose of securing the admission thereof at the second-class rate, for transportation in the mails, shall be fined not more than five hundred dollars.

Submitting false evidence as to second-class matter.

Punishment for.

SEC. 224. Whoever shall make, allege, or present, or cause to be made, alleged, or presented, or assist, aid, or abet in making, alleging, or presenting, any claim or application for indemnity for the loss of any registered letter, parcel, package, or other article or matter, or the contents thereof, knowing such claim or application to be false, fictitious, or fraudulent; or whoever for the purpose of obtaining or aiding to obtain the payment or approval of any such claim or application, shall make or use, or cause to be made or used, any false statement, certificate, affidavit, or deposition; or whoever shall knowingly and willfully misrepresent, or misstate, or, for the purpose aforesaid shall knowingly and willfully conceal any material fact or circumstance in respect of any such claim or application for indemnity, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Inducing or prosecuting claims for losses.

Punishment for.

SEC. 225. Whoever, being a postmaster or other person employed in or connected with any branch of the postal service, shall loan, use, pledge, hypothecate, or convert to his own use, or shall deposit in any bank, or exchange for other funds or property, except as authorized by law, any money or property coming into his hands or under his control in any manner whatever, in the execution or under color of his office, employment, or service, whether the same shall be the money or property of the United States or not; or shall fail or refuse to remit to or deposit in the Treasury of the United States or in a designated depository, or to account for or turn over to the proper officer or agent, any such money or property, when required so to do by law or the regulations of the Post-Office Department, or upon demand or order of the Postmaster-General, either directly or through a duly authorized officer or agent, shall be deemed guilty of embezzlement; and every such person, as well as every other person advising or knowingly participating therein, shall be fined in a sum equal to the amount or value of the money or property embezzled, or imprisoned not more than ten years, or both. Any failure to produce or to pay over any such money or property, when required so to do as above provided, shall be taken to be prima facie evidence of such embezzlement; and upon the trial of any indictment against any person for such embezzlement, it

Misappropriating postal funds or property. R. S., secs. 4046, 4053.

Punishment for.

Prima facie evidence.

shall be prima facie evidence of a balance against him to produce a transcript from the account books of the Auditor for the Post-Office Department. But nothing herein shall be construed to prohibit any postmaster depositing, under the direction of the Postmaster-General, in a national bank designated by the Secretary of the Treasury for that purpose, to his own credit as postmaster, any funds in his charge, nor prevent his negotiating drafts or other evidences of debt through such bank, or through United States disbursing officers, or otherwise, when instructed or required so to do by the Postmaster-General, for the purpose of remitting surplus funds from one post-office to another.

Deposits, etc., permitted. SEC. 226. Whoever, being a person employed in the postal service, shall become interested in any contract for carrying the mail, or act as agent, with or without compensation, for any contractor or person offering to become a contractor in any business before the Department, shall be immediately dismissed from office, and shall be fined not more than five thousand dollars, or imprisoned not more than one year, or both.

Employees interested in mail contracts. R. S., sec. 412. SEC. 227. Whoever shall make use of any official envelope, label, or indorsement authorized by law, to avoid the payment of postage or registry fee on his private letter, packet, package, or other matter in the mail, shall be fined not more than three hundred dollars.

Punishment for. SEC. 228. Whoever shall place or cause to be placed any matter in the mails during the regular weighing period, for the purpose of increasing the weight of the mail, with intent to cause an increase in the compensation of the railroad mail carrier over whose route such mail may pass, shall be fined not more than twenty thousand dollars, or imprisoned not more than five years, or both.

Fraudulent use of official envelopes. Penalty. SEC. 229. Every foreign mail shall, while being transported across the territory of the United States under authority of law, be taken and deemed to be a mail of the United States so far as to make any violation thereof, or depredation thereon, or offense in respect thereto, or any part thereof, an offense of the same grade, and punishable in the same manner and to the same extent as though the mail was a mail of the United States; and in any indictment or information for any such offense, the mail, or any part thereof, may be alleged to be, and on the trial of any such indictment or information it shall be deemed and held to be, a mail or part of a mail of the United States.

Fraudulently increasing weight of mail. Punishment for. SEC. 230. Every person employed in the postal service shall be subject to all penalties and forfeitures for the violation of the laws relating to such service, whether he has taken the oath of office or not.

Offenses against foreign mail in transit. R. S., sec. 4013. SEC. 231. The words "postal service," wherever used in this chapter, shall be held and deemed to include the "Post-Office Department."

Punishment for. Indictments.

Omission to take oath. R. S., sec. 3832.

Definition.

CHAPTER NINE.

OFFENSES AGAINST FOREIGN AND INTERSTATE COMMERCE.

Offenses against foreign and interstate commerce.

<p>Sec. 232. Dynamite, etc., not to be carried on vessels or vehicles carrying passengers for hire.</p> <p>233. Interstate Commerce Commission to make regulations for transportation of explosives.</p> <p>234. Liquid nitroglycerine, etc., not to be carried on certain vessels and vehicles.</p> <p>235. Marking of packages of explosives; deceptive marking.</p> <p>236. Death or bodily injury caused by such transportation.</p> <p>237. Importation and transportation of lottery tickets, etc., forbidden.</p> <p>238. Interstate shipment of intoxicating liquors; delivery of to be made only to bona fide consignee.</p>	<p>Sec. 239. Common carrier, etc., not to collect purchase price of interstate shipment of intoxicating liquors.</p> <p>240. Packages containing intoxicating liquors shipped in interstate commerce to be marked as such.</p> <p>241. Importation of certain wild animals and birds forbidden.</p> <p>242. Transportation of prohibited animals.</p> <p>243. Marking of packages.</p> <p>244. Penalty for violation of three preceding sections.</p> <p>245. Importation and transportation of obscene, etc., books, etc.</p>
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SEC. 232. It shall be unlawful to transport, carry, or convey, any dynamite, gunpowder, or other explosive, between a place in a foreign country and a place within or subject to the jurisdiction of the United States, or between a place in any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, and a place in any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, on any vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire: *Provided*, That it shall be lawful to transport on any such vessel or vehicle small arms ammunition in any quantity, and such fuses, torpedoes, rockets, or other signal devices, as may be essential to promote safety in operation, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle; but such samples shall not be carried in that part of a vessel or vehicle which is intended for the transportation of passengers for hire: *Provided further*, That nothing in this section shall be construed to prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment vessels or vehicles.

Explosives carried on vessels or vehicles with passengers for hire forbidden.
R. S., sec. 5353.

Provisos. Explosives permitted.

Restriction.

Military transportation.

Regulations
for transport-
ing explosives
to be made by
Interstate Com-
merce Commis-
sion.

SEC. 233. The Interstate Commerce Commission shall formulate regulations for the safe transportation of explosives, which shall be binding upon all common carriers engaged in interstate or foreign commerce which transport explosives by land. Said commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions. Such regulations shall be in accord with the best known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport. Such regulations, as well as all changes or modifications thereof, shall take effect ninety days after their formulation and publication by said commission and shall be in effect until reversed, set aside, or modified.

Effect.

High explo-
sives excluded
from certain
vessels or ve-
hicles.

SEC. 234. It shall be unlawful to transport, carry, or convey, liquid nitroglycerin, fulminate in bulk in dry condition, or other like explosive, between a place in a foreign country and a place within or subject to the jurisdiction of the United States, or between a place in one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, and a place in any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, on any vessel or vehicle of any description operated by a common carrier in the transportation of passengers or articles of commerce by land or water.

Marking
packages of ex-
plosives.
R. S., sec.
5355.

SEC. 235. Every package containing explosives or other dangerous articles when presented to a common carrier for shipment shall have plainly marked on the outside thereof the contents thereof; and it shall be unlawful for any person to deliver, or cause to be delivered, to any common carrier engaged in interstate or foreign commerce by land or water, for interstate or foreign transportation, or to carry upon any vessel or vehicle engaged in interstate or foreign transportation, any explosive, or other dangerous article, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier of the true character thereof, at or before the time such delivery or carriage is made. Whoever shall knowingly violate, or cause to be violated, any provision of this section, or of the three sections last preceding, or any regulation made by the Interstate Commerce Commission in pursuance thereof, shall be fined not more than two thousand dollars, or imprisoned not more than eighteen months, or both.

Punishment
for violation.

Causing
death or injury
by illegal trans-
portation.
R. S., sec.
5354.

SEC. 236. When the death or bodily injury of any person is caused by the explosion of any article named in the four sections last preceding, while the same is being placed upon any vessel or vehicle to be transported in violation

thereof, or while the same is being so transported, or while the same is being removed from such vessel or vehicle, the person knowingly placing, or aiding or permitting the placing, of such articles upon any such vessel or vehicle, to be so transported, shall be imprisoned not more than ten years. Punishment for.

SEC. 237. Whoever shall bring or cause to be brought into the United States or any place subject to the jurisdiction thereof, from any foreign country, for the purpose of disposing of the same, any paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any advertisement of, or list of the prizes drawn or awarded by means of, any such lottery, gift enterprise, or similar scheme; or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier for carriage, or shall carry, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States through a foreign country to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon, the event of any such lottery, gift enterprise, or similar scheme, or any advertisement of, or list of the prizes drawn or awarded by means of, any such lottery, gift enterprise, or similar scheme, or shall knowingly take or receive, or cause to be taken or received, any such paper, certificate, instrument, advertisement, or list so brought, deposited, or transported, shall, for the first offense, be fined not more than one thousand dollars, or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than two years. Importing, etc., lottery tickets, etc.
Interstate, etc., carriage.
Punishment for.

SEC. 238. Any officer, agent, or employee of any railroad company, express company, or other common carrier, who shall knowingly deliver or cause to be delivered to any person other than the person to whom it has been consigned, unless upon the written order in each instance of the bona fide consignee, or to any fictitious person, or to any person under a fictitious name, any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind which has been shipped from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or Intoxicating liquors by interstate, etc., shipment delivered to other than bona fide consignee.

Punishment for. District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, shall be fined not more than five thousand dollars, or imprisoned not more than two years, or both.

Carrier, etc., collecting purchase price of interstate, etc., shipment of intoxicating liquor. SEC. 239. Any railroad company, express company, or other common carrier, or any other person who, in connection with the transportation of any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, shall collect the purchase price or any part thereof, before, on, or after delivery, from the consignee, or from any other person, or shall in any manner act as the agent of the buyer or seller of any such liquor, for the purpose of buying or selling or completing the sale thereof, saving only in the actual transportation and delivery of the same, shall be fined not more than five thousand dollars.

Penalty.

Shipping of packages of intoxicating liquors in interstate, etc., commerce, not plainly marked. SEC. 240. Whoever shall knowingly ship or cause to be shipped, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, any package of or package containing any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind, unless such package be so labeled on the outside cover as to plainly show the name of the consignee, the nature of its contents, and the quantity contained therein, shall be fined not more than five thousand dollars; and such liquor shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the seizure and forfeiture of property imported into the United States contrary to law.

Penalty.

Importing certain injurious birds and animals forbidden. SEC. 241. The importation into the United States, or any Territory or District thereof, of the mongoose, the so-called "flying foxes" or fruit bats, the English sparrow, the starling, and such other birds and animals as the Secretary of Agriculture may from time to time declare to be injurious to the interests of agriculture or horticulture, is hereby prohibited; and all such birds and animals shall, upon arrival at any port of the United States, be destroyed or returned at the expense of the owner. No person shall import into the United States or into any Territory or District thereof, any foreign wild animal or bird, except under special permit from the Secretary

Permits for foreign wild animals.

of Agriculture: *Provided*, That nothing in this section shall restrict the importation of natural history specimens for museums or scientific collections, or of certain cage birds, such as domesticated canaries, parrots, or such other birds as the Secretary of Agriculture may designate. The Secretary of the Treasury is hereby authorized to make regulations for carrying into effect the provisions of this section.

Proviso.
Specimens
for
museums,
etc.

SEC. 242. It shall be unlawful for any person to deliver to any common carrier for transportation, or for any common carrier to transport from any State, Territory, or District of the United States, to any other State, Territory, or District thereof, any foreign animals or birds, the importation of which is prohibited, or the dead bodies or parts thereof of any wild animals or birds, where such animals or birds have been killed or shipped in violation of the laws of the State, Territory, or District in which the same were killed, or from which they were shipped: *Provided*, That nothing herein shall prevent the transportation of any dead birds or animals killed during the season when the same may be lawfully captured, and the export of which is not prohibited by law in the State, Territory, or District in which the same are captured or killed: *Provided further*, That nothing herein shall prevent the importation, transportation, or sale of birds or bird plumage manufactured from the feathers of barn-yard fowls.

Transportation of illegally killed game, etc., prohibited.

Provisos.
Shipments in game season.

Feathers of barn-yard fowls.

SEC. 243. All packages containing the dead bodies, or the plumage, or parts thereof, of game animals, or game or other wild birds, when shipped in interstate or foreign commerce, shall be plainly and clearly marked, so that the name and address of the shipper, and the nature of the contents, may be readily ascertained on an inspection of the outside of such package.

Marking of packages.

SEC. 244. For each evasion or violation of any provision of the three sections last preceding, the shipper shall be fined not more than two hundred dollars; the consignee knowingly receiving such articles so shipped and transported in violation of said sections shall be fined not more than two hundred dollars; and the carrier knowingly carrying or transporting the same in violation of said sections shall be fined not more than two hundred dollars.

Penalty for violations.

SEC. 245. Whoever shall bring or cause to be brought into the United States or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier, for carriage from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States through a foreign country to any place in or subject to the juris-

Importing and transporting obscene books, etc.

diction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any obscene, lewd, or lascivious, or any filthy, book, pamphlet, picture, paper, letter, writing, print, or other matter of indecent character, or any drug, medicine, or article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of the hereinbefore-mentioned articles, matters, or things may be obtained or made; or whoever shall knowingly take or cause to be taken from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

CHAPTER TEN.

Slave trade and peonage.

THE SLAVE TRADE AND PEONAGE.

<p>Sec. 246. Confining or detaining slaves on board vessel. 247. Seizing slaves on foreign shores. 248. Bringing slaves into the United States. 249. Equipping vessels for slave trade. 250. Transporting persons to be held as slaves. 251. Hovering on coast with slaves on board. 252. Serving in vessels engaged in the slave trade. 253. Receiving or carrying away any person to be sold or held as a slave. 254. Equipping, etc., vessel for slave trade. 255. Penalty on persons building, equipping, etc. 256. Forfeiture of vessel transporting slaves. 257. Receiving persons on board to be sold as slaves. 258. Vessels found hovering on coast.</p>	<p>Sec. 259. Forfeiture of interest in vessels transporting slaves. 260. Seizure of vessels engaged in the slave trade. 261. Proceeds of condemned vessels, how distributed. 262. Disposal of persons found on board seized vessel. 263. Apprehension of officers and crew. 264. Removal of persons delivered from seized vessels. 265. To what port captured vessels sent. 266. When owners of foreign vessels shall give bond. 267. Instructions to commanders of armed vessels. 268. Kidnaping. 269. Holding or returning persons to peonage. 270. Obstructing enforcement of preceding section. 271. Bringing kidnaped persons into United States.</p>
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Confining or detaining slaves on board vessel.
R. S., sec. 5375.

SEC. 246. Whoever, being of the crew or ship's company of any foreign vessel engaged in the slave trade, or being of the crew or ship's company of any vessel owned wholly or in part, or navigated for or in behalf of any citizen of the United States, forcibly confines or detains on board such vessel any person as a slave, or, on board such vessel, offers or attempts to sell as a slave any such person, or on

the high seas, or anywhere on tide water, transfers or delivers to any other vessel any such person with intent to make such person a slave, or lands or delivers on shore from on board such vessel any person with intent to make sale of, or having previously sold such person as a slave, is a pirate, and shall be imprisoned for life.

SEC. 247. Whoever, being of the crew or ship's company of any foreign vessel engaged in the slave trade, or being of the crew or ship's company of any vessel owned in whole or in part, or navigated for, or in behalf of, any citizen of the United States, lands from such vessel, and, on any foreign shore, seizes any person with intent to make such person a slave, or decoys, or forcibly brings, or carries or receives such person on board such vessel, with like intent, is a pirate, and shall be imprisoned for life.

Punishment
for.
Seizing
slaves on for-
eign shores.
R. S., sec.
5376.

SEC. 248. Whoever brings within the jurisdiction of the United States, in any manner whatsoever, any person from any foreign kingdom or country, or from sea, or holds, sells, or otherwise disposes of, any person so brought in, as a slave, or to be held to service or labor, shall be fined not more than ten thousand dollars, one half to the use of the United States and the other half to the use of the party who prosecutes the indictment to effect; and, moreover, shall be imprisoned not more than seven years.

Punishment
for.

Bringing
slaves into
United States.
R. S., sec.
5377.

SEC. 249. Whoever builds, fits out, equips, loads, or otherwise prepares, or sends away, either as master, factor, or owner, any vessel, in any port or place within the jurisdiction of the United States, or causes such vessel to sail from any port or place whatsoever, within such jurisdiction, for the purpose of procuring any person from any foreign kingdom or country to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of as a slave, or held to service or labor, shall be fined not more than five thousand dollars, one half to the use of the United States and the other half to the use of the person prosecuting the indictment to effect; and shall, moreover, be imprisoned not more than seven years.

Punishment
for.

Equipping
vessels for
slave trade.
R. S., sec.
5378.

SEC. 250. Whoever, within the jurisdiction of the United States, takes on board, receives, or transports from any foreign kingdom or country, or from sea, any person in any vessel, for the purpose of holding, selling, or otherwise disposing of such person as a slave, or to be held to service or labor, shall be punished as prescribed in the section last preceding.

Punishment
for.

Transporting
persons to be
held as slaves.
R. S., sec.
5379.

SEC. 251. Whoever, being the captain, master, or commander of any vessel found in any river, port, bay, harbor, or on the high seas, within the jurisdiction of the United States, or hovering on the coast thereof, having on board any person, for the purpose of selling such person as a slave, or with intent to land such person for any such purpose, shall be fined not more than ten thousand dollars and imprisoned not more than four years.

Punishment
for.

Hovering on
coast with
slaves on board.
R. S., sec.
5380.

Punishment
for.

Serving on
vessels in slave
trade.
R. S., sec.
5381.

SEC. 252. Whoever, being a citizen of the United States, or other person residing therein, voluntarily serves on board of any vessel employed or made use of in the transportation of slaves from any foreign country or place to another, shall be fined not more than two thousand dollars and imprisoned not more than two years.

Punishment
for.

Receiving or
carrying away
person to be
sold or held as
slave.
R. S., sec.
5524.

SEC. 253. Whoever, being the master or owner or person having charge of any vessel, receives on board any other person, with the knowledge or intent that such person is to be carried from any place subject to the jurisdiction of the United States to any other place, to be held or sold as a slave, or carries away from any place subject to the jurisdiction of the United States any such person, with the intent that he may be so held or sold as a slave, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Punishment
for.

Equipping,
etc., vessel for
slave trade.
R. S., sec.
5551.

SEC. 254. No person shall, for himself or for another, as master, factor, or owner, build, fit, equip, load, or otherwise prepare any vessel in any port or place within the jurisdiction of the United States, or cause any vessel to sail from any port or place within the jurisdiction of the United States for the purpose of procuring any person from any foreign kingdom, place, or country to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of, as a slave, or to be held to service or labor; and every vessel so built, fitted out, equipped, laden, or otherwise prepared, with her tackle, apparel, furniture, and lading, shall be forfeited; one moiety to the use of the United States and the other to the use of the person who sues for the forfeiture and prosecutes the same to effect.

Forfeiture.

Moiety to in-
former.

Penalty on
persons build-
ing, equipping,
etc.
R. S., sec.
5552.

SEC. 255. Whoever so builds, fits out, equips, loads, or otherwise prepares or sends away any vessel, knowing or intending that the same shall be employed in such trade or business, contrary to the provisions of the section last preceding, or in any way aids or abets therein, shall, besides the forfeiture of the vessel, pay the sum of two thousand dollars; one moiety thereof to the use of the United States and the other moiety thereof to the use of the person who sues for and prosecutes the same to effect.

Moiety to in-
former.

Forfeiture of
vessels trans-
porting slaves.
R. S., sec.
5553.

SEC. 256. Every vessel employed in carrying on the slave trade or on which is received or transported any person from any foreign kingdom or country, or from sea, for the purpose of holding, selling, or otherwise disposing of such person as a slave, or of holding such person to service or labor, shall, together with her tackle, apparel, furniture, and the goods and effects which may be found on board, or which may have been imported thereon in the same voyage, be forfeited; one moiety to the use of the United States and the other to the use of the person who sues for and prosecutes the forfeiture to effect.

Moiety to in-
former.

Receiving
persons on

SEC. 257. Whoever, being a citizen of the United States, takes on board, receives, or transports any person for the

purpose of selling such person as a slave shall, in addition to the forfeiture of the vessel, pay for each person so received on board or transported the sum of two hundred dollars, to be recovered in any court of the United States; the one moiety thereof to the use of the United States and the other moiety to the use of the person who sues for and prosecutes the same to effect.

board to be sold as slaves.
R. S., sec. 5554.
Penalty.

Moiety to informer.

SEC. 258. Every vessel which is found in any river, port, bay, or harbor, or on the high seas, within the jurisdiction of the United States, or hovering on the coasts thereof, and having on board any person, with intent to sell such person as a slave, or with intent to land the same for that purpose, either in the United States or elsewhere, shall, together with her tackle, apparel, furniture, and the goods or effects on board of her, be forfeited to the United States.

Vessels found hovering on coasts to be forfeited.
R. S., sec. 5555.

SEC. 259. It shall be unlawful for any citizen of the United States, or other person residing therein, or under the jurisdiction thereof, directly or indirectly to hold or have any right or property in any vessel employed or made use of in the transportation or carrying of slaves from one foreign country or place to another, and any such right or property shall be forfeited, and may be libeled and condemned for the use of the person suing for the same. Whoever shall violate the prohibition of this section shall also forfeit and pay a sum of money equal to double the value of his right or property in such vessel; and shall also forfeit a sum of money equal to double the value of the interest he had in the slaves which at any time may be transported or carried in such vessels.

Forfeiture of interest in slave vessels.
R. S., sec. 5556.

Additional penalty.

SEC. 260. The President is authorized, when he deems it expedient, to man and employ any of the armed vessels of the United States to cruise wherever he may judge attempts are making to carry on the slave trade, by citizens or residents of the United States, in contravention of laws prohibitory of the same; and, in such case, he shall instruct the commanders of such armed vessels to seize, take, and bring into any port of the United States, to be proceeded against according to law, all American vessels, wheresoever found, which may have on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported any person, in violation of the provisions of any Act of Congress prohibiting the traffic in slaves.

Seizure of vessels in slave trade.
R. S., sec. 5557.

SEC. 261. The proceeds of all vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which are so seized, prosecuted, and condemned, shall be paid into the Treasury of the United States.

Proceeds of condemned vessels paid into the Treasury.
R. S., sec. 5558.

SEC. 262. The officers of the vessel making such seizure shall safely keep every person found on board of any vessel so seized, taken, or brought into port for condemnation, and shall deliver every such person to the marshal of the district into which he may be brought, if into a

Disposal of persons found on seized vessel.
R. S., sec. 5559.

port of the United States, or if elsewhere, to such person as may be lawfully appointed by the President, in the manner directed by law, transmitting to the President, as soon as may be after such delivery, a descriptive list of such persons, in order that he may give directions for the disposal of them.

Apprehension of officers and crew.
R. S., sec.
5560.

SEC. 263. The commanders of such commissioned vessels shall cause to be apprehended and taken into custody every person found on board of such offending vessel so seized and taken, being of the officers or crew thereof, and him convey, as soon as conveniently may be, to the civil authority of the United States, to be proceeded against in due course of law.

Removal of persons delivered from seized vessel.
R. S., sec.
5561.

SEC. 264. The President is authorized to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States of all such persons as may be so delivered and brought within its jurisdiction.

To what port captured vessel sent.
R. S., sec.
5563.

SEC. 265. It shall be the duty of the commander of any armed vessel of the United States, whenever he makes any capture under the preceding provisions, to bring the vessel and her cargo, for adjudication, into some port of the State, Territory, or District to which such vessel so captured may belong, if he can ascertain the same; if not, then into any convenient port of the United States.

When owners of foreign vessels shall give bond.
R. S., sec.
5564.

SEC. 266. Every owner, master, or factor of any foreign vessel clearing from any port within the jurisdiction of the United States, and suspected to be intended for the slave trade, and the suspicion being declared to the officer of the customs by any citizen, on oath, and such information being to the satisfaction of the officer, shall first give bond, with sufficient sureties, to the Treasurer of the United States that none of the natives of any foreign country or place shall be taken on board such vessel to be transported or sold as slaves in any other foreign port or place whatever, within nine months thereafter.

Instructions to masters of armed vessels.
R. S., sec.
5567.

SEC. 267. The President is authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it is practicable, and under such rules and regulations as he may prescribe, to proceed directly to the country from which they were taken, and there hand over to the agent of the United States all such persons, delivered from on board vessels seized in the prosecution of the slave trade; and they shall afterwards bring the captured vessels and persons engaged in prosecuting such trade to the United States for trial and adjudication.

Kidnaping.
R. S., sec.
5525.

SEC. 268. Whoever kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave; or who entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he may be made or held as a slave, or sent out of the country to be so made or held; or who in any way knowingly aids in

causing any other person to be held, sold, or carried away to be held or sold as a slave, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both. Punishment for.

SEC. 269. Whoever holds, arrests, returns, or causes to be held, arrested, or returned, or in any manner aids in the arrest or return of any person to a condition of peonage, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both. Holding or returning persons to peonage. R. S., sec. 5526. Punishment for.

SEC. 270. Whoever obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of the section last preceding, shall be liable to the penalties therein prescribed. Obstructing enforcement of preceding section. R. S., sec. 5527.

SEC. 271. Whoever shall knowingly and willfully bring into the United States or any place subject to the jurisdiction thereof, any person inveigled or forcibly kidnaped in any other country, with intent to hold such person so inveigled or kidnaped in confinement or to any involuntary servitude; or whoever shall knowingly and willfully sell, or cause to be sold, into any condition of involuntary servitude, any other person for any term whatever; or whoever shall knowingly and willfully hold to involuntary servitude any person so brought or sold, shall be fined not more than five thousand dollars and imprisoned not more than five years. Bringing kidnaped person into United States, etc. Punishment for.

CHAPTER ELEVEN.

OFFENSES WITHIN THE ADMIRALTY AND MARITIME AND THE TERRITORIAL JURISDICTION OF THE UNITED STATES. Offenses within admiralty, maritime, and territorial jurisdiction of the United States.

Sec.	Sec.
272. Places within or waters upon which sections of this chapter shall apply.	281. Payment of fine to female seduced; evidence required; limitation on indictment.
273. Murder.	282. Loss of life by misconduct of officers, etc., of vessels.
274. Manslaughter.	283. Maiming.
275. Punishment for murder; for manslaughter.	284. Robbery.
276. Assault with intent to commit murder, rape, robbery, etc.	285. Arson of dwelling house.
277. Attempt to commit murder or manslaughter.	286. Arson of other buildings, etc.
278. Rape.	287. Larceny.
279. Having carnal knowledge of female under sixteen.	288. Receiving, etc., stolen goods.
280. Seduction of female passenger on vessel.	289. Laws of States adopted for punishing wrongful acts, etc.

SEC. 272. The crimes and offenses defined in this chapter shall be punished as herein prescribed: Places and waters applicable.

First. When committed upon the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or when committed within the admiralty and maritime jurisdiction of the United States On board American ship on high seas, etc. R. S., sec. 5339.

and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States or any citizen thereof, or to any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof.

On board American vessel on Great Lakes, etc.

Second.

* * * * *

On land under exclusive control of United States.

Third. When committed within or on any lands reserved or acquired for the exclusive use of the United States, and under the exclusive jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dock-yard, or other needful building.

Guano islands.

Fourth. On any island, rock, or key, containing deposits of guano, which may, at the discretion of the President, be considered as appertaining to the United States.

Murder defined. First degree.

SEC. 273. Murder is the unlawful killing of a human being with malice aforethought. Every murder perpetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing; or committed in the perpetration of, or attempt to perpetrate, any arson, rape, burglary, or robbery; or perpetrated from a premeditated design unlawfully and maliciously to effect the death of any human being other than him who is killed, is murder in the first degree. Any other murder is murder in the second degree.

Second degree. Manslaughter defined. R. S., sec. 5341. Voluntary.

SEC. 274. Manslaughter is the unlawful killing of a human being without malice. It is of two kinds:

First. Voluntary—Upon a sudden quarrel or heat of passion.

Involuntary.

Second. Involuntary—In the commission of an unlawful act not amounting to a felony, or in the commission of a lawful act which might produce death, in any unlawful manner, or without due caution and circumspection.

Punishment. Murder. R. S., sec. 5339.

SEC. 275. Every person guilty of murder in the first degree shall suffer death. Every person guilty of murder in the second degree shall be imprisoned not less than ten years and may be imprisoned for life. Every person guilty of voluntary manslaughter shall be imprisoned not more than ten years. Every person guilty of involuntary manslaughter shall be imprisoned not more than three years, or fined not exceeding one thousand dollars, or both.

Manslaughter. R. S., sec. 5343.

Felonious assaults. To murder or rape. R. S., sec. 5346. Other felony.

SEC. 276. Whoever shall assault another with intent to commit murder, or rape, shall be imprisoned not more than twenty years. Whoever shall assault another with intent to commit any felony, except murder, or rape, shall be fined not more than three thousand dollars, or imprisoned not more than ten years, or both. Whoever, with intent to do bodily harm, and without just cause or excuse, shall assault another with a dangerous weapon,

With weapons, etc.

instrument, or other thing, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both. Whoever shall unlawfully strike, beat, or wound another, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both. Whoever shall unlawfully assault another, shall be fined not more than three hundred dollars, or imprisoned not more than three months, or both.

Beating, etc.

Simple assault.

SEC. 277. Whoever shall attempt to commit murder or manslaughter, except as provided in the preceding section, shall be fined not more than one thousand dollars and imprisoned not more than three years.

Other attempts at murder, etc.
R. S., sec. 5342.

SEC. 278. Whoever shall commit the crime of rape shall suffer death.

Rape.
R. S., sec. 5345.

SEC. 279. Whoever shall carnally and unlawfully know any female under the age of sixteen years, or shall be accessory to such carnal and unlawful knowledge before the fact, shall, for a first offense, be imprisoned not more than fifteen years, and for a subsequent offense be imprisoned not more than thirty years.

Having carnal knowledge of female under sixteen.

SEC. 280. Every master, officer, seaman, or other person employed on board of any American vessel who, during the voyage, under promise of marriage or by threat or the exercise of authority, or solicitation, or the making of gifts or presents, seduces and has illicit connection with any female passenger, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both; but subsequent intermarriage of the parties may be pleaded in bar of conviction.

Seduction of female passenger on vessel.
R. S., sec. 5349.

Punishment for.

SEC. 281. When a person is convicted of a violation of the section last preceding, the court may, in its discretion, direct that the amount of the fine, when paid, be paid for the use of the female seduced, or her child, if she have any; but no conviction shall be had on the testimony of the female seduced, without other evidence, nor unless the indictment is found within one year after the arrival of the vessel on which the offense was committed at the port of its destination.

Disposal of fine.
R. S., sec. 5350.

Evidence, etc., required.
R. S., sec. 5351.

SEC. 282. Every captain, engineer, pilot, or other person employed on any steanboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel the life of any person is destroyed, and every owner, charterer, inspector, or other public officer, through whose fraud, neglect, connivance, misconduct, or violation of law the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both: *Provided*, That when the owner or charterer of any steamboat or vessel shall be a corporation, any executive officer of such corporation, for the time being actually charged with the control and management of the operation, equipment, or navigation of such steamboat or vessel, who has knowingly and willfully caused or allowed such fraud, neglect, connivance,

Loss of life by misconduct of officers, etc., of vessels.
R. S., sec. 5344.

Punishment for.

Proviso. Liability of corporation officer.

misconduct, or violation of law, by which the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both.

Maiming, etc.
R. S., sec.
5348.

SEC. 283. Whoever, with intent to maim or disfigure, shall cut, bite, or slit, the nose, ear, or lip, or cut out or disable the tongue, or put out or destroy an eye, or cut off or disable a limb or any member of another person; or whoever, with like intent, shall throw or pour upon another person, any scalding hot water, vitriol, or other corrosive acid, or caustic substance whatever, shall be fined not more than one thousand dollars, or imprisoned not more than seven years, or both.

Punishment
for.

Robbery.

SEC. 284. Whoever, by force and violence, or by putting in fear, shall feloniously take from the person or presence of another anything of value, shall be imprisoned not more than fifteen years.

Punishment
for.

Arson of
dwelling house.
R. S., sec.
5385.

SEC. 285. Whoever shall willfully and maliciously set fire to, burn, or attempt to burn, or by means of a dangerous explosive destroy or attempt to destroy, any dwelling house, or any store, barn, stable, or other building, parcel of a dwelling house, shall be imprisoned not more than twenty years.

Punishment
for.

Arson of
other buildings,
etc.
R. S., secs.
5386, 5387.

SEC. 286. Whoever shall maliciously set fire to, burn, or attempt to burn, or by any means destroy or injure, or attempt to destroy or injure, any arsenal, armory, magazine, ropewalk, ship house, warehouse, blockhouse, or barrack, or any storehouse, barn, or stable, not parcel of a dwelling house, or any other building not mentioned in the section last preceding, or any vessel built, building, or undergoing repair, or any light-house, or beacon, or any machinery, timber, cables, rigging, or other materials or appliances for building, repairing, or fitting out vessels, or any pile of wood, boards, or other lumber, or any military, naval, or victualing stores, arms, or other munitions of war, shall be fined not more than five thousand dollars and imprisoned not more than twenty years.

Punishment
for.

Larceny.
R. S., sec.
5356.

SEC. 287. Whoever shall take and carry away, with intent to steal or purloin, any personal property of another, shall be punished as follows: If the property taken is of a value exceeding fifty dollars, or is taken from the person of another, by a fine of not more than ten thousand dollars, or imprisonment for not more than ten years, or both; in all other cases, by a fine of not more than one thousand dollars, or by imprisonment not more than one year, or both. If the property stolen consists of any evidence of debt, or other written instrument, the amount of money due thereon, or secured to be paid thereby, and remaining unsatisfied, or which in any contingency might be collected thereon, or the value of the property the title to which is shown thereby, or the sum which might be recovered in the absence thereof, shall be deemed to be the value of the property stolen.

Punishment
for.

Determining
value of writ-
ten instrument.

SEC. 288. Whoever shall buy, receive, or conceal, any money, goods, bank notes, or other thing which may be subject of larceny, which has been feloniously taken, stolen, or embezzled, from any other person, knowing the same to have been so taken, stolen, or embezzled, shall be fined not more than one thousand dollars and imprisoned not more than three years; and such person may be tried either before or after the conviction of the principal offender.

Receiving stolen goods, etc. R. S., sec. 5357.

Punishment for. Trials.

SEC. 289. Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section two hundred and seventy-two of this Act, shall do or omit the doing of any act or thing which is not made penal by any law of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof now in force would be penal, shall be deemed guilty of a like offense and be subject to a like punishment; and every such State, Territorial, or District law shall, for the purposes of this section, continue in force, notwithstanding any subsequent repeal or amendment thereof by any such State, Territory, or District.

Laws of States adopted for punishing wrongful acts, etc. R. S., sec. 5391.

Effect of repeal, etc.

CHAPTER TWELVE.

PIRACY AND OTHER OFFENSES UPON THE SEAS.

Piracy and other offenses upon the seas.

Sec.	Sec.
290. Piracy under the law of nations.	302. Robbery on shore by crew of piratical vessel.
291. Maltreatment of crew by officers of vessel.	303. Arming vessel to cruise against citizens of the United States.
292. Inciting revolt or mutiny on shipboard.	304. Piracy under color of a foreign commission.
293. Revolt and mutiny on shipboard.	305. Piracy by subjects or citizens of a foreign state.
294. Seaman laying violent hands on his commander.	306. Running away with or yielding up vessel or cargo.
295. Abandonment of mariners in foreign ports.	307. Confederating, etc., with pirates.
296. Conspiracy to cast away vessel.	308. Sale of arms and intoxicants forbidden in Pacific islands.
297. Plundering vessel in distress, etc.	309. Offenses under preceding section deemed on high seas.
298. Attacking vessel with intent to plunder.	310. "Vessels of the United States" defined.
299. Breaking and entering vessel, etc.	
300. Owner destroying vessel at sea.	
301. Other person destroying or attempting to destroy vessel at sea.	

SEC. 290. Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be imprisoned for life.

Piracy. R. S., sec. 5368. Punishment for.

Maltreatment of crew by officers of vessel.
R. S., sec. 5347.

SEC. 291. Whoever, being the master or officer of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, beats, wounds, or without justifiable cause, imprisons any of the crew of such vessel, or withholds from them suitable food and nourishment, or inflicts upon them any cruel and unusual punishment, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both. Nothing herein contained shall be construed to repeal or modify section forty-six hundred and eleven of the Revised Statutes.

Punishment for.

Flogging.
R. S., sec. 4611.

Inciting revolt or mutiny on shipboard.
R. S., sec. 5359.

SEC. 292. Whoever, being of the crew of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, endeavors to make a revolt or mutiny on board such vessel, or combines, conspires, or confederates with any other person on board to make such revolt or mutiny, or solicits, incites, or stirs up any other of the crew to disobey or resist the lawful orders of the master or other officer of such vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust, or assembles with others in a tumultuous and mutinous manner, or makes a riot on board thereof, or unlawfully confines the master or other commanding officer thereof, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

Revolt or mutiny on shipboard.
R. S., sec. 5360.

SEC. 293. Whoever, being of the crew of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, unlawfully and with force, or by fraud, or intimidation, usurps the command of such vessel from the master or other lawful officer in command thereof, or deprives him of authority and command on board, or resists or prevents him in the free and lawful exercise thereof, or transfers such authority and command to another not lawfully entitled thereto, is guilty of a revolt and mutiny, and shall be fined not more than two thousand dollars and imprisoned not more than ten years.

Punishment for.

Seaman laying violent hands on commander.
R. S., sec. 5369.

Punishment for.

Abandonment of mariner in foreign port.
R. S., sec. 5363.

SEC. 294. Whoever, being a seaman, lays violent hands upon his commander, thereby to hinder and prevent his fighting in defense of his vessel or the goods intrusted to him, is a pirate, and shall be imprisoned for life.

SEC. 295. Whoever, being master or commander of a vessel of the United States, while abroad, maliciously and without justifiable cause forces any officer or mariner of such vessel on shore, in order to leave him behind in any foreign port or place, or refuses to bring home again all such officers and mariners of such vessel whom he carried out with him, as are in a condition to return and willing to return, when he is ready to proceed on his homeward voyage, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

Punishment for.

SEC. 296. Whoever, on the high seas, or within the United States, willfully and corruptly conspires, combines, and confederates with any other person, such other person being either within or without the United States, to cast away or otherwise destroy any vessel, with intent to injure any person that may have underwritten or may thereafter underwrite any policy of insurance thereon or on goods on board thereof, or with intent to injure any person that has lent or advanced, or may lend or advance, any money on such vessel on bottomry or respondentia; or whoever, within the United States, builds, or fits out, or aids in building or fitting out, any vessel with intent that the same be cast away or destroyed, with the intent hereinbefore mentioned, shall be fined not more than ten thousand dollars and imprisoned not more than ten years.

Conspiracy to cast away vessel.
R. S., sec. 5364.

Punishment for.

SEC. 297. Whoever plunders, steals, or destroys any money, goods, merchandise, or other effects, from or belonging to any vessel in distress, or wrecked, lost, stranded, or cast away, upon the sea, or upon any reef, shoal, bank, or rocks of the sea, or in any other place within the admiralty and maritime jurisdiction of the United States, shall be fined not more than five thousand dollars and imprisoned not more than ten years; and whoever willfully obstructs the escape of any person endeavoring to save his life from such vessel, or the wreck thereof; or whoever holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel sailing upon the sea into danger, or distress, or shipwreck, shall be imprisoned not less than ten years and may be imprisoned for life.

Plundering vessel in distress, etc.
R. S., sec. 5358.

Punishment for.

Obstructing escape of wrecked person.
Holding false light.

Punishment for.

SEC. 298. Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, by surprise or by open force, maliciously attacks or sets upon any vessel belonging to another, with an intent unlawfully to plunder the same, or to despoil any owner thereof of any moneys, goods, or merchandise laden on board thereof, shall be fined not more than five thousand dollars and imprisoned not more than ten years.

Attacking vessel with intent to plunder.
R. S., sec. 5361.

Punishment for.

SEC. 299. Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular State, breaks or enters any vessel, with intent to commit any felony, or maliciously cuts, spoils, or destroys any cordage, cable, buoys, buoy-rope, head-fast, or other fast, fixed to the anchor or moorings belonging to any vessel, shall be fined not more than one thousand dollars and imprisoned not more than five years.

Breaking and entering vessel, etc.
R. S., sec. 5362.

Punishment for.

SEC. 300. Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, willfully and corruptly casts away or otherwise destroys any vessel, of which he is owner, in whole or in part, with intent to prejudice any person that

Owner destroying vessel at sea.
R. S., sec. 5365.

may underwrite any policy of insurance thereon, or any merchant that may have goods thereon, or any other owner of such vessel, shall be imprisoned for life or for any term of years.

Punishment for.

Other person destroying, or attempting, of vessel at sea.

R. S., secs. 5366, 5367.

SEC. 301. Whoever, not being an owner, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, willfully and corruptly casts away or otherwise destroys any vessel of the United States to which he belongs, or, willfully, with intent to destroy the same, sets fire to any such vessel, or otherwise attempts the destruction thereof, shall be imprisoned not more than ten years.

Punishment for.

Robbery on shore by piratical crew.

R. S., sec. 5371.

SEC. 302. Whoever, being engaged in any piratical cruise, or enterprise, or being of the crew of any piratical vessel, lands from such vessel, and on shore commits robbery, is a pirate, and shall be imprisoned for life.

Punishment for.

Arming vessel to cruise against citizens.

R. S., sec. 5284.

SEC. 303. Whoever, being a citizen of the United States, without the limits thereof, fits out and arms, or attempts to fit out and arm, or procures to be fitted out and armed, or knowingly aids or is concerned in furnishing, fitting out, or arming, any private vessel of war or privateer, with intent that such vessel shall be employed to cruise or commit hostilities upon the citizens of the United States, or their property, or whoever takes the command of or enters on board of any such vessel, for such intent, or who purchases any interest in any such vessel with a view to share in the profits thereof, shall be fined not more than ten thousand dollars and imprisoned not more than ten years. The trial for such offense, if committed without the limits of the United States, shall be in the district in which the offender shall be apprehended or first brought.

Punishment for.

Trials.

Piracy under color of foreign commission.

R. S., sec. 5373.

SEC. 304. Whoever, being a citizen of the United States, commits any murder or robbery, or any act of hostility against the United States, or against any citizen thereof, on the high seas, under color of any commission from any foreign prince, or state, or on pretense of authority from any person, is, notwithstanding the pretense of such authority, a pirate, and shall be imprisoned for life.

Punishment for.

Piracy by aliens.

R. S., sec. 5374.

SEC. 305. Whoever, being a citizen or subject of any foreign state, is found and taken on the sea making war upon the United States, or cruising against the vessels and property thereof, or of the citizens of the same, contrary to the provisions of any treaty existing between the United States and the state of which the offender is a citizen or subject, when by such treaty such acts are declared to be piracy, is guilty of piracy, and shall be imprisoned for life.

Punishment for.

Running away with or yielding up vessel or cargo.

R. S., sec. 5383.

SEC. 306. Whoever, being a captain or other officer or mariner of a vessel upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, piratically or feloniously runs away with such vessel, or with any goods or merchandise

thereof, to the value of fifty dollars, or who yields up such vessel voluntarily to any pirate, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both.

Punishment for.

SEC. 307. Whoever attempts or endeavors to corrupt any commander, master, officer, or mariner to yield up or to run away with any vessel, or with any goods, wares, or merchandise, or to turn pirate, or to go over to or confederate with pirates, or in any wise to trade with any pirate, knowing him to be such, or furnishes such pirate with any ammunition, stores, or provisions of any kind, or fits out any vessel knowingly and, with a design to trade with, supply, or correspond with any pirate or robber upon the seas; or whoever consults, combines, confederates, or corresponds with any pirate or robber upon the seas, knowing him to be guilty of any piracy or robbery; or whoever, being a seaman, confines the master of any vessel, shall be fined not more than one thousand dollars and imprisoned not more than three years.

Confederating, etc., with pirates.
R. S., sec. 5384.

Confining master.
Punishment for.

SEC. 308. Whoever, being subject to the authority of the United States, shall give, sell, or otherwise supply any arms, ammunition, explosive substance, intoxicating liquor, or opium to any aboriginal native of any of the Pacific islands lying within the twentieth parallel of north latitude and the fortieth parallel of south latitude, and the one hundred and twentieth meridian of longitude west and one hundred and twentieth meridian of longitude east of Greenwich, not being in the possession or under the protection of any civilized power, shall be fined not more than fifty dollars, or imprisoned not more than three months, or both. In addition to such punishment, all articles of a similar nature to those in respect to which an offense has been committed, found in the possession of the offender, may be declared forfeited. If it shall appear to the court that such opium, wine, or spirits have been given bona fide for medical purposes, it shall be lawful for the court to dismiss the charge.

Selling arms, intoxicants, etc., in Pacific islands.

Punishment for.

Medicinal use of spirits, etc.

SEC. 309. All offenses against the provisions of the section last preceding, committed on any of said islands or on the waters, rocks, or keys adjacent thereto, shall be deemed committed on the high seas on board a merchant ship or vessel belonging to the United States, and the courts of the United States shall have jurisdiction accordingly.

Offenses deemed on high seas.

SEC. 310. The words "vessel of the United States," wherever they occur in this chapter, shall be construed to mean a vessel belonging in whole or in part to the United States, or any citizen thereof, or any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof.

"Vessels of the United States" defined.

CHAPTER THIRTEEN.

Offenses in the Territories.

CERTAIN OFFENSES IN THE TERRITORIES.

<p>Sec. 311. Places within which sections of this chapter shall apply. 312. Circulation of obscene literature; promoting abortion. 313. Polygamy. 314. Unlawful cohabitation. 315. Joinder of counts. 316. Adultery.</p>	<p>Sec. 317. Incest. 318. Fornication. 319. Certificates of marriage; penalty for failure to record. 320. Prize fights, bull fights, etc. 321. Definition of "Pugilistic encounter." 322. Train robberies in Territories, etc.</p>
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Places applicable.

SEC. 311. Except as otherwise expressly provided, the offenses defined in this chapter shall be punished as hereinafter provided, when committed within any Territory or District, or within or upon any place within the exclusive jurisdiction of the United States.

Circulating obscene literature, etc.
R. S., sec. 5389.

SEC. 312. Whoever shall sell, lend, give away, or in any manner exhibit, or offer to sell, lend, give away, or in any manner exhibit, or shall otherwise publish or offer to publish in any manner, or shall have in his possession for any such purpose, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion, or shall advertise the same for sale, or shall write or print, or cause to be written or printed, any card, circular, book, pamphlet, advertisement, or notice of any kind, stating when, where, how, or of whom, or by what means, any of the articles above mentioned can be purchased or obtained, or shall manufacture, draw, or print, or in anywise make any of such articles, shall be fined not more than two thousand dollars, or imprisoned not more than five years, or both.

Punishment for.

Polygamy defined.
R. S., sec. 5352.

SEC. 313. Every person who has a husband or wife living, who marries another, whether married or single, and any man who simultaneously, or on the same day, marries more than one woman, is guilty of polygamy, and shall be fined not more than five hundred dollars and imprisoned not more than five years. But this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years, and is not known to such person to be living, and is believed by such person to be dead, nor to any person by reason of any former marriage which shall have been dissolved by a valid decree of a competent court, nor to any person by reason of any former marriage which shall have been pronounced void by a valid decree of a competent court, on the ground of nullity of the marriage contract.

Punishment for.

Exceptions.

SEC. 314. If any male person cohabits with more than one woman, he shall be fined not more than three hundred dollars, or imprisoned not more than six months, or both.

Unlawful cohabitation.

SEC. 315. Counts for any or all of the offenses named in the two sections last preceding may be joined in the same information or indictment.

Punishment for Joinder of counts.

SEC. 316. Whoever shall commit adultery shall be imprisoned not more than three years; and when the act is committed between a married woman and a man who is unmarried, both parties to such act shall be deemed guilty of adultery; and when such act is committed between a married man and a woman who is unmarried, the man shall be deemed guilty of adultery.

Adultery. Punishment for.

SEC. 317. Whoever, being related to another person within and not including the fourth degree of consanguinity computed according to the rules of the civil law, shall marry or cohabit with, or have sexual intercourse with such other so related person, knowing her or him to be within said degree of relationship, shall be deemed guilty of incest, and shall be imprisoned not more than fifteen years.

Incest defined.

SEC. 318. If any unmarried man or woman commits fornication, each shall be fined not more than one hundred dollars, or imprisoned not more than six months.

Punishment for.

Fornication.

SEC. 319. Every ceremony of marriage, or in the nature of a marriage ceremony of any kind, whether either or both or more of the parties to such ceremony be lawfully competent to be the subjects of such marriage or ceremony or not, shall be certified by a certificate stating the fact and nature of such ceremony, the full name of each of the parties concerned, and the full name of every officer, priest, and person, by whatever style or designation called or known, in any way taking part in the performance of such ceremony, which certificate shall be drawn up and signed by the parties to such ceremony and by every officer, priest, and person taking part in the performance of such ceremony, and shall be by the officer, priest, or other person solemnizing such marriage or ceremony filed in the office of the probate court, or, if there be none, in the office of the court having probate powers in the county or district in which such ceremony shall take place, for record, and shall be immediately recorded, and be at all times subject to inspection as other public records. Such certificate, or the record thereof, or a duly certified copy of such record, shall be prima facie evidence of the facts required by this section to be stated therein in any proceeding, civil or criminal, in which the matter shall be drawn in question. But nothing in this section shall be held to prevent the proof of marriages, whether lawful or unlawful, by any evidence otherwise legally admissible for that purpose. Whoever shall willfully violate any provision of this section shall be fined not more than one thousand dollars, or im-

Punishment for.

Recording, etc., certificates of marriage.

Evidence of marriage.

Punishment for violations.

- Application. imprisoned not more than two years, or both. The provisions of this section shall apply only within the Territories of the United States.
- Prize fights, bull fights, etc. SEC. 320. Whoever shall voluntarily engage in a pugilistic encounter between man and man or a fight between a man and a bull or any other animal, for money or for other thing of value, or for any championship, or upon the result of which any money or anything of value is bet or wagered, or to see which any admission fee is directly or indirectly charged, shall be imprisoned not more than five years. The provisions of this section shall apply only within the Territories of the United States and the District of Columbia.
- Punishment for. Application. SEC. 321. By the term "pugilistic encounter," as used in the section last preceding, is meant any voluntary fight by blows by means of fists or otherwise, whether with or without gloves, between two or more men, for money or for a prize of any character, or for any other thing of value, or for any championship, or upon the result of which any money or anything of value is bet or wagered, or to see which any admission fee is directly or indirectly charged.
- Train robberies, etc. SEC. 322. Whoever shall willfully and maliciously trespass upon or enter upon any railroad train, railroad car, or railroad locomotive, with the intent to commit murder, or robbery, shall be fined not more than five thousand dollars, or imprisoned not more than twenty years, or both. Whoever shall willfully and maliciously trespass upon or enter upon any railroad train, railroad car, or railroad locomotive, with intent to commit any unlawful violence upon or against any passenger on said train, or car, or upon or against any engineer, conductor, fireman, brakeman, or any officer or employee connected with said locomotive, train, or car, or upon or against any express messenger or mail agent on said train or in any car thereof, or to commit any crime or offense against any person or property thereon, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both. Whoever shall counsel, aid, abet, or assist in the perpetration of any of the offenses set forth in this section shall be deemed to be a principal therein. Upon the trial of any person charged with any offense set forth in this section, it shall not be necessary to set forth or prove the particular person against whom it was intended to commit the offense, or that it was intended to commit such offense against any particular person.
- Punishment for. Accomplices. Proofs.

CHAPTER FOURTEEN.

GENERAL AND SPECIAL PROVISIONS.

General and special provisions.

<p>Sec. 323. Punishment of death by hanging. 324. No conviction to work corruption of blood or forfeiture of estate. 325. Whipping and the pillory abolished. 326. Jurisdiction of State courts. 327. Pardoning power. 328. Indians committing certain crimes; how punished. 329. Crimes committed on Indian reservations in South Dakota. 330. Qualified verdicts in certain cases. 331. Body of executed offender may be delivered to surgeon for dissection.</p>	<p>Sec. 332. Who are principals. 333. Punishment of accessories. 334. Accessories to robbery or piracy. 335. Felonies and misdemeanors. 336. Murder and manslaughter; place where crime deemed to have been committed. 337. Construction of certain words. 338. Omission of words "hard labor" not to deprive court of power to impose. 339. Arrangement and classification of sections. 340. Jurisdiction of circuit and district courts.</p>
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SEC. 323. The manner of inflicting the punishment of death shall be by hanging.

Death penalty by hanging.
R. S., sec. 5325.

SEC. 324. No conviction or judgment shall work corruption of blood or any forfeiture of estate.

Corruption of blood and forfeiture of estate excluded.
R. S., sec. 5326.

SEC. 325. The punishment of whipping and of standing in the pillory shall not be inflicted.

Whipping and pillory abolished.
R. S., sec. 5327.

SEC. 326. Nothing in this Title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

Jurisdiction of state courts.
R. S., sec. 5328.

SEC. 327. Whenever, by the judgment of any court or judicial officer of the United States, in any criminal proceeding, any person is sentenced to two kinds of punishment, the one pecuniary and the other corporal, the President shall have full discretionary power to pardon or remit, in whole or in part, either one of the two kinds, without, in any manner, impairing the legal validity of the other kind, or of any portion of either kind, not pardoned or remitted.

Pardoning power.
R. S., sec. 5330.

SEC. 328. All Indians committing against the person or property of another Indian or other person any of the following crimes, namely—murder, manslaughter, rape, assault with intent to kill, assault with a dangerous weapon, arson, burglary, and larceny, within any Territory of the United States, and either within or without an Indian reservation, shall be subject therefor to the laws of such Territory relating to said crimes, and shall be tried therefor in the same courts and in the same manner and shall be subject to the same penalties as are all

Indians committing certain crimes.

Acts on res-
ervations, etc.

Punishment
for.

Proviso.
Rape on In-
dian woman.

Crimes com-
mitted on In-
dian reserva-
tions in South
Dakota.

Qualified ver-
dicts in certain
cases.

Delivery of
body of exe-
cuted offender
for dissection.
R. S., sec.
5340.

Principals de-
fined.
R. S., secs.
5323, 5427.

Punishment
of accessories.
R. S., secs.
5533-5535.

Accessories
to robbery or
piracy.
R. S., secs.
5524, 5533.

other persons charged with the commission of said crimes, respectively; and the said courts are hereby given jurisdiction in all such cases. And all such Indians committing any of the above-named crimes against the person or property of another Indian or other person within the boundaries of any State of the United States, and within the limits of any Indian reservation, shall be subject to the same laws, tried in the same courts and in the same manner, and be subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States: *Provided*, That any Indian who shall commit the offense of rape upon any female Indian within the limits of any Indian reservation shall be imprisoned at the discretion of the court.

SEC. 329. * * *

SEC. 330. In all cases where the accused is found guilty of the crime of murder in the first degree, or rape, the jury may qualify their verdict by adding thereto "without capital punishment;" and whenever the jury shall return a verdict qualified as aforesaid, the person convicted shall be sentenced to imprisonment for life.

SEC. 331. The court before which any person is convicted of murder in the first degree, or rape, may, in its discretion, add to the judgment of death, that the body of the offender be delivered to a surgeon for dissection; and the marshal who executes such judgment shall deliver the body, after execution, to such surgeon as the court may direct; and such surgeon, or some person appointed by him, shall receive and take away the body at the time of execution.

SEC. 332. Whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal.

SEC. 333. Whoever, except as otherwise expressly provided by law, being an accessory after the fact to the commission of any offense defined in any law of the United States, shall be imprisoned not exceeding one-half the longest term of imprisonment, or fined not exceeding one-half the largest fine prescribed for the punishment of the principal, or both, if the principal is punishable by both fine and imprisonment; or if the principal is punishable by death, then an accessory shall be imprisoned not more than ten years.

SEC. 334. Whoever, without lawful authority, receives or takes into custody any vessel, goods, or other property, feloniously taken by any robber or pirate against the laws of the United States, knowing the same to have been feloniously taken, and whoever, knowing that such pirate or robber has done or committed any such piracy or robbery, on the land or at sea, receives, entertains, or con-

ceals any such pirate or robber, is an accessory after the fact to such robbery or piracy, and shall be imprisoned not more than ten years.

SEC. 335. All offenses which may be punished by death, or imprisonment for a term exceeding one year, shall be deemed felonies. All other offenses shall be deemed misdemeanors. Felonies and misdemeanors.

SEC. 336. In all cases of murder or manslaughter, the crime shall be deemed to have been committed at the place where the injury was inflicted, or the poison administered, or other means employed which caused the death, without regard to the place where the death occurs. Place of committal of murder or manslaughter determined.

SEC. 337. Words used in this title in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular; the word "person" and the word "whoever" include a corporation as well as a natural person; writing includes printing and typewriting, and signature or subscription includes a mark when the person making the same intended it as such. The words "this title," wherever they occur herein, shall be construed to mean this Act. Construction of designated words.

SEC. 338. The omission of the words "hard labor" from the provisions prescribing the punishment in the various sections of this Act, shall not be construed as depriving the court of the power to impose hard labor as a part of the punishment, in any case where such power now exists. Effect of omitting "hard labor."

SEC. 339. The arrangement and classification of the several sections of this title have been made for the purpose of a more convenient and orderly arrangement of the same, and therefore no inference or presumption of a legislative construction is to be drawn by reason of the chapters under which any particular section is placed. Arrangement and classification of sections.

SEC. 340. The crimes and offenses defined in this Title shall be cognizable in the circuit and district courts of the United States, as prescribed in sections five hundred and sixty-three and six hundred and twenty-nine of the Revised Statutes. Jurisdiction of circuit and district courts. R. S., secs. 563, 629.

CHAPTER FIFTEEN.

REPEALING PROVISIONS.

Repealing provisions.

Sec.	Sec.
341. Sections, acts, and parts of acts repealed.	343. Prosecutions and punishments.
342. Accrued rights, etc., not affected.	344. Acts of limitation.
	345. Date this act shall be effective.

SEC. 341. The following sections of the Revised Statutes and Acts and parts of Acts are hereby repealed: Sections, acts, and parts of acts repealed. R. S., secs. 412, 1553, 1668.
 Sections four hundred and twelve, fifteen hundred and fifty-three, sixteen hundred and sixty-eight; sections

R. S., secs. 1780-1783, seventeen hundred and eighty to seventeen hundred and eighty-three, both inclusive; sections seventeen hundred and eighty-four, and eighty-five, seventeen hundred and eighty-six, and eighty-seven, seventeen hundred and eighty-eight, seventeen hundred and eighty-nine, twenty-three hundred and seventy-three, 2373, 2412, and twenty-four hundred and twelve, thirty-five hundred and 3583, 3708, eighty-three, thirty-seven hundred and eight, thirty- 3739, seven hundred and thirty-nine, thirty-seven hundred and 3740, 3742, forty, thirty-seven hundred and forty-two, thirty-eight 3832, 3851, hundred and thirty-two, thirty-eight hundred and fifty- 3869, one, thirty-eight hundred and sixty-nine, thirty-eight 3887, 3890, hundred and eighty-seven; sections thirty-eight hundred 3894, and ninety to thirty-eight hundred and ninety-four, 3899, 3922, both inclusive; section thirty-eight hundred and ninety- 3925, nine; sections thirty-nine hundred and twenty-two to 3947, 3954, thirty-nine hundred and forty-seven, thirty-nine 3977, hundred and fifty-four, thirty-nine hundred and seventy- 3979, 3981, seven, thirty-nine hundred and seventy-nine; sections 3986, 3988, thirty-nine hundred and eighty-one to thirty-nine hun- 3992, 3995, dred and eighty-six, both inclusive; sections thirty-nine 4016, 4030, hundred and eighty-eight, thirty-nine hundred and 4053, 5188, ninety-two, thirty-nine hundred and ninety-five, thirty- 4996, 5013, nine hundred and ninety-six, four thousand and thirteen, 5016, 5030, four thousand and sixteen, four thousand and thirty, four 5189, 5281, thousand and fifty-three, fifty-one hundred and eighty- 5291, 5323, eight, fifty-one hundred and eighty-nine; sections fifty- 5395, two hundred and eighty-one to fifty-two hundred and 5398, 5410, ninety-one, both inclusive; sections fifty-three hundred 5413, 5484, and twenty-three to fifty-three hundred and ninety-five, 5487-5510, both inclusive; sections fifty-three hundred and ninety- 5516, 5518, eight to fifty-four hundred and ten, both inclusive; sec- 5519, 5524, tions fifty-four hundred and thirteen to fifty-four hun- 5535, 5551, dred and eighty-four, both inclusive; sections fifty-four 5567, hundred and eighty-seven to fifty-five hundred and ten, 3829, R. S., sec. both inclusive; sections fifty-five hundred and sixteen, 3867, R. S., sec. "And every person who, without authority from the 3867, R. S., sec. Postmaster-General, sets up or professes to keep any office 3867, R. S., sec. or place of business bearing the sign, name, or title of 3867, R. S., sec. post-office, shall, for every such offense, be liable to a 3867, R. S., sec. penalty of not more than five hundred dollars;" 3867, R. S., sec. That part of section thirty-eight hundred and sixty- 3867, R. S., sec. seven of the Revised Statutes which reads as follows: 3867, R. S., sec. "And any person not connected with the letter-carrier 3867, R. S., sec. branch of the postal service who shall wear the uniform 3867, R. S., sec. which may be prescribed shall, for every such offense, be 3867, R. S., sec. punishable by a fine of not more than one hundred dollars, 3867, R. S., sec.

or by imprisonment for not more than six months, or both;”

That part of section four thousand and forty-six of the Revised Statutes which reads as follows: “Every postmaster, assistant, clerk, or other person employed in or connected with the business or operations of any money-order office who converts to his own use, in any way whatever, or loans, or deposits in any bank, except as authorized by this title, or exchanges for other funds, any portion of the public money-order funds, shall be deemed guilty of embezzlement; and any such person, as well as every other person advising or participating therein, shall, for every such offense, be imprisoned for not less than six months nor more than ten years, and be fined in a sum equal to the amount embezzled; and any failure to pay over or produce any money-order funds intrusted to such person shall be taken to be prima facie evidence of embezzlement; and upon the trial of any indictment against any person for such embezzlement, it shall be prima facie evidence of a balance against him to produce a transcript from the money-order account books of the Sixth Auditor. But nothing herein contained shall be construed to prohibit any postmaster depositing, under the direction of the Postmaster-General, in a national bank designated by the Secretary of the Treasury for that purpose, to his own credit as postmaster, any money order or other funds in his charge, nor prevent his negotiating drafts or other evidences of debt through such bank, or through United States disbursing officers, or otherwise, when instructed or required to do so by the Postmaster-General, for the purpose of remitting surplus money-order funds from one post-office to another, to be used in payment of money orders.”

“An Act to protect lines of telegraph constructed or used by the United States from malicious injury and obstruction,” approved June twenty-third, eighteen hundred and seventy-four;

“An Act to protect persons of foreign birth against forcible constraint or involuntary servitude,” approved June twenty-third, eighteen hundred and seventy-four;

That part of “An Act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes,” approved June twenty-third, eighteen hundred and seventy-four, which reads as follows: “That any postmaster who shall affix his signature to the approval of any bond of a bidder or to the certificate of sufficiency of sureties in any contract before the said bond or contract is signed by the bidder or contractor and his sureties, or shall knowingly, or without the exercise of due diligence, approve any bond of a bidder with insufficient sureties, or shall knowingly make any false or fraudulent certificate, shall be forthwith dismissed from

R. S., sec.
4046.

office and be thereafter disqualified from holding the office of postmaster, and shall also be deemed guilty of a misdemeanor, and on conviction thereof be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or both; ”

Sections one, two, and three of “An Act to protect ornamental and other trees on Government reservations and on lands purchased by the United States, and for other purposes,” approved March third, eighteen hundred and seventy-five;

“An Act to punish certain larcenies and the receivers of stolen goods,” approved March third, eighteen hundred and seventy-five;

“An Act to amend section fifty-four hundred and fifty-seven of the Revised Statutes of the United States, relating to counterfeiting,” approved January sixteenth, eighteen hundred and seventy-seven;

That part of section five of “An Act establishing post-roads, and for other purposes,” approved March third, eighteen hundred and seventy-seven, which reads as follows: “And if any person shall make use of any such official envelope to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be deemed guilty of a misdemeanor and subject to a fine of three hundred dollars, to be prosecuted in any court of competent jurisdiction; ”

That part of section one of “An Act making appropriations for the service of the Post-Office Department for the year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes,” approved June seventeenth, eighteen hundred and seventy-eight, which reads as follows: “And any postmaster who shall make a false return to the auditor, for the purpose of fraudulently increasing his compensation under the provisions of this or any other Act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in a sum not less than fifty nor more than five hundred dollars, or imprisoned for a term not exceeding one year, or punished by both such fine and imprisonment, in the discretion of the court; and no postmaster of any class, or other person connected with the postal service, intrusted with the sale or custody of postage stamps, stamped envelopes, or postal cards, shall use or dispose of them in the payment of debts or in the purchase of merchandise or other salable articles, or pledge or hypothecate the same, or sell or dispose of them except for cash, or sell or dispose of postage stamps or postal cards for any larger or less sum than the values indicated on their faces, or sell or dispose of stamped envelopes for a larger or less sum than is charged therefor by the Post-Office Department for like quantities, or sell or dispose of postage stamps, stamped envelopes, or postal cards otherwise than as provided by law and the regulations of the Post-

Office Department; and any postmaster or other person connected with the postal service who shall violate any of these provisions shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than fifty nor more than five hundred dollars, or imprisoned for a term not exceeding one year;”

“An Act to amend section fifty-four hundred and ninety-seven of the Revised Statutes, relating to embezzlement by officers of the United States,” approved February third, eighteen hundred and seventy-nine;

That part of section one of “An Act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes,” approved March third, eighteen hundred and seventy-nine, which reads as follows: “That nothing contained in section thirty-nine hundred and eighty-two of the Revised Statutes shall be construed as prohibiting any person from receiving and delivering to the nearest post-office or postal car mail matter properly stamped.” Also sections thirteen, twenty-three, twenty-seven, and twenty-eight of said Act;

“An Act to amend section fifty-four hundred and forty of the Revised Statutes,” approved May seventeenth, eighteen hundred and seventy-nine;

Sections one, three, and four of “An Act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes,” approved March twenty-second, eighteen hundred and eighty-two;

Sections eleven, twelve, thirteen, fourteen, and fifteen of “An Act to regulate and improve the civil service of the United States,” approved January sixteenth, eighteen hundred and eighty-three;

“An Act making it a felony for a person to falsely and fraudulently assume or pretend to be an officer or employee acting under authority of the United States or any department or officer thereof, and prescribing a penalty therefor,” approved April eighteenth, eighteen hundred and eighty-four;

“An Act to prevent and punish the counterfeiting within the United States of notes, bonds, or other securities of foreign governments,” approved May sixteenth, eighteen hundred and eighty-four;

Section nine of “An Act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes,” approved March third, eighteen hundred and eighty-five;

Section two of “An Act to amend the Act entitled ‘An Act to modify the money-order system, and for other purposes,’ approved March third, eighteen hundred and

eighty-three," approved January third, eighteen hundred and eighty-seven;

Sections three, four, five, nine, and ten of "An Act to amend an Act entitled 'An Act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes,' approved March twenty-second, eighteen hundred and eighty-two," approved March third, eighteen hundred and eighty-seven;

Section two of "An Act relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an Act entitled 'An Act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes,'" approved January twentieth, eighteen hundred and eighty-eight;

"An Act to amend section fifty-three hundred and eighty-eight of the Revised Statutes of the United States in relation to timber depredations," approved June fourth, eighteen hundred and eighty-eight;

"An Act relating to postal crimes, and amendatory of the statutes therein mentioned," approved June eighteenth, eighteen hundred and eighty-eight;

"An Act amendatory of 'An Act relating to postal crimes and amendatory of the statutes therein mentioned,' approved June eighteenth, eighteen hundred and eighty-eight, and for other purposes," approved September twenty-sixth, eighteen hundred and eighty-eight;

"An Act to punish, as a felony, the carnal and unlawful knowing of any female under the age of sixteen years," approved February ninth, eighteen hundred and eighty-nine;

Sections one and two of "An Act to punish dealers and pretended dealers in counterfeit money and other fraudulent devices for using the United States mails," approved March second, eighteen hundred and eighty-nine;

Section one of "An Act to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes," approved September nineteenth, eighteen hundred and ninety;

"An Act further to prevent counterfeiting or manufacture of dies, tools, or other implements used in counterfeiting, and providing penalties therefor, and providing for the issue of search warrants in certain cases," approved February tenth, eighteen hundred and ninety-one;

"An Act to amend sections fifty-three hundred and sixty-five and fifty-three hundred and sixty-six of the Revised Statutes relating to barratry on the high seas," approved August sixth, eighteen hundred and ninety-four;

Sections one and two of "An Act for the suppression of lottery traffic through national and interstate commerce and the postal service, subject to the jurisdiction and laws

of the United States," approved March second, eighteen hundred and ninety-five;

"An Act to prohibit prize fighting and pugilism and fights between men and animals, and to provide penalties therefor in the Territories and the District of Columbia," approved February seventh, eighteen hundred and ninety-six;

That part of "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, eighteen hundred and ninety-five," approved August eighth, eighteen hundred and ninety-four, and that part of "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, eighteen hundred and ninety-six," approved March second, eighteen hundred and ninety-five, and that part of "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven," approved April twenty-fifth, eighteen hundred and ninety-six, which reads as follows: "Any person who shall knowingly issue or publish any weather forecasts or warnings of weather conditions falsely representing such forecasts or warnings to have been issued or published by the Weather Bureau, United States Signal Service, or other branch of the government service, shall be deemed guilty of a misdemeanor, and, on conviction thereof, for each offense be fined in a sum not exceeding five hundred dollars, or imprisoned not to exceed ninety days, or be both fined and imprisoned, in the discretion of the court; "

That part of "An Act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes," approved June tenth, eighteen hundred and ninety-six, which reads as follows: "*Provided further*, That hereafter it shall be unlawful for any person to destroy, deface, change, or remove to another place and section corner, quarter-section corner, or meander post on any Government line of survey, or to cut down any witness tree or any tree blazed to mark the line of a Government survey, or to deface, change, or remove any monument or bench mark of any Government survey. That any person who shall offend against any of the provisions of this paragraph shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court, shall be fined not exceeding two hundred and fifty dollars or be imprisoned not more than one hundred days. All the fines accruing under this paragraph shall be paid into the Treasury, and the informer in each case of conviction shall be paid the sum of twenty-five dollars; "

"An Act to reduce the cases in which the penalty of death may be inflicted," approved January fifteenth, eighteen hundred and ninety-seven;

“An Act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory,” approved February eighth, eighteen hundred and ninety-seven;

“An Act to prevent forest fires on the public domain,” approved February twenty-fourth, eighteen hundred and ninety-seven;

“An Act to prevent the purchasing of or speculating in claims against the Federal Government by United States officers,” approved February twenty-fifth, eighteen hundred and ninety-seven;

“An Act to amend section fifty-four hundred and fifty-nine of the Revised Statutes, prescribing the punishment for mutilating United States coins, and for uttering or passing or attempting to utter or pass such mutilated coins,” approved March third, eighteen hundred and ninety-seven;

Section eighteen of “An Act to amend the laws relating to navigation,” approved March third, eighteen hundred and ninety-seven;

That part of section one of “An Act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirteenth, eighteen hundred and ninety-nine,” approved June thirteenth, eighteen hundred and ninety-eight, which reads as follows: “*Provided*, That any person or persons who shall place or cause to be placed any matter in the mails during the regular weighing period, for the purpose of increasing the weight of the mails with intent to cause an increase in the compensation of the railroad mail carrier over whose route such mail matter may pass, shall be deemed guilty of a misdemeanor, and shall on conviction thereof be fined not less than five hundred dollars nor more than twenty thousand dollars, and shall be imprisoned at hard labor not less than thirty days nor more than five years;”

Section seventeen of “An Act to provide revenue for the Government, and to encourage the industries of the United States,” approved July twenty-fourth, eighteen hundred and ninety-seven;

Section three of an Act entitled “An Act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes,” approved March third, nineteen hundred and three;

“An Act to protect the harbor defenses and fortifications constructed or used by the United States from malicious injury, and for other purposes,” approved July seventh, eighteen hundred and ninety-eight;

“An Act to amend an Act entitled ‘An Act to prevent forest fires on the public domain,’ approved February twenty-fourth, eighteen hundred and ninety-seven,” approved May fifth, nineteen hundred;

Sections two, three, and four of "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes," approved May twenty-fifth, nineteen hundred;

"An Act to prevent the sale of firearms, opium, and intoxicating liquors in certain islands of the Pacific," approved February fourteenth, nineteen hundred and two;

"An Act for the suppression of train robbery in the Territories of the United States and elsewhere, and for other purposes," approved July first, nineteen hundred and two;

"An Act conferring jurisdiction upon the circuit and district courts for the district of South Dakota in certain cases, and for other purposes," approved February second, nineteen hundred and three;

"An Act to amend section three of the 'Act further to prevent counterfeiting or manufacturing of dies, tools, or other implements used in manufacturing,' and so forth, approved February tenth, eighteen hundred and ninety-one," approved March third, nineteen hundred and three;

"An Act for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon," approved April twenty-eighth, nineteen hundred and four;

"An Act to amend the Act of February eighth, eighteen hundred and ninety-seven, entitled 'An Act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory,' so as to prevent the importation and exportation of the same," approved February eighth, nineteen hundred and five;

"An Act to amend section thirteen of chapter three hundred and ninety-four of the Supplement to the Revised Statutes of the United States," approved March second, nineteen hundred and five;

Section five of "An Act to amend sections forty-four hundred and seventeen, forty-four hundred and fifty-three, forty-four hundred and eighty-eight, and forty-four hundred and ninety-nine of the Revised Statutes relating to misconduct by officers or owners of vessels," approved March third, nineteen hundred and five;

"An Act to punish the cutting, chipping, or boxing of trees on the public lands," approved June fourth, nineteen hundred and six.

Sections sixteen, seventeen, and nineteen of "An Act to establish a bureau of immigration and naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June twenty-ninth, nineteen hundred and six.

An Act entitled "An Act to prohibit corporations from making money contributions in connection with political elections," approved January twenty-sixth, nineteen hundred and seven.

An Act entitled "An Act to amend sections one, two, and three of an Act entitled 'An Act to prohibit shanghaiing in the United States,' approved June twenty-eighth, nineteen hundred and six," approved March second, nineteen hundred and seven.

An Act entitled "An Act to promote the safe transportation in interstate commerce of explosives and other dangerous articles, and to provide penalties for its violation," approved May thirtieth, nineteen hundred and eight.

An Act entitled "An Act to amend section fifty-four hundred and thirty-eight of the Revised Statutes," approved May thirtieth, nineteen hundred and eight.

General re-
peal.

Also all other sections and parts of sections of the Revised Statutes and Acts and parts of Acts of Congress, in so far as they are embraced within and superseded by this Act, are hereby repealed; the remaining portions thereof to be and remain in force with the same effect and to the same extent as if this Act had not been passed.

Pending ac-
tions, etc., not
affected.

SEC. 342. The repeal of existing laws or modifications thereof embraced in this title shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause prior to said repeal or modifications, but all liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made.

Prosecutions,
etc., prior to
taking effect
of this law.

SEC. 343. All offenses committed, and all penalties, forfeitures, or liabilities incurred prior to the taking effect hereof, under any law embraced in, or changed, modified, or repealed by this title, may be prosecuted and punished in the same manner and with the same effect as if this Act had not been passed.

Limitations.

SEC. 344. All acts of limitation, whether applicable to civil causes and proceedings, or for the recovery of penalties or forfeitures, embraced in, modified, changed, or repealed by this title, shall not be affected thereby; and all suits or proceedings for causes arising or acts done or committed prior to the taking effect hereof may be commenced and prosecuted within the same time and with the same effect as if said repeal had not been made.

Prosecution,
etc.

In effect Jan-
uary 1, 1910.

SEC. 345. This Act shall take effect and be in force on and after the first day of January, nineteen hundred and ten.

TREATIES AND CONVENTIONS.

Universal Postal Convention concluded between Germany and German Protectorates, United States of America and the Island Possessions of the United States of America, Argentine Republic, Austria, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Bulgaria, Chili, Chinese Empire, Republic of Colombia, Congo Free State, Empire of Corea, Republic of Costa Rica, Crete, Republic of Cuba, Denmark and Danish Colonies, Dominican Republic, Egypt, Ecuador, Spain and Spanish Colonies, Ethiopian Empire, France, Algeria, French Colonies and Protectorates of Indo-China, the whole of the other French Colonies, Great Britain and various British Colonies, British India, the Commonwealth of Australia, Canada, New Zealand, British Colonies of South Africa, Greece, Guatemala, Republic of Hayti, Republic of Honduras, Hungary, Italy and the Italian Colonies, Japan, Republic of Liberia, Luxemburg, Mexico, Montenegro, Nicaragua, Norway, Republic of Panama, Paraguay, Netherlands, the Dutch Colonies, Peru, Persia, Portugal and Portuguese Colonies, Roumania, Russia, Salvador, Servia, Kingdom of Siam, Sweden, Switzerland, Tunis, Turkey, Uruguay, and United States of Venezuela.

May 26, 1906.

Contracting powers.
35 Stat. L.,
pt. 2, p. 1639.

The undersigned, plenipotentiaries of the Governments of the above-named countries, being assembled in Congress at Rome, by virtue of Article 25 of the Universal Postal Convention concluded at Washington on the 15th of June, 1897, have, by common consent and subject to ratification, revised the said Convention in conformity with the following stipulations:

Universal
Postal Union.
Preamble.

ARTICLE 1.

Definition of the Postal Union.

The countries between which the present Convention is concluded, as well as those which may adhere to it hereafter, form, under the title of Universal Postal Union, a single postal territory for the reciprocal exchange of correspondence between their Post Offices.

Object of
convention.

ARTICLE 2.

Articles to which the Convention applies.

Scope of convention.

The stipulations of this Convention extend to letters, post cards, both single and with reply paid, printed papers of every kind, commercial papers, and samples of merchandise originating in one of the countries of the Union and intended for another of those countries. They also apply to the exchange by mail of the articles above mentioned between the countries of the Union and countries foreign to the Union, whenever the services of two of the contracting parties at least are used for that exchange.

ARTICLE 3.

Conveyance of mails between contiguous countries; third services.

Special agreements by contiguous countries.

1. The Postal Administrations of contiguous countries or countries able to correspond directly with each other without availing themselves of the services of a third Administration determine, by common consent, the conditions of the conveyance of the mails which they exchange across the frontier or from one frontier to the other.

Maritime conveyance.

2. In the absence of any contrary arrangement, the direct sea conveyance between two countries by means of Packets or vessels depending upon one of them is considered as a third service; and this conveyance, as well as any performed between two Offices of the same country, by the medium of sea or territorial services maintained by another country, is regulated by the stipulations of the following Article.

ARTICLE 4.

Rates.

Transit rates.

Transit guaranteed.

1. The right of transit is guaranteed throughout the entire territory of the Union.

Reciprocal rights.

2. Consequently, the several Postal Administrations of the Union may send reciprocally through the medium of one or of several of them, either closed mails or articles in open-mail, according to the needs of the traffic and the convenience of the postal service.

Closed mails, transit charges.

3. Articles exchanged in closed mails between two Administrations of the Union, by means of the services of one or of several other Administrations of the Union are subject to the following transit charges to be paid to each of the countries traversed or whose services participate in the conveyance, viz:

1° For territorial transits:

Land transit.

a. 1 franc 50 centimes per kilogramme of letters and post cards and 20 centimes per kilogramme of other articles, if the distance traversed does not exceed 3,000 kilometres;

b. 3 francs per kilogramme of letters and post cards and 40 centimes per kilogramme of other articles, if the distance traversed exceeds 3,000 kilometres but does not exceed 6,000 kilometres;

c. 4 francs 50 centimes per kilogramme of letters and post cards and 60 centimes per kilogramme of other articles, if the distance traversed exceeds 6,000 kilometres but does not exceed 9,000 kilometres;

d. 6 francs per kilogramme of letters and post cards and 80 centimes per kilogramme of other articles if the distance traversed exceeds 9,000 kilometres.

2° For sea transits:

Sea transit.

a. 1 franc 50 centimes per kilogramme of letters and post cards and 20 centimes per kilogramme of other articles if the distance traversed does not exceed 300 nautical miles. Sea conveyance over a distance not exceeding 300 nautical miles is, however, gratuitous if the Administration concerned already receives, on account of the mails conveyed, the remuneration applicable to territorial transit;

b. 4 francs per kilogramme of letters and post cards and 50 centimes per kilogramme of other articles, exchanged over a distance exceeding 300 nautical miles between European countries, between Europe and ports of Africa and Asia on the Mediterranean and the Black Sea, or between one of these ports and another, and between Europe and North America. The same rates are applicable to conveyance, by services open to the whole Union, between two ports of a single State, as well as between the ports of two States served by the same line of Packets when the sea transit involved does not exceed 1,500 nautical miles;

c. 8 francs per kilogramme of letters and post cards and 1 franc per kilogramme of other articles, for all transits not included in the categories given above in paragraphs *a* and *b*.

In the case of sea conveyance effected by two or more Administrations, the charges paid for the entire transit cannot exceed 8 francs per kilogramme of letters and post cards, and 1 franc per kilogramme of other articles; these charges are, when occasion arises, shared between the Administrations participating in the service, in proportion to the distances traversed, without prejudice to any other arrangement which may be made between the parties interested.

Maximum charges.

4. Correspondence exchanged in open-mail between two Administrations of the Union are subject to the follow-

Open - mail, transit charges.

ing transit charges per article, and irrespective of weight or destination, namely :

letters.....	6 centimes each;
post cards.....	2½ centimes each;
other articles.....	2½ centimes each.

Rates not applicable to conveyance by extraordinary services.

5. The transit rates specified in the present article do not apply to conveyance within the Union by means of extraordinary services specially established or maintained by one Administration at the request of one or several other Administrations. The conditions of this category of conveyance are regulated by mutual consent between the Administrations concerned.

Free, etc., conveyance.

Moreover, in all cases where the transit, either by land or by sea, is at present gratuitous or subject to more advantageous conditions, such state of things is maintained.

Transit services of more than 3,000 kilometres.

Nevertheless, territorial transit services exceeding 3,000 kilometres may profit by the provisions of paragraph 3 of the present Article.

Expenses of transit.

6. The expenses of transit are borne by the Administration of the country of origin.

Accounts.

7. The general accounting for those expenses takes place on the basis of statements prepared once in every six years, during a period of 28 days to be determined in the Detailed Regulations provided for in Article 20 hereafter.

For the period between the date on which the Convention of Rome comes into force and the date on which the transit statistics mentioned in the Detailed Regulations provided for in Article 20 become operative, transit rates will be paid in accordance with the stipulations of the Convention of Washington.

Exemptions.

8. The articles mentioned in paragraphs 3 and 4 of Article 11 hereafter, the reply halves of double postcards returned to the country of origin, articles re-directed or missent, undelivered articles, advices of delivery, post office money orders, and all other documents relative to the postal service are exempt from all charges for territorial or sea transit.

Debtor administration relieved of payment.

9. When the annual balance of the Transit Accounts between two Administrations does not exceed 1,000 francs, the debtor Administration is relieved of all payment on that account.

ARTICLE 5.

Rates of Postage and General Conditions.

Rates of postage.

1. The rates of postage for the conveyance of postal articles throughout the entire extent of the Union, including their delivery at the residences of the addressees in the countries of the Union where a delivery is or shall be organised, are fixed as follows:

Letters.

1° For letters, 25 centimes in case of prepayment, and double that amount in the contrary case, for each letter

not exceeding 20 grammes in weight, and 15 centimes in case of prepayment, and double that amount in the contrary case, for every weight of 20 grammes or fraction of 20 grammes above the initial weight of 20 grammes;

2° For post cards, in case of prepayment, 10 centimes for single cards or for each of the two halves of reply post cards, and double that amount in the contrary case;

Post cards.

3° For printed papers of every kind, commercial papers, and samples of merchandise, 5 centimes for each article or packet bearing a particular address and for every weight of 50 grammes or fraction of 50 grammes, provided that such article or packet does not contain any letter or manuscript note having the character of actual and personal correspondence, and that it be made up in such a manner as to admit of its being easily examined.

Printed papers, etc.

The charge on commercial papers cannot be less than 25 centimes per packet, and the charge on samples cannot be less than 10 centimes per packet.

Minimum charges on samples, etc.

2. In addition to the rates fixed by the preceding paragraph there may be levied:

Surtax on sea transit.

1° For every article subject to the sea transit charges prescribed in paragraph 3, 2°, *c*, of Article 4, and in all the relations to which these transit rates are applicable, a uniform surtax which may not exceed 25 centimes per single rate for letters, 5 centimes per post card, and 5 centimes per 50 grammes or fraction of 50 grammes for other articles.

2° For every article conveyed by means of services maintained by Administrations foreign to the Union, or of extraordinary services in the Union giving rise to special expenses, a surcharge in proportion to those expenses.

Matter to non-Union countries.

When the rate of prepayment for the single post card comprises one or other of the surcharges authorised in the two preceding paragraphs, the same rate is applicable to each half of the reply-paid post card.

Surcharges on reply-paid post card.

3. In case of insufficient prepayment, correspondence of every kind is liable to a charge equal to double the amount of the deficiency, to be paid by the addressees; but that charge may not exceed that which is levied in the country of destination on unpaid correspondence of the same nature, weight, and origin.

Penalty on insufficient postage.

4. Articles other than letters and post cards must be prepaid at least partly.

Prepayment required.

5. Packets of samples of merchandise may not contain any article having a saleable value; they must not exceed 350 grammes in weight, or measure more than 30 centimetres in length, 20 centimetres in breadth, and 10 centimetres in depth, or, if they are in the form of a roll, 30 centimetres in length and 15 centimetres in diameter.

Samples.

6. Packets of commercial papers and printed papers may not exceed 2 kilogrammes in weight, or measure more than 45 centimetres in any direction. Packets in

Limit of weight.

the form of a roll may, however, be allowed to pass through the post so long as they do not exceed 10 centimetres in diameter and 75 centimetres in length.

Reduced rates prohibited.

7. Stamps or forms of prepayment obliterated or not, as well as all printed papers constituting the sign of a monetary value, save the exceptions authorised by the Detailed Regulations provided for in Article 20 of the present Convention are excluded from transmission at the reduced rate.

ARTICLE 6.

Registered Articles; Return-receipts; Requests for Information.

- Registration. 1. The articles specified in Article 5 may be registered.
- Restriction. The reply halves of reply-paid post cards cannot, however, be registered by the original senders of such cards.
- Charges. 2. Every registered article is liable, at the charge of the sender:
 - 1° To the ordinary prepaid rate of postage on the article, according to its nature;
 - 2° To a fixed registration fee of 25 centimes at most, including a receipt given to the sender.
- Fee for notice of delivery. 3. The sender of a registered article may obtain an advice of the delivery of such article, by paying, at the time when he asks for such an advice, a fixed fee of 25 centimes at most. The same fee may be charged for enquiries concerning registered articles, if the sender has not already paid the special fee for an advice of delivery.
- Advices of receipt.

ARTICLE 7.

Trade charges.

Articles marked with Trade Charges.

- Collections. 1. Registered articles may be sent marked with trade charges to be collected on delivery between countries of which the Administrations agree to provide this service.
- Regulations, etc. These articles are subject to the same regulations and rates as registered articles.
- Maximum trade charges. The maximum trade charge which may be collected on any one registered article is fixed at 1,000 francs or at the equivalent of that sum.
- Collections transmitted by money order. 2. In the absence of any contrary arrangement between the Administrations of the countries concerned, the amount collected from the addressee is to be transmitted to the sender by means of a money order, after deducting a commission of 10 centimes for the service of collection and the ordinary rate chargeable for money orders calculated on the amount of the balance.
- Undeliverable money orders. The amount of an undeliverable money order of this kind remains at the disposal of the Administration of the country in which the article marked with a trade charge originated.

3. For the loss of a registered article marked with a trade charge the responsibility of the postal service is fixed under the conditions laid down in Article 8 hereafter for registered articles not marked with trade charges. Lost registered articles.

After the delivery of the article the Administration of the country of destination is responsible for the amount of the trade charge, unless it can prove that the conditions prescribed for such articles by the Detailed Regulations contemplated in Article 20 of the present Convention have not been fulfilled. Nevertheless the omission from the Letter Bill of the entry "Remb." and of the amount of the trade charge does not affect the responsibility of the Administration of the Country of destination for failing to collect the amount. Responsibility for trade charges.

ARTICLE 8.

Responsibility for registered Articles.

1. In case of the loss of a registered article, and except in cases beyond control, the sender, or at the request of the sender, the addressee is entitled to an indemnity of 50 francs. Indemnity for lost registered articles.

2. Countries prepared to undertake risks arising from causes beyond control are authorized to collect from the sender on this account a supplementary rate of not more than 25 centimes for each registered article. Collection of supplementary rates.

3. The obligation of paying the indemnity rests with the Administration to which the despatching office is subordinate. To that Administration is reserved a remedy against the Administration responsible, that is to say, against the Administration on the territory or in the service of which the loss took place. Obligation to pay indemnity.

In case of the loss, under circumstances beyond control, on the territory or in the service of a country undertaking the risks mentioned in the preceding paragraph, of a registered article sent from another country, the country where the loss occurred is responsible for it to the despatching Office, if the latter undertake risks in cases beyond control in dealing with its own public. Force majeure risks. Responsibility for losses.

4. Until the contrary be proved, the responsibility rests with the Administration which, having received the article without making any observation, cannot establish the delivery to the addressee or the regular transfer to the following Administration, as the case may be. For articles addressed "Poste Restante," or held at the disposition of the addressees, the responsibility ceases on delivery to a person who has proved his identity according to the rules in force in the country of destination, and whose name and description correspond to those indicated in the address. Responsibility for lost registered articles. Articles addressed poste restante.

- Payment of indemnity.** 5. The payment of the indemnity by the despatching Office ought to take place as soon as possible, and at the latest within a year of the date of the application. The responsible Office is bound to refund to the despatching Office, without delay, the amount of the indemnity paid by the latter.
- Office of origin to pay.** The Office of origin is authorised to make payment to the sender on account of the Office, whether intermediate or of destination, which, after application has been made in due course, has let a year pass without settling the matter. Moreover, in cases where an Office whose responsibility is duly established has at the outset declined to pay the indemnity such Office must take upon itself, in addition to the indemnity, the subsidiary expenses resulting from the unwarranted delay in payment.
- Time limit.** 6. It is understood that the application for an indemnity is only entertained if made within a year of the posting of the registered article; after this term the applicant has no right to any indemnity.
- Sharing liability.** 7. If the loss has occurred in course of conveyance without its being possible to ascertain on the territory or in the service of what country the loss took place, the Administrations concerned bear the loss in equal shares.
- Responsibility ended by delivery.** 8. Administrations cease to be responsible for registered articles for which the owners have given a receipt and accepted delivery.

ARTICLE 9.

Withdrawal of Articles, Correction of Address, &c.

- Withdrawal of articles, etc.** 1. The sender of a letter or other article can have it withdrawn from the post or have its address altered, so long as such article has not been delivered to the addressee.
- Requests for withdrawal, expense.** 2. The request for such withdrawal is sent by mail or by telegraph at the expense of the sender, who must pay as follows:
- 1° For every request by mail, the amount payable for a registered single letter;
- 2° For every request by telegraph, the charge for a telegram according to the ordinary tariff.
- Cancellation of trade charges.** 3. The sender of a registered article marked with a trade charge can, under the conditions laid down for requests for alteration of address, demand the total or partial cancelling of the amount of the trade charge.
- Exceptions.** 4. The stipulations of this Article are not obligatory for countries of which the legislation does not permit the sender to dispose of an article in its course through the post.

ARTICLE 10.

Fixing of Rates in Money other than the Franc.

Those countries of the Union which have not the franc for their monetary unit fix their charges at the equivalents, in their respective currencies, of the rates determined by the various Articles of the present Convention. Such countries have the option of rounding fractions in conformity with the table inserted in the Detailed Regulations mentioned in Article 20 of the present Convention.

Equivalent rates in currency of each country.

The Administrations which maintain post offices forming part of the Union in non-Union countries fix their rates in the local currency, in the same manner. When two or several Administrations maintain such offices in the same non-Union country, the local equivalents to be adopted by all such offices are fixed by mutual arrangement between the Administrations concerned.

Offices in non-Union countries.

ARTICLE 11.

Prepayment; Reply Coupons; Exemptions from Postage.

1. Prepayment of postage on every description of article can be effected only by means of postage stamps valid in the country of origin for the correspondence of private individuals. It is not, however, permitted to make use, in the international service, of postage stamps produced with an object special and peculiar to the country of issue, such as the so-called commemorative postage stamps of temporary validity.

Stamps required.

Stamps issued for a special purpose.

Reply post cards bearing postage stamps of the country in which these cards were issued are considered as duly prepaid, as also are newspapers or packets of newspapers without postage stamps but with the superscription "Abonnements-poste" (subscription by mail), which are sent in virtue of the Special Arrangement for newspaper subscriptions, provided for in Article 19 of the present Convention.

Reply post cards, etc.

2. Reply coupons can be exchanged between the countries of which the Administrations have agreed to participate in such exchange. The minimum selling price of a reply coupon is 28 centimes, or the equivalent of this sum in the money of the country which sells it.

Reply coupons.

This coupon is exchangeable in all countries parties to the arrangement for a postage stamp of 25 centimes or the equivalent of that sum in the money of the country where the exchange is requested. The Detailed Regulations contemplated in Article 20 of the Convention determine the other conditions of this exchange, and in particular the intervention of the International Bureau in manufacturing, supplying, and accounting for the coupons.

Exchangeability of.

Official postal matter free.

3. Official correspondence relative to the Postal Service exchanged between Postal Administrations, between these Administrations and the International Bureau, and between Post Offices in Union countries, is exempt from prepayment by means of ordinary postage stamps, and is free from liability to charge.

Correspondence concerning prisoners of war.

4. The same privilege is accorded to correspondence concerning prisoners of war, despatched or received, either directly or, as intermediary, by the special Information Offices established on behalf of such persons, in belligerent countries or in neutral countries which have received belligerents on their territories.

Correspondence intended for prisoners of war, etc.

Correspondence intended for prisoners of war or despatched by them is likewise exempt from all postal charges, not only in the countries of origin and destination, but in intermediary countries.

Belligerents held in neutral countries.

Belligerents received and held in a neutral country are assimilated to prisoners of war, properly so-called in so far as the application of the above-mentioned stipulations is concerned.

Stamps for matter mailed on ships.

5. Articles posted on the high seas in the letter box on board a vessel or placed in the hands of postal agents on board or of the commanders of ships may be prepaid by means of the postage stamps, and according to the tariff of the country to which the said vessel belongs or by which it is maintained. If the mailing on board takes place during the stay at one of the two terminal points of the voyage or at any intermediate port of call, prepayment can only be effected by means of the postage stamps and according to the tariff of the country in the waters of which the vessel happens to be.

ARTICLE 12.

Postage kept by collecting country.

Retention of collections.

1. Each Administration keeps the whole of the sums which it collects by virtue of the foregoing Articles 5, 6, 7, 10, and 11, exceptions being made in the case of the credit due for the money orders referred to in paragraph 2 of Article 7, and also in regard to reply coupons (Article 11).

Accounting not necessary.

2. Consequently, there is no necessity under this head for any accounts between the several Administrations of the Union, subject always to the reservations made in paragraph 1 of the present Article.

Limit of charges.

3. Letters and other postal articles cannot be subjected, either in the country of origin or in that of destination, to any postal tax or postal fee at the expense of the senders or addressees other than those contemplated by the Articles above mentioned.

ARTICLE 13.

Special-delivery articles.

1. At the request of the senders, all classes of articles are delivered at the addresses by a special messenger immediately on arrival, in those countries of the Union which consent to undertake this service in their reciprocal relations. Special delivery.

2. Such articles, which are marked "express," are subject to a special charge for delivery; this charge is fixed at 30 centimes, and must be fully paid in advance by the sender, in addition to the ordinary postage. It belongs to the Administration of the country of origin. Special charges.

3. When an article is destined for a place where there is no Post Office authorised to deliver correspondence by express messenger the Postal Administration of the country of destination can levy an additional charge up to the amount of the fee fixed for express delivery in its inland service, less the fixed charge paid by the sender, or its equivalent in the money of the country which levies this additional charge. Delivery where no office exists.

The additional charge provided for above is recoverable in case of redirection or non-delivery, and is retained by the Administration which has raised it. Additional charges recoverable.

4. "Express" articles upon which the total amount of the charges payable in advance has not been prepaid are delivered by the ordinary means, unless they have been treated as expressed by the Office of origin. Ordinary delivery if not prepaid.

ARTICLE 14.

Reforwarding: Undelivered articles.

1. No additional postage is charged for the reforwarding of postal articles within the Union. Reforwarding.

2. Undelivered articles do not, when returned, give rise to the restitution of the transit charges due to intermediate Administrations for the previous conveyance of such correspondence. Undeliverable articles.

3. Unpaid letters and post cards and insufficiently paid articles of every description, which are returned to the country of origin as redirected or as undeliverable, are liable, at the expense of the addressees or senders, to the same rates as similar articles addressed directly from the country of the first destination to the country of origin. Charges on return matter.

ARTICLE 15.

Mails exchanged with warships.

1. Closed mails may be exchanged between the Post Offices of any one of the contracting countries and the commanding officers of naval divisions or ships of war Exchange of closed mails with war ships.

of the same country stationed abroad, or between the commanding officer of one of those naval divisions or ships of war and the commanding Officer of another division or ship of the same country, through the medium of the sea or land services maintained by other countries.

Restriction.

2. Articles of every description enclosed in these mails must consist exclusively of such as are addressed to or sent by the officers and crews of the ships to or from which the mails are forwarded; the rates and conditions of despatch applicable to them are determined, according to its internal regulations, by the Postal Administration of the country to which the ships belong.

Transit expenses.

3. In the absence of any arrangement to the contrary between the Offices concerned, the Post Office which despatches or receives the mails in question is accountable to the intermediate offices for transit charges calculated in accordance with the stipulations of Article 4.

ARTICLE 16.

Prohibitions.

Commercial papers, etc.

1. Commercial papers, samples, and printed papers which do not fulfil the conditions laid down for articles of these categories in Article 5 of the present Convention and in the Regulations contemplated in Article 20 are not to be forwarded.

Return to sender.

2. If occasion arise, these articles are sent back to the Post Office of origin and returned, if possible, to the sender, save where, in the case of articles prepaid at least partially, the Administration of the country of destination is authorised by its laws or by its internal regulations to deliver them.

Prohibited articles.

3. It is forbidden:

1° To send by post:

(a) Samples and other articles which, from their nature, may expose the postal officials to danger or soil or damage the correspondence.

(b) Explosive, inflammable, or dangerous substances; animals and insects, living or dead, except in the cases provided for in the Regulations contemplated in Article 20 of the Convention;

2° To insert in ordinary or registered correspondence, consigned to the post:

(a) Coin;

(b) Articles liable to Customs duty;

(c) Articles of gold and silver, precious stones, jewelry and other precious articles, but only where their insertion or transmission is forbidden by the legislation of the countries concerned;

(d) Any articles whatsoever of which the importation or circulation is prohibited in the country of destination.

4. Packets falling under the prohibitions of the foregoing paragraph 3, which have been erroneously admitted to transmission, should be returned to the Post Office of origin, except in cases where the Administration of the country of destination is authorised by its laws or by its internal regulations to dispose of them otherwise.

Return of prohibited articles.

Explosive, inflammable, or dangerous substances, however, are not returned to the country of origin; they are destroyed on the spot under the direction of the Administration which has detected their presence.

Destruction of explosives, etc.

5. The right is, moreover, reserved to the Government of every country of the Union to refuse to convey over its territory, or to deliver, articles passing at reduced rates in regard to which the laws, ordinances, or decrees which regulate the conditions of their publication or circulation in that country have not been complied with, or correspondence of any kind bearing ostensibly inscriptions, designs, &c., forbidden by the legal enactments or regulations in force in the same country.

Reserved rights.

ARTICLE 17.

Relations with Countries outside the Union.

1. Offices of the Union which have relations with countries situate outside the Union are to lend their assistance to all the other Offices of the Union:

Privileges extended to non-Union countries.

1° For the transmission, by their services, either in open-mail or in closed mails, if this method of transmission is admitted by mutual agreement between the Offices of origin and destination of the mails, of articles addressed to or originating in Countries outside the Union;

2° For the exchange of articles either in open-mail or in closed mails across the territories or by means of services maintained by the said Countries outside the Union;

3° That the articles conveyed may be subject outside the Union, as within the Union, to the transit rates determined by Article 4.

2. The charges for the total sea transit, within and without the Union, may not exceed 15 francs per kilogramme of letters and post cards and 1 franc per kilogramme of other articles. If occasion arise these charges are divided, in the ratio of distances, between the Offices taking part in the sea conveyance.

Maximum charges for maritime conveyance.

3. The charges for transit, by land or sea, without as well as within the limits of the Union, on the articles to which the present Article applies are established in the same manner as the transit charges relating to articles exchanged between Union countries by means of the services of other countries of the Union.

Ascertainment of charges.

Charges on articles for non-Union countries, where payable, etc. 4. The transit charges on articles for countries outside the Postal Union are payable by the Office of the country of origin, which fixes the postage rates in its services for the said articles, but these rates may not be lower than the normal Union tariff.

On articles from non-Union countries. 5. The transit charges on articles originating in countries outside the Union are not payable by the Office of the country of destination. That Office delivers without charge articles transmitted to it as fully prepaid; it charges unpaid articles double the prepaid rate applicable in its own service to similar articles addressed to the country where the said articles originate, and insufficiently prepaid articles double the deficiency; but the charge may not exceed that which is levied on unpaid articles of the same nature, weight, and origin.

Registered articles. 6. With regard to responsibility in the matter of registered articles, the articles are treated:

For transmission within the limits of the Union in accordance with the stipulations of the present Convention;

For transmission without the limits of the Union in accordance with the conditions notified by the Office of the Union which serves as the intermediate Office.

ARTICLE 18.

Counterfeit postage stamps.

Legislation to punish counterfeiting, etc. The high contracting parties undertake to adopt, or to propose to their respective legislatures, the necessary measures for punishing the fraudulent use of counterfeit postage stamps or stamps already used for the prepayment of correspondence. They also undertake to adopt, or to propose to their respective legislatures, the necessary measures for prohibiting and repressing the fraudulent manufacture, sale, offering for sale, or distribution of embossed and adhesive stamps in use in the postal service, forged or imitated in such a manner as to be mistakable for the embossed and adhesive stamps issued by the Administration of any one of the contracting countries.

ARTICLE 19.

Special arrangements for particular services.

Special arrangements. The services concerning letters and boxes of declared value, postal money orders, postal parcels, collection of bills and drafts, certificates of identity, subscriptions to newspapers, &c., form the subject of special arrangements between the various countries or groups of countries composing the Union.

ARTICLE 20.

Regulations of Execution; Special agreement between Administrations.

1. The Postal Administrations of the various countries composing the Union are competent to draw up, by common consent, in the form of Regulations of Execution, all the measures of order and detail which are judged necessary. Regulations.

2. The several Administrations may, moreover, make amongst themselves the necessary arrangements on the subject of questions which do not concern the Union generally, provided that those arrangements do not derogate from the present Convention. Special conventions.

3. The Administrations concerned are, however, permitted to come to mutual arrangements for the adoption of lower rates of postage within a radius of 30 kilometres. Lower postage.

ARTICLE 21.

Internal Laws; restricted Unions.

1. The present Convention does not involve alteration in the legislation of any country as regards anything which is not provided for by the stipulations contained in this Convention. Limitation of effect.

2. It does not restrict the right of the contracting parties to maintain and to conclude treaties, as well as to maintain and establish more restricted Unions, with a view to the reduction of postage rates or to any other improvement of postal relations.

ARTICLE 22.

International Bureau.

1. Under the name of the International Bureau of the Universal Postal Union a central Office is maintained which is conducted under the supervision of the Swiss Postal Administration, and of which the expenses are borne by all the Administrations of the Union. International Bureau.

2. This Bureau is charged with the duty of collecting, collating, publishing, and distributing information of every kind which concerns the international postal service; of giving, at the request of the parties concerned, an opinion upon questions in dispute; of making known proposals for modifying the acts of the Congress; of notifying alterations adopted; and, in general, of taking up such studies and labours as may be confided to it in the interest of the Postal Union. Expenses.
Duties.

ARTICLE 23.

Disputes to be settled by Arbitration.

- Arbitration of disagreements. 1. In case of disagreement between two or more members of the Union as to the interpretation of the present Convention, or as to the responsibility resting on an Administration by the application of the said Convention, the question in dispute is decided by arbitration. To that end each of the Administrations concerned chooses another member of the Union not directly interested in the matter.
- Decisions. 2. The decision of the arbitrators is given by an absolute majority of votes.
- Additional arbitrator. 3. In case of an equality of votes the arbitrators choose, with the view of settling the difference, another Administration equally uninterested in the question in dispute.
- Application of stipulations. 4. The stipulations of the present Article apply equally to all the Agreements concluded by virtue of the foregoing Article 19.

ARTICLE 24.

Adhesions to the Convention.

- Adhesion of other countries. 1. Countries which have not taken part in the present Convention are admitted to adhere to it upon their demand.
- Notification. 2. This adhesion is notified through the diplomatic channel to the Government of the Swiss Confederation, and by that Government to all the countries of the Union.
- Rights, etc. 3. It implies, as a right, accession to all the clauses and admission to all the advantages for which the present Convention stipulates.
- Share of expenses. 4. It devolves upon the Government of the Swiss Confederation to determine, by common consent with the Government of the country concerned, the share to be contributed by the Administration of this latter country towards the expenses of the International Bureau, and, if necessary, the rates to be levied by that Administration in conformity with the foregoing Article 10.

ARTICLE 25.

Congresses and Conferences.

- Congresses and conferences. 1. Congresses of plenipotentiaries of the contracting countries, or simple administrative Conferences, according to the importance of the questions to be solved, are held, when a demand for them is made or approved by two thirds, at least, of the Governments or Administrations, as the case may be.

2. A Congress shall, in any case, be held not later than five years after the date of the entry into force of the Acts concluded at the last Congress. Regular Congress.

3. Each country may be represented either by one or several delegates, or by the delegation of another country. But it is understood that the delegate or delegates of one country can be charged with the representation of two countries only, including the country they represent. Representation.

4. In the deliberations each country has one vote only. Votes.

5. Each Congress settles the place of meeting of the next Congress. Place of meeting.

6. For Conferences, the Administrations settle the places of meeting on the proposal of the International Bureau. Conference meetings.

ARTICLE 26.

Proposals made between Congresses.

1. In the interval which elapses between the meetings, any postal Administration of a country of the Union has the right to address to the other Administrations belonging to it, through the medium of the International Bureau, proposals concerning the *régime* of the Union. Changes proposed.

In order to be considered, every proposal must be supported by at least two Administrations, without counting that from which the proposal emanates. When the International Bureau does not receive, at the same time as the proposal, the necessary number of declarations of support, the proposal falls. Support necessary.

2. Every proposal is subject to the following procedure: Procedure.

A period of six months is allowed to the Administrations of the Union to examine the proposals and to communicate their observations, if any, to the International Bureau. Amendments are not admitted. The answers are tabulated by the International Bureau, and communicated to the Administrations, with an invitation to declare themselves for or against. Those who have not furnished their vote within a period of six months, counting from the date of the second circular of the International Bureau notifying to them the observations which have been received, are considered as abstaining.

3. In order to become binding, the proposals must obtain: Votes necessary.

1° Unanimity of votes if they involve the addition of new stipulations or any modification of the stipulations of the present Article or of Articles 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 15, 18, 27, 28, and 29; Unanimous.

2° Two-thirds of the votes if they involve a modification of the stipulations of the Convention other than those of Articles 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 15, 18, 26, 27, 28, and 29; Two-thirds.

Majority. 3° Simply an absolute majority, if they affect the interpretation of the stipulations of the Convention, except in the case of dispute contemplated by the foregoing Article 23.

Notice of changes. 4. Resolutions duly adopted are sanctioned in the first two cases, by a diplomatic declaration, which the Government of the Swiss Confederation is charged with the duty of preparing and transmitting to all the Governments of the contracting countries, and in the third case by a simple notification from the International Bureau to all the Administrations of the Union.

Time limit. 5. No modification or resolution adopted is binding until at least three months after its notification.

ARTICLE 27.

Protectorates and colonies included in the Union.

Colonies forming single administrations. For the application of the foregoing Articles 22, 25 and 26, the following are considered as forming a single country or Administration, as the case may be:

- 1° The German Protectorates of Africa;
- 2° The German Protectorates of Asia and Australasia;
- 3° The Empire of British India;
- 4° The Dominion of Canada;
- 5° The Commonwealth of Australia with British New Guinea;
- 6° The whole of the British Colonies and Protectorates of South Africa;
- 7° The whole of all the other British Colonies;
- 8° The whole of the Island possessions of the United States of America, comprising at present the islands of Hawaii, the Philippine islands and the islands of Porto-Rico and of Guam;
- 9° The whole of the Danish Colonies;
- 10° The whole of the Spanish Colonies;
- 11° Algeria;
- 12° The French Colonies and Protectorates in Indo-China;
- 13° The whole of the other French Colonies;
- 14° The whole of the Italian Colonies;
- 15° The whole of the Dutch Colonies;
- 16° The Portuguese Colonies of Africa;
- 17° The whole of the other Portuguese Colonies.

ARTICLE 28.

Duration of the Convention.

Duration of convention. The present Convention shall come into operation on the 1st of October 1907, and shall remain in force for an indefinite period; but each contracting party has the right of withdrawing from the Union by means of a notice given one year in advance by its Government to the Government of the Swiss Confederation.

ARTICLE 29.

Abrogation of previous Conventions; Ratification.

1. From the date on which the present Convention comes into effect, all the stipulations of the Treaties, Conventions, Agreements, or other Acts previously concluded between the various countries or Administrations, in so far as those stipulations are not in accordance with the terms of the present Convention, are abrogated, without prejudice to the rights reserved by the foregoing Article 21. Prior treaties, etc., abrogated.

2. The present Convention shall be ratified as soon as possible. The acts of ratification shall be exchanged at Rome. Ratification.

3. In faith of which the plenipotentiaries of the above-named countries have signed the present Convention at Rome on the twenty-sixth of May, one thousand nine hundred and six. Signatures.

[Here follows signatures.]

Having examined and considered the provisions of the foregoing Convention signed at Rome on the twenty-sixth day of May, A. D. 1906, revising the Universal Postal Convention which was concluded in Washington on the fifteenth day of June, A. D. 1897; the same is by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved by and with the advice and consent of the President of the United States. Approval.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed, this thirteenth day of October 1906.

[SEAL.]

GEO. B. CORTELYOU,
Postmaster-General.

I hereby approve the above mentioned Convention, and in testimony thereof have caused the seal of the United States to be hereto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT

Secretary of State.

WASHINGTON, *October 16, 1906.*

FINAL PROTOCOL.

At the moment of proceeding to sign the Conventions settled by the Universal Postal Congress of Rome, the undersigned plenipotentiaries have agreed as follows: Final protocol.

I.

Note is taken of the declaration made by the British delegates in the name of their Government to the effect Vote of British South African Colonies.

Ante, p. 81. that it has assigned to New Zealand, with the Cook Islands and other island dependencies, the vote which Article 27, 7°, of the Convention attributes to "the whole of the other British colonies."

II.

Netherlands Colonies. In modification of Article 27 of the Convention, a second vote is accorded to the Netherlands Colonies, in favour of the Netherlands East Indies.

III.

Modification of stipulations. In modification of the stipulations of paragraph 1 of Article 5, it is agreed that, as a temporary measure, Postal Administrations, which in consequence of the organisation of their internal service, or for other causes, cannot adopt the principle of the increase of the unit of weight for letters from 15 to 20 grammes, and that of the reduction of the charge above the first unit of weight to 15 centimes for each supplementary rate instead of 25 centimes, are authorised to postpone the application of these two stipulations or of one or other of them, so far as regards letters originating in their service, until the day when they are in a position to apply them, and to conform in the meantime to the measures prescribed on this subject by the Congress of Washington.

IV.

Registration fee outside of Europe. In modification of Article 6 of the Convention, which fixes at 25 centimes the maximum charge for registration, it is agreed that countries out of Europe are authorised to maintain this maximum at 50 centimes, inclusive of the delivery of a registry receipt to the sender.

V.

Provisional right accorded Persia, etc. By way of exception to the provisions of paragraph 3 of Article 12 of the Convention, Persia has the right of collecting from the addressees of printed papers of all kinds received from foreign countries a tax of 5 centimes per article distributed. This right is accorded to it provisionally.

China. The same right is accorded to China in the event of its adhering to the principal Conventions.

VI.

Transit rates, Siberian Railway. By way of exception to the provisions of Article 4 of the Convention and to the corresponding paragraphs of the Regulations relative thereto, it is agreed as follows in regard to the transit rates to be paid to the Russian Administration on account of correspondence exchanged by way of the Siberian Railway:

1° The accounting for transit charges in respect of the articles mentioned above shall be based, from the date of the opening of the aforesaid railway, on special returns taken every three years during the first 28 days of the month of May or of the month of November (alternately) of the second year of each triennial period, such returns to take effect retrospectively from the first year. Accounts.

2° The statistics of May 1908 shall regulate the payments to be made from the date of the commencement of the traffic in question until the end of the year 1909. The statistics of November 1911 shall apply to the years 1910, 1911, and 1912, and so on. Payments.

3° If a country of the Union commences the despatch of its articles by way of the Siberian Railway during the period covered by the above-mentioned statistics, Russia has the right to demand the taking of separate statistics relating exclusively to such articles. Separate statistics.

4° The payment of transit charges due to Russia for the first and, if necessary, for the second year of each triennial period, is to be made provisionally at the end of the year on the basis of the preceding statistics, subject to a subsequent settlement of accounts in accordance with the results of the new statistics. Provisional payments.

5° Transit in open-mail is not admitted by the aforesaid railway. Transit in open mail not admitted.

Japan has the right to apply the stipulations of each paragraph of the present article in regard to the settlement of transit rates due to Japan for the land or sea transit of articles exchanged by way of the Japanese railway in China (Manchuria) and so far as concerns the inadmissibility of transit in open-mail. Transit rates due Japan, etc.

VII.

Salvador, which forms part of the Postal Union, not having been represented at the Congress, the Protocol remains open to it in order that it may adhere to the conventions which have been concluded there or only to one or other of them. Adhesion. Salvador.

It remains open with the same object:

a. To Nicaragua and to Peru, whose delegates at the Congress were not furnished with full powers; Nicaragua and Peru.

b. To the Dominican Republic, whose delegate was obliged to be absent when the Acts were signed. Dominican Republic.

The Protocol likewise remains open to the Chinese Empire and the Empire of Ethiopia, whose delegates to the Congress have announced the intention of those countries to enter the Universal Postal Union on a date to be fixed hereafter. China and Ethiopia.

VIII.

The Protocol remains open to those countries whose representatives have to-day signed only the principal Protocol left open for certain countries.

Convention, or only a certain number of the Conventions settled by the Congress, in order to admit of their adherence to the other Conventions signed this day, or to one or other of them.

IX.

Notification of adhesion. The adhesions contemplated in the foregoing Article VII. must be notified to the Government of Italy by the respective Governments in diplomatic form. The term accorded to them for that notification will expire on the 1st of July 1907.

X.

Convention binding on States ratifying. In the event of one or more of the contracting parties to the Postal Conventions signed to-day at Rome not ratifying one or other of those Conventions, this Convention shall be none the less valid for the States which shall have ratified it.

Signatures. In faith of which the under-mentioned plenipotentiaries have drawn up the present final Protocol, which shall have the same force and validity as if its provisions were inserted in the text itself of the Conventions to which it relates, and they have signed it on a single copy which shall remain in the Archives of the Government of Italy and of which a copy shall be delivered to each party.

Done at Rome, the 26th of May, 1906.

[Here follow signatures.]

Approval. Having examined and considered the provisions of the foregoing final protocol, signed in Rome on the 26th of May, A. D. 1906, relative to the Universal Postal Convention of Rome, signed the same day; the same is by me, by virtue of the powers vested by law in the Postmaster-General, hereby ratified and approved by and with the advice and consent of the President of the United States.

In witness whereof I have caused the seal of the Post Office Department of the United States to be hereto affixed this thirteenth day of October, A. D. 1906.

[SEAL.]

GEO. B. CORTELYOU,
Postmaster-General.

I hereby approve the above-mentioned final protocol, and in testimony thereof have caused the seal of the United States to be hereto affixed.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

WASHINGTON, *October 16, 1906.*

REGULATIONS.

Detailed Regulations for the Execution of the Convention concluded between Germany and German Protectorates, United States of America, and the Island Possessions of the United States of America, Argentine Republic, Austria, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Bulgaria, Chili, Chinese Empire, Republic of Colombia, Congo Free State, Empire of Corea, Republic of Costa Rica, Crete, Republic of Cuba, Denmark and Danish Colonies, Dominican Republic, Egypt, Ecuador, Spain and Spanish Colonies, Ethiopian Empire, France, Algeria, French Colonies and Protectorates of Indo-China, the whole of the other French Colonies, Great Britain and various British Colonies, British India, the Commonwealth of Australia, Canada, New Zealand, British Colonies of South Africa, Greece, Guatemala, Republic of Hayti, Republic of Honduras, Hungary, Italy and the Italian Colonies, Japan, Republic of Liberia, Luxemburg, Mexico, Montenegro, Nicaragua, Norway, Republic of Panama, Paraguay, Netherlands, the Dutch Colonies, Peru, Persia, Portugal and Portuguese Colonies, Roumania, Russia, Salvador, Servia, Kingdom of Siam, Sweden, Switzerland, Tunis, Turkey, Uruguay, and United States of Venezuela.

Countries affected.

The undersigned, having regard to Article 20 of the Universal Postal Convention concluded at Rome on the 26th of May, 1906, have, in the name of their respective Administrations, settled by common consent the following measures for ensuring the execution of the said Convention.

Measures adopted.

I.

Forwarding of the mails.

1. Each Administration is bound to forward, by the most rapid routes at its disposal for its own mails, the closed mails and the articles in open-mail which are delivered to it by another Administration.

Forwarding by most rapid route.

In the event of an Administration finding itself obliged, by exceptional circumstances, to suspend temporarily the despatch of closed mails and articles in open-mail which are delivered to it by another Administration, it is bound at once to notify the fact, if necessary by telegraph, to the Administration or Administrations concerned.

Notice of temporary suspension of despatch of closed mails, etc.

Supplemental charges.

2. Administrations which avail themselves of the option to levy supplementary charges, as representing the extraordinary expenses pertaining to certain routes, are free not to forward by those routes, when other means of communication exist, any insufficiently paid articles for which the employment of the said routes has not been expressly prescribed by the senders.

II.

Exchange in Closed Mails.

Arrangement of exchanges in closed mails.

1. The exchange of articles in closed mails between the Administrations of the Union is regulated by common consent between the Administrations concerned, and according to the necessities of the service.

Notice of exchange.

2. If an exchange is to take place through the medium of one or more countries, timely notice must be given to the Administrations of those countries.

When closed mails are obligatory.

3. It is, moreover, obligatory, in this latter case, to make up closed mails whenever a request to that effect is made by one of the intermediate Administrations on the ground that the number of articles sent in open-mail is such as to hinder its work.

Notice of changes in routes.

4. In case of alteration in a service of closed mails established between two Administrations through the medium of one or several other countries the Administration which has originated the alteration gives notice thereof to the Administrations of the countries through the medium of which this exchange is effected.

III.

Extraordinary Services.

Special charges for extraordinary services.

The extraordinary services of the Union giving rise to special charges, the fixing of which is reserved by Article 4 of the Convention for arrangement between the Administrations concerned, are exclusively:

Indian mail.

1° Those which are maintained for the accelerated conveyance by land of the Indian Mail;

Colon and Panama.

2° That which is established for the conveyance of mails by railway between Colon and Panama.

IV.

Fixing the Rates of Postage.

Rates of postage.

1. In execution of Article 10 of the Convention, the Administrations of the countries of the Union which have not the franc for their monetary unit, or which maintain postal Agencies outside the Union, levy their rates of postage according to the following equivalents:—

Countries of the Union.	25 centimes.	15 centimes.	10 centimes.	5 centimes.
Germany	20 pfennig.		10 pfennig.	5 pfennig.
German Protectorates:				
German East Africa (territory of —)	15 heller.		7½ heller.	4 heller.
German South-West Africa (territory of —)	20 pfennig.		10 pfennig.	5 pfennig.
Camerouns	20 pfennig.		10 pfennig.	5 pfennig.
Carolines and Palaos (Islands)	20 pfennig.		10 pfennig.	5 pfennig.
Kiautschou.	10 cents.		4 cents.	2 cents.
Marianne (Islands) excluding the island of Guam.	20 pfennig.		10 pfennig.	5 pfennig.
Marshall Islands.	20 pfennig.		10 pfennig.	5 pfennig.
German New Guinea.	20 pfennig.		10 pfennig.	5 pfennig.
Samoa.	20 pfennig.		10 pfennig.	5 pfennig.
Territory of Togo.	5 cents.		2 cents.	1 cent.
United States of America.				
United Possessions of the United States of America:				
Island of Guam.	5 centavos.		2 centavos.	1 centavo.
Philippine Islands.	5 centavos.		2 centavos.	1 centavo.
Porto Rico.	5 centavos.		2 centavos.	1 centavo.
Argentine Republic.	12 centavos.		6 centavos.	3 centavos.
Austria.	25 deniers de couronne.		10 deniers de couronne.	5 deniers de couronne.
Bolivia.	25 centavos.		10 centavos.	5 centavos.
Bosnia-Herzegovina.	25 deniers de couronne.		10 deniers de couronne.	5 deniers de couronne.
Brazil.	200 reis.		100 reis.	50 reis.
Chile.	5 centavos.		2 centavos.	1 centavo.
Colombia.	5 centavos (gold).		2 centavos (gold).	1 centavo (gold).
Corea.	10 sen.		4 sen.	2 sen.
Costa Rica.	10 centimos de colon.		4 centimos de colon.	2 centimos de colon.
Cuba.	5 centavos.		2 centavos.	1 centavo.
Denmark.	20 øre.		10 øre.	5 øre.
Danish Colony.				
Greenland.	20 øre.		10 øre.	5 øre.
Dominican Republic.	5 centavos.		2 centavos.	1 centavo.
Egypt.	10 millièmes de livre.		4 millièmes de livre.	2 millièmes de livre.
Ecuador.	5 centavos.		2 centavos.	1 centavo.
Spanish Settlements in the Gulf of Guinea ^a	5 centavos.		2 centavos.	1 centavo.
Great Britain.	2½ pence.		1½ pence.	¾ penny.
British Colonies and Possessions:				
South Africa—				
Bechuanaland (Protectorate)				
Gape of Good Hope.				
Natal and Zululand.				
Orange River Colony.				
Southern Rhodesia.				
Transvaal.				
2½ pence.	1½ pence.	1 penny.	¾ penny.	
Australia (with British Guinea).				
2½ pence.	1½ pence.	1 penny.	¾ penny.	
Canada.	5 cents.	3 cents.	2 cents.	1 cent.
British India.	2½ annas.	1½ annas.	1 anna.	½ anna.
New Zealand (with the Cook Islands).	2½ pence.	1½ pence.	1 penny.	¾ penny.

^a Since the Regulations were signed the franc currency has been introduced in the Spanish Settlements in the Gulf of Guinea.

Countries of the Union.	25 centimes.	15 centimes.	10 centimes.	5 centimes.
Other British Colonies and Possessions:				
East Africa and Uganda.				
Antigua	24 annas	14 annas	1 anna	1 anna
Ascension	24 pence	14 pence	1 penny	1 penny
Bahama Islands	24 pence	14 pence	1 penny	1 penny
Barbados	24 pence	14 pence	1 penny	1 penny
Bermudas	24 pence	14 pence	1 penny	1 penny
British North Borneo	10 pence	6 cents de dollar	4 cents de dollar	6 cents de dollar
Cayman Islands	13 pence	8 pence	1 penny	1 penny
Ceylon	2 piastres de roupie	8 centimes de roupie	6 centimes de roupie	centimes de roupie
Gold Coast	2 piastres ou 80 paras	14 piastres ou 60 paras	1 piastre ou 40 paras	1 piastre ou 20 paras
Dominica	24 pence	14 pence	1 penny	1 penny
Fakland Islands	24 pence	14 pence	1 penny	1 penny
Fiji Islands	24 pence	14 pence	1 penny	1 penny
Gambia	24 pence	14 pence	1 penny	1 penny
Gibraltar	24 pence	14 pence	1 penny	1 penny
Grenada and the Grenadines	24 pence	14 pence	1 penny	1 penny
British Guiana	5 cents	3 cents	2 cents	1 cent
British Honduras	5 cents	3 cents	2 cents	1 cent
Hongkong	10 cents de dollar	6 cents de dollar	4 cents de dollar	2 cents de dollar
Jamaica	24 pence	14 pence	1 penny	1 penny
Labuan	10 cents de dollar	6 cents de dollar	4 cents de dollar	2 cents de dollar
Malta	24 pence	14 pence	1 penny	1 penny
Mauritius and Dependencies	15 centimes de roupie	9 centimes de roupie	6 centimes de roupie	3 centimes de roupie
Montserrat	24 pence	14 pence	1 penny	1 penny
Nevis	24 pence	14 pence	1 penny	1 penny
Southern Nigeria	24 pence	14 pence	1 penny	1 penny
St. Christopher	24 pence	14 pence	1 penny	1 penny
St. Helena	24 pence	14 pence	1 penny	1 penny
St. Lucia	24 pence	14 pence	1 penny	1 penny
St. Vincent	24 pence	14 pence	1 penny	1 penny
Sarawak	10 cents de dollar	6 cents de dollar	4 cents de dollar	2 cents de dollar
Sierra Leone	24 pence	14 pence	1 penny	1 penny
Somaliland	24 annas	14 annas	1 anna	1 anna
Strait Settlements	8 cents de dollar	5 annas	3 cents de dollar	1 cent de dollar
Tobago	24 pence	14 pence	1 penny	1 penny
Newfoundland	5 cents	3 cents	2 cents	1 cent
Trinidad	24 pence	14 pence	1 penny	1 penny
Turks Islands	24 pence	14 pence	1 penny	1 penny
Virgin Islands	24 pence	14 pence	1 penny	1 penny
Zanzibar	24 annas	14 annas	1 anna	1 anna
Guatemala	25 centavos	15 centavos	10 centavos	5 centavos
Hayti	5 centavos de piastre	10 centavos de piastre	2 centavos de piastre	1 centavo de piastre
Republic of Honduras	10 centavos	5 centavos	2 centavos	1 centavo
Hungary	25 deniers de couronne	15 deniers de couronne	10 deniers de couronne	5 deniers de couronne

Italian Colony:				
Benadir.....	2½ annas	6 sen.	1 anna	2 besas.
Japan.....	10 sen.	6 centavos	4 sen.	2 sen.
Liberia.....	5 cents	6 centavos	2 cent.	1 cent.
Mexico.....	10 centavos	10 deniers de couronne	4 centavos	2 centavos
Montenegro.....	25 deniers de couronne	25 centavos	10 deniers de couronne	5 deniers de couronne
Nicaragua.....	20 ore	10 centavos	10 centavos	5 centavos
Norway.....	10 centavos (silver)	10 centavos (silver)	10 ore	5 ore
Panama.....	45 centavos de peso	12½ cents	4 centavos (silver)	2 centavos (silver)
Paraguay.....	12½ cents	7½ cents	18 centavos de peso	9 centavos de peso
Netherlands.....	12½ cents	7½ cents	5 cents	2½ cents
Dutch Colonies:				
Dutch Antilles.....	12½ cents	7½ cents	5 cents	2½ cents
Dutch Guiana.....	12½ cents	7½ cents	5 cents	2½ cents
Dutch Indies.....	10 centavos	10 centavos	4 centavos	2 centavos
Peru.....	13 chahis	30 reis	6 chahis	3 chahis
Persia.....	50 reis	30 reis	20 reis	10 reis
Portugal (Including Azores and Madelra).....	50 reis	30 reis	20 reis	10 reis
Portuguese Colonies:				
Portuguese African Colonies.....	2 tangas	15 reis	10 reis	5 reis
Portuguese India.....	10 avos	6 avos	4 avos	2 avos
Portuguese Macao and Timor.....	10 kopeks	8 attis	4 kopeks	2 kopeks
Russia.....	5 centavos	8 attis	2 centavos	1 centavo
Salvador.....	12 attis	20 ore	5 attis	3 attis
Sham.....	20 ore	40 paras	10 ore	5 ore
Sweden.....	40 paras	5 centésimos de peso	20 paras	10 paras
Turkey.....	5 centésimos de peso	3 centésimos de peso	2 centésimos de peso	1 centésimo de peso
Uruguay.....				

Notice of
monetary
changes.

2. In case of alteration in the monetary system of any one of the countries above-mentioned or of an important modification in the value of its money, the Administration of that country must come to an understanding with the Swiss Postal Administration in order to modify the above equivalents; it devolves upon this latter Administration to notify the change to all the other Offices of the Union through the medium of the International Bureau.

Adjustment
of fractions.

3. The monetary fractions resulting either from the complement of the charge applicable to insufficiently paid articles, or from the fixing of the charges for articles exchanged with countries foreign to the Union, or from the combination of the Union charges with the surcharges contemplated by Article 5 of the Convention may be rounded by the Administrations which levy the payments. But the sum to be added on this account must in no case exceed the value of one-twentieth of a franc (five centimes).

V.

Exceptions in the matter of weight.

Weight
equivalents.

As an exceptional measure, it is agreed that States which, by reason of their internal regulations, are unable to adopt the decimal metrical system of weight, have the option of substituting for it the ounce avoirdupois (28.3465 grammes) assimilating one ounce to 20 grammes for letters, and two ounces to 50 grammes for other articles and of raising, if needful, the limit of the single rate of postage of newspapers to four ounces, but under the express condition that, in the latter case, the postage on newspapers be not less than 10 centimes, and that an entire rate of postage be charged for each copy of the newspaper, even though several newspapers be included in the same packet.

VI.

Postage Stamps.

Postage
stamps.

1. The postage stamps representing the typical rates of the Union or their equivalent in the currency of each country are manufactured in the following colours:—

Stamps of the value of 25 centimes in dark blue;

Stamps of the value of 10 centimes in red;

Stamps of the value of 5 centimes in green.

2. Postage stamps must be inscribed on their face with the value which they represent for the prepayment of articles in accordance with the table of equivalents inserted in the preceding Article IV.

The indication of the number of monetary units or fraction of the unit used to express this value is made in Arabic figures.

3. Postage stamps may be specially perforated by means of a punch (with initials or otherwise), subject to the conditions prescribed by the Administration issuing them.

4. It is recommended that the postage stamps be affixed in the upper right-hand corner of the address side. It is not forbidden, however, to affix the stamps in some other part either of the address side or on the back.

VII.

Reply-Coupons.

1. The reply coupons of which optional use is provided for by Article 11 of the Convention are in conformity with the Form *A* annexed to the present Regulations and printed under the supervision of the International Bureau on paper bearing in watermark the words:

25 c----- 25 c.
Union postale universelle

2. The International Bureau furnishes the coupons at the cost of printing, &c., to the Administration which apply for them.

3. Each Administration sells the coupons at a price fixed by itself, but this price may not be lower than the minimum of 28 centimes (gold) fixed by Article 11 of the Convention.

4. Coupons tendered by the public are exchanged for a postage stamp or stamps of a nominal value of 25 centimes in the countries which adopt this service.

5. The coupons so exchanged are sent quarterly or annually to the International Bureau, after classification according to the countries of origin; they are accompanied by a list showing the number for each of those countries.

6. At the end of the year the International Bureau sends to each Administration concerned an account in duplicate showing—

(a) On the debit side, the value in francs and centimes of the coupons issued by that Administration and exchanged for postage stamps of other Administrations in the course of the year. The coupons are attached as vouchers;

(b) On the credit side, the value in francs and centimes of the coupons issued by other Offices and exchanged for postage stamps by the Administration in question during the same period;

(c) The credit or debit balance.

For purposes of preparing this account the value of the coupon is calculated at 28 centimes per unit.

7. After examination one copy of the account is returned, duly accepted, to the International Bureau. All

Reply coupons.

Cost of coupons.

Minimum price.

Exchanged for postage stamps.

Exchanged coupons.

Accounts in duplicate.

Accounts.

accounts not returned to the Bureau by the time appointed for the settlement are regarded as regular.

Settlement. 8. Six months after the despatch of the accounts the International Bureau effects the settlement in such a manner as to reduce as far as possible the number of payments to be made.

VIII.

Correspondence with Countries foreign to the Union.

Correspondence with non-Union countries.

Offices of the Union which have relations with countries foreign to the Union furnish to the other Offices of the Union a list of those countries, indicating:

1° Rates for sea or land transit applicable to conveyance outside the limits of the Union;

2° The kind of articles admitted;

3° Whether prepayment is obligatory or optional;

4° The limit, for each category of articles, of validity of postage prepaid (to destination, to port of disembarkation, &c.);

5° Extent of pecuniary responsibility as regards registered articles;

6° Whether advices of delivery are obtainable or not; and

7° As far as possible, the rates of postage from the country outside the Union to the countries of the Union.

IX.

Application of Stamps.

Application of postmarks.

1. Articles despatched from countries of the Union are impressed with a stamp indicating as far as possible in Roman characters the place of origin and the date of posting.

Moreover, all the valid postage stamps should be obliterated.

Rate stamps.

2. On arrival, the Office of destination impresses its date-stamp on the back of the letters and on the front of post cards.

The first Office of destination can, moreover, impress its date-stamp on the front of the second half of reply-paid post-cards.

Missent articles.

3. Missent articles must be date-stamped by the Office to which they are sent in error. This obligation is imposed, not only on stationary Offices, but also on traveling Post Offices as far as possible.

Articles deposited on shipboard.

4. The stamping of articles deposited on board vessels in the movable boxes or in the hands of the postal agents on board or of the commanders devolves, in the cases contemplated by paragraph 5 of Article 11 of the Convention, upon the postal agent on board, or, if there be none, on the Post Office to which the articles are handed over for

disposal. In the latter case this Office marks the articles with its ordinary date stamp, and with the word "Paquetot," either in manuscript or by means of an autograph stamp or an ordinary stamp.

5. Articles originating in countries foreign to the Union are marked, by the Office of the Union which first received them, with a stamp indicating the place and date of entry into the service of that Office. Articles from non-Union countries.

6. Unpaid or insufficiently paid articles are, in addition, impressed with the stamp **T** (tax to be paid), the application of which devolves upon the Office of the country of origin in the case of articles originating in the Union, and upon the Office of the country of entry in the case of articles originating in countries foreign to the Union. Insufficient postage, etc.

7. Articles to be delivered by special delivery are impressed with a stamp bearing in large letters the word "Express." Administrations are, however, authorised to substitute for that stamp a printed label or a written inscription underlined with a coloured pencil. Special delivery articles.

Articles which have been marked "Express" by the Office of origin are delivered by special messenger, even when prepayment has been omitted or is insufficient. In such cases the Office of Exchange of the country of destination is bound to report the irregularity by Verification Note to the Central Administration to which the Office of origin is subordinate. This Verification Note must state very precisely the origin and date of mailing of the article. Report of irregularity.

8. Every article which does not bear the stamp **T** is considered to be paid and treated accordingly, unless there be an obvious error. Articles considered prepaid.

9. Postage stamps not cancelled in consequence of error or omission on the part of the Office of origin must be cancelled in the usual way by the Office which detects the irregularity. Uncanceled stamps.

X.

Indication of the Number of Rates.

When a letter or other article of correspondence, unpaid or insufficiently prepaid, is liable, by reason of its weight, to more than a single rate of postage, the Office of origin, or of entry into the Union, as the case may be, indicates in the upper left-hand corner of the address, in ordinary figures, the number of rates. Rates due to be indicated.

XI.

Insufficient Prepayment.

1. When an article is insufficiently prepaid by means of postage stamps, the despatching Office indicates by Marking insufficient payments.

means of a stamp or other process in easily read figures placed by the side of the postage stamps, double the amount of the deficiency, expressing it in francs and centimes.

- Exception.** An exception is made, however, in the case of articles which have become insufficiently prepaid in consequence of redirection and to which the stipulations of Article XXVII of the present Regulations are applicable.
- Double rates charged.** 2. According to this indication, the office of exchange of the country of the destination taxes the article with the amount marked, in conformity with the provisions of paragraph 3 of Article 5 of the Convention.
- Invalid stamps.** 3. If postage stamps not available for prepayment have been employed, no account is taken of them. This circumstance is indicated by the figure naught (0) placed by the side of the postage stamps.

XII.

Registered articles. *Conditions applicable to Registered Articles.*

- Addresses forbidden.** 1. Articles addressed to initials or in pencil are not admitted to registration.
- Form, etc.** 2. No special conditions as to form or fastening are prescribed for registered articles. Each Office has the right to apply to such articles the regulations in force in its inland service.
- Labels.** 3. Registered articles should bear in the upper left-hand corner of the address labels in conformity with or analogous to the Form *B* annexed to the present Regulations, indicating in Roman characters the name of the Office of origin and the number under which the article is entered in the records of that Office.
- Exception.** Nevertheless, Administrations whose inland regulations do not at present admit the use of labels may postpone the introduction of this arrangement, and continue the use of stamps to distinguish registered articles.
- Registered articles to be designated by a number.** It is, however, compulsory for Offices which have not adopted the label Form *B* to designate each registered article by a number. This number must be written in the upper left-hand corner of the address. It is obligatory for forwarding Offices to designate the article by the original number.
- Unpaid, etc., articles.** 4. Unpaid or insufficiently paid registered articles are forwarded to the addressees without charge, but the Office which receives an article in these conditions is bound to report the case by Bulletin of verification to the Administration to which the Office of origin is subordinate. The Bulletin must make precise mention of the origin, the date of mailing, the weight, the nature, and the number of the article, as well as the value of the postage stamps affixed to the registered article in the case of insufficient prepayment.

This rule does not apply to registered articles which, in consequence of redirection, became liable to higher postage. Such articles are treated in conformity with the provisions of § 2 of Article XXVII of the present Regulations.

Exception.

XIII.

Indemnity for the Loss of a Registered Article.

When the indemnity due for the loss of a registered article has been paid by one Administration, on behalf of another Administration which is responsible for the loss, the latter is bound to repay the amount within three months after receiving notice of the payment. This repayment is effected either by means of a postal money order or a draft, or in specie current in the country to which payment is due. When the repayment of the indemnity involves expenses, they are always borne by the indebted Office.

Reimbursement of losses.

XIV.

Return-receipts for Registered Articles.

1. Articles for which the sender requests a return-receipt must be marked very clearly with the inscription, "Avis de réception," or be stamped with the letters A. R.

Return receipts for registered articles.

2. They are accompanied by a form in accordance with or analogous to the Form *C* annexed; this form is made out by the office of origin or by any other office which the despatching office may appoint, and is attached by string tied crosswise to the article to which it relates. If it does not reach the office of destination, the latter makes one out for itself.

Form.

Return-receipts must be drawn up in French or must bear a sublineary translation in that language.

French language.

3. The office of destination, after having duly filled up form *C* returns it under cover to the Office of origin.

Return of form.

4. When the sender requests a return-receipt for a registered article after the article has been posted, the office of origin enters in a form *C*, after affixing to it a postage stamp representing the fee for an advice of delivery, an exact description of the registered article (its nature, office of origin, date of posting, number, complete address of the addressee).

Request for return receipt after mailing of article.

This form is attached to a form *H* and treated according to the provisions of Article XXX. of the present Regulations, with the exception that, in case of the regular delivery of the article to which the advice of delivery relates, the office of destination withdraws the form *H* and returns form *C* duly completed, to the office of origin in the manner prescribed by the preceding paragraph 3.

Use of forms *C* and *H*.

Each Administration has the option, if it desires to combine form *C* and form *H* in one form.

Reclaiming
missing return
receipt.

5. If a return-receipt duly applied for by the sender at the time of posting is not received back after a proper interval in the office of origin, enquiry for the missing return-receipt is instituted in accordance with the procedure prescribed by the foregoing § 4. In this case, however, instead of affixing a postage stamp to form *C* the office of origin inscribes it with the heading "Duplicate of return-receipt, etc."

Transmis-
sion of enqui-
ries.

6. The special arrangements adopted by Administrations in pursuance of paragraph 5 of Article XXX of the present Regulations for the transmission of enquiries respecting registered articles are applicable to requests for advices of delivery made after the article has been posted.

XV.

Registered Articles marked with Trade Charges.

Registered
articles marked
with trade
charges.

1. Registered articles marked with trade charges must bear on the address side the heading "Remboursement," written or printed in a prominent manner, and followed by the indication of the amount of the trade charge in the money of the country of destination, unless there are arrangements to the contrary between the Administrations interested. This amount is expressed in Roman characters, in words and in figures, without erasure or correction, even if certified. The sender must indicate on the front or on the back his name and address likewise in Roman characters.

Labels.

2. Registered articles marked with trade charges must bear on the address side an orange-coloured label similar to Form *D*, annexed to the present Regulations.

Return of
article on fail-
ure to pay
charges.

3. If the addressee does not pay the amount of the trade charges within an interval of seven days, in relations between European countries, and within an interval of 15 days in relations between countries of Europe and countries outside of Europe, or between these last mentioned countries themselves, reckoning from the day after that of arrival at the office of destination, the article is sent back to the office of origin.

Disposition
of amounts
collected.

4. In the absence of any other arrangement, the sum recovered, after deduction of the commission provided for in Article 7, § 2, of the Convention and of the ordinary money order rate, is converted into a money order with the heading "Remb." on the face, and made out for the amount of the surplus in accordance with the detailed regulations for the execution of the money order agreement. On the coupon of the order the name and address of the addressee of the article marked with a trade charge must be entered, as well as the date and place of posting of the article.

5. In the absence of any arrangement to the contrary articles marked with trade charges may be re-forwarded from one of the countries participating in this service to another of those countries. In case of redirection, the sender's marking of the trade charge is preserved intact. Upon the Office of final destination alone devolves the conversion into its currency of the amount of the trade charges, in accordance with the rate of exchange in force for money orders, in cases where its monetary system is not that in which the trade charges are expressed; it also devolves upon that Office to draw a money order for the amount of the trade charges on the country of origin.

Forwarding of articles, etc.

Conversion of trade charges into currency.

XVI.

Post Cards.

Postal cards.

1. Post cards must bear on the face the heading "*Carte postale*" in French, or the equivalent of this heading in another language. This heading is, however, not obligatory for single post cards emanating from private industry.

General provisions.

The dimensions of the cards may not exceed 14 centimetres in length and 9 centimetres in width, nor be less than 10 centimetres in length and 7 centimetres in width. Post cards must be sent unenclosed, that is to say, without wrapper or envelope.

Dimensions.

Post cards must be manufactured of cardboard or of paper of such consistency as not to hinder manipulation.

Material used in manufacture.

2. The postage stamps must, as far as possible, be affixed to the upper right-hand corner of the face. The address of the recipient as well as indications relating to the postal service (registered, advice of delivery, &c.) must likewise appear on the face, of which the right hand half at least is reserved for these indications. The sender may dispose of the back and of the left hand half of the face, subject to the stipulations of the following paragraph.

Affixing stamps, etc.

3. With the exception of stamps for prepayment the public is forbidden to join or attach to post cards any objects whatever. Nevertheless, the name and address of the recipient, as well as the name and address of the sender may appear on gummed labels not exceeding 2 centimetres by 5. It is likewise permitted to affix on the back and on the left hand half of the face illustrations or photographs on very thin paper, provided that they adhere completely to the card.

Restriction.

4. Post cards with reply paid must display on the face in French, as heading on the first half "*Carte postale avec réponse payée*"; on the second half "*Carte postale-réponse*." Each of the two halves must, moreover, fulfill the other conditions laid down for single post cards; one half is doubled over the other, and they must not be closed in any manner whatsoever.

Prepaid reply cards.

Sender's address on reply. The sender of a post card with reply paid may indicate his name and address on the face of the "Reply" half, either in writing, or by affixing a label.

Prepayment limited to country of origin, etc. The prepayment of the "Reply" half by means of the postage stamp of the country which has issued the card is valid only if the two halves of the reply-paid post card were attached to one another when received from the country of origin, and if the "Reply" half is despatched from the country where it has been received by post to the said country or origin. If these conditions are not fulfilled, it is treated as an unpaid post card.

Cards treated as letters. 5. Post cards not fulfilling, so far as regards the prescribed indications, dimensions, external form, &c., the conditions laid down by the present Article for this class of articles, are treated as letters.

XVII.

Commercial Papers.

Commercial papers.

Definition of. 1. The following are considered as commercial papers, and allowed to pass as such at the reduced postage specified in Article 5 of the Convention. All papers and all documents, whether writings or drawings, produced wholly or partly by hand, not having the character of an actual and personal correspondence, such as open letters and post cards of ancient date which have already fulfilled their original purpose, papers of legal procedure, deeds of all kinds drawn up by public functionaries, way bills or bills of lading, invoices, the various documents of insurance companies, copies of or extracts from Acts under private signature, written on stamped or unstamped paper, musical scores, or sheets of music in manuscript, the manuscripts of works or of newspapers forwarded separately, pupils' exercises in original or with corrections, but without any comment on the work, &c.

Conditions. 2. Commercial papers are subject, so far as regards form and conditions of transmission, to the regulations prescribed for printed papers (Article XIX following).

XVIII.

Samples.

Samples. 1. Samples of merchandise are only allowed to pass at the reduced postage which is fixed for them by Article 5 of the Convention under the following conditions:—

Wrapping. They must be placed in bags, boxes, or removable envelopes, in such a manner as to admit of easy inspection.

Salable value, etc., forbidden. They must possess no salable value, nor bear any writing, except the name or the commercial style of the sender, the address of the person for whom they are intended, a manufacturer's or trade mark, numbers,

prices, and indications relative to weight or measurement and dimensions or to the quantity to be disposed of, or such as are necessary to determine the origin and the nature of the goods.

2. Articles of glass, packets containing liquids, oils, fatty substances, dry powders, whether dyes or not, as well as packets of live bees, may be admitted to transmission as samples of merchandise, provided that they be packed in the following manner:—

1° Articles of glass must be securely packed (boxes of metal or of wood) in a way to prevent all danger to the correspondence and postal officers.

2° Liquids, oils, and substances easily liquefied must be enclosed in glass bottles hermetically sealed. Each bottle must be placed in a wooden box furnished with sawdust, cotton, or spongy material in sufficient quantity to absorb the liquid in the event of the bottle becoming broken. Finally, the box itself must be enclosed in a case of metal, of wood with a screwtop, or of strong and thick leather.

When perforated wooden blocks are used having a thickness of at least $2\frac{1}{2}$ millimetres in the thinnest part, sufficiently provided inside with absorbent material and supplied with a lid, it is not necessary that the blocks shall be enclosed in a second case.

3° Fatty substances which are not easily liquefied, such as ointments, soft-soap, resin, &c., the transmission of which offers less inconvenience, must be enclosed in an inner cover (box, bag of linen or parchment, &c.), which must itself be placed in a second box of wood, metal, or strong and thick leather.

4° Dry coloring powders must be placed in bags of leather, rubber-dressed linen, or oiled paper of stout substance, and dry powders, not dyes, in boxes of metal, wood, or cardboard. These bags or boxes are themselves enclosed in a bag of linen or parchment.

5° Live bees must be enclosed in boxes so constructed as to avoid all danger and to allow the contents to be ascertained.

3. Transmission at the sample rate is likewise accorded to keys sent singly, fresh cut flowers, articles of natural history (dried or preserved animals and plants, geological specimens, &c.), tubes of serum and pathological objects rendered innocuous by their mode of preparation and packing. These articles must not be sent for a commercial purpose, and the packing must be in accordance with the general regulations concerning samples of merchandise.

XIX.

Printed Papers of every kind.

1. The following are considered as printed papers, and allowed to pass as such at the reduced postage sanctioned

Glass, etc.,
transmissible
as samples.

Packing of
glass.

Liquids, etc.

Second en-
closures not re-
quired.

Fatty sub-
stances.

Dry coloring
powders, etc.

Live bees.

Dried plants,
etc., admitted.

Printed mat-
ter.

Definition.

by Article 5 of the Convention:—Newspapers and periodical works, books, stitched or bound, pamphlets, sheets of music, visiting cards, address cards, proofs of printing with or without the manuscripts relating thereto, papers impressed with points or with characters in relief for the use of the blind, engravings, photographs, and albums containing photographs, pictures, drawings, plans, maps, catalogues, prospectuses, announcements and notices of various kinds, printed, engraved, lithographed or autographed, and, in general, all impressions or copies obtained upon paper, parchment, or cardboard, by means of printing, engraving, lithography, autography, or any other mechanical process easy to recognise except the copying press and the typewriter.

Reproductions.

To printed papers are assimilated reproductions of a manuscript or typewritten original when they are obtained by a mechanical process of polygraphy (chromography, &c.) ; but, in order to pass at the reduced postage, these reproductions must be brought to the Post Office counter to the number of at least twenty copies, precisely identical.

Articles excluded from reduced rates.

2. Printed papers which bear any marks whatever capable of constituting a conventional language or, save the exceptions specifically authorised by the present article, those of which the text has been modified after printing, cannot be sent at the reduced rate applicable to printed matter.

Modifications permitted.

3. It is allowed:—

(a) to indicate on the outside of the missive the name, commercial style, the profession, and the address of the sender;

(b) to add in manuscript, on printed visiting cards and also on Christmas and New Year cards the address of the sender, his title, as well as good wishes, congratulations, thanks, condolences, or other formulas of courtesy, expressed in five words at most or by means of conventional initials (p. f., &c.) ;

(c) to indicate or to alter in a printed paper, in manuscript or by a mechanical process, the date of despatch, the signature, or the commercial style, and the profession, as well as the address of the sender and of the addressee;

(d) to enclose the "copy" with corrected proofs, and to make in 'hose proofs alterations and additions which relate to accuracy, form, and printing. In case of want of space these additions may be made on separate sheets;

(e) to correct also errors in printing in printed documents other than proofs;

(f) to erase certain parts of a printed text;

(g) to make prominent by means of marks and to underline words or passages of the text to which it is desired to draw attention;

(*h*) to insert or correct in manuscript or by a mechanical process figures in prices current, tenders for advertisements, stock and share lists, trade circulars and prospectuses, as well as the traveller's name and the date and place of his intended visit, in travellers' announcements;

(*i*) to indicate in manuscript, in advices of the departures and arrivals of ships, the dates of those departures and arrivals, as well as the names of the ships;

(*j*) to indicate in manuscript in advices of the despatch of goods, the date of those despatches;

(*k*) to indicate in cards of invitation and notices of meetings the name of the person invited, the date, the object, and the place of the gathering;

(*l*) to add a dedication on books, sheets of music, newspapers, photographs, and engravings, as well as to enclose the relative invoice;

(*m*) in forms of order or subscription for library works, books, newspapers, engravings, pieces of music, to indicate in manuscript the works required or offered, and to erase or underline the whole or part of the printed communications;

(*n*) to paint fashion plates, maps, &c.;

(*o*) to add, in manuscript or by a mechanical process, to cuttings from newspapers and periodical publications the title, date, number, and address of the publication from which the article is extracted.

4. Printed papers must be either placed in wrappers, upon rollers, between boards, in cases open at both sides or at both ends, or in unclosed envelopes, or be simply folded in such a manner as not to conceal the nature of the packet, or, lastly, tied with a string easy to unfasten.

Wrapping.

5. Address cards and all printed matter of the form and substance of an unfolded card may be forwarded without wrapper, envelope, fastening or fold.

Cards.

6. Cards bearing the inscription "Post Card" or the equivalent of this inscription in any language are allowed to pass at the rate for printed matter, provided that they conform to the general conditions prescribed in the present article for this category of articles. Those which do not fulfil these conditions are regarded as post cards and treated accordingly, subject always to the application of the provisions of paragraph 5 of Article XVI of the present Regulations.

Conditions.

XX.

Articles grouped together.

It is permitted to enclose in one and the same packet samples of merchandise, printed matter, and commercial papers, but subject to the following conditions:—

Grouping articles.

1° That each article taken singly does not exceed the limits which are applicable to it as regards weight and size;

Conditions.

2° That the total weight does not exceed 2 kilogrammes per packet;

3° That the minimum charge be 25 centimes if the packet contains commercial papers, and 10 centimes if it consists of printed matter and samples.

XXI.

Letter Bills.

- Letter bills.** 1. The letter bills which accompany the mails exchanged between two Administrations of the Union are in conformity with the Form *E* appended to the present Regulations. They are placed in coloured envelopes marked distinctly "Feuille d'avis" ("Letter Bill").
- Numbering bags, etc.** 2. If occasion arises the number of separate bags or packets composing the mail to which the letter bill relates is indicated in the upper right-hand corner.
- Sea mail.** If there be no arrangement to the contrary, in cases of exchanges by sea the despatching offices must number the letter bills in the upper left-hand corner, in an annual series for each Office of origin and for each Office of destination, mentioning as far as possible, above the number, the name of the steamer or vessel which carries the mail.
- Indication on letter bill of number of registered articles, etc.** 3. At the head of the letter bill there is to be an entry of the total number of registered articles, of the packets or bags containing those articles, and by means of a stamp, of a label, or of a manuscript note, of the presence of articles intended for Express delivery.
- Individual entry.** 4. The registered articles are entered individually in Table No. 1 of the letter bill with the following details: the name of the Office of origin and the number given to the article at that Office and the place of destination; or the name of the Office of origin, the name of the addressee, and the place of destination.
- Return receipt.** In the column headed "Observations" the letters A. R. are inscribed against the entry of registered articles for which an advice of delivery is required. In the same column the note "Remb.," followed by the indication in figures of the amount of the trade charge, is added against the entry of articles marked with trade charges.
- Special, etc., lists.** 5. When the number of registered articles habitually sent from one office of exchange to another requires it, use must be made of one or more special and separate lists to take the place of Table No. 1 of the letter bill.
- Limit of number.** When use is made of several lists, the number of registered articles which can be entered on one and the same list is limited to 30.
- Entries on letter bill.** The number of registered articles inscribed on the lists, the number of lists, and the number of packets or sacks containing those articles must be entered on the letter bill.
- Closed mails.** 6. In Table No. 2 are to be entered, with such details as the Table requires, the closed mails contained in the direct mail to which the letter bill relates.

7. Under the heading "Recommandations d'office" (^{Official Registrations}) are entered open letters on official business, the various communications or registered articles sent by the office of despatch in connection with the service, as well as the number of returned empty sacks. Official registration.

8. When it is deemed necessary, for certain exchanges, to make new tables or headings in the letter bill, such a measure may be adopted by common consent between the Administrations concerned. Other details.

9. When an office of exchange has no letters, &c., to forward to a corresponding office, it must, nevertheless, make up in the usual form a mail consisting simply of a blank letter bill. Bill with no article.

10. When closed mails are sent by one Administration to another, to be conveyed by means of private ships, the number or weight of the letters and other articles must be indicated in the letter bill and on the address of the mails if the office of embarkation requires it. Closed mails on merchant ships.

XXII.

Transmission of registered articles.

1. Registered articles, and, if there be any, the special lists contemplated in § 5 of Article XXI are collected in one or more separate packets or sacks, which are to be suitably made up or closed and sealed so as to preserve the contents. The registered articles are arranged in each packet in the order of their entry in the list. When several separate lists are used, each of them is tied up with the registered articles to which it relates. Transmission of registered articles.

In no case must the registered articles be mixed with ordinary correspondence. Restriction.

2. To the outside of the packet of registered articles the special envelope containing the letter bill is attached by a string tied cross-wise, when the registered articles are enclosed in a sack the envelope in question is attached to the neck of the bag. Special envelope containing letter bill.

If there is more than one packet or sack of registered articles, each of the additional packets or sacks is supplied with a label, indicating the nature of the contents. Labels.

The packets or sacks of registered articles are placed in the centre of the mail in such a manner as to attract the attention of the officer who opens it. Position of packages.

3. The mode of packing and forwarding registered articles, prescribed above, applies only to ordinary exchanges. For important exchanges it is for the offices concerned to prescribe by common consent special arrangements, subject in the one case as in the other to exceptional measures to be taken by the heads of the offices of exchange, when they have to ensure the transmission of registered articles which, from their nature, form, or size, would not be capable of being enclosed in the principal mail. Packing, etc., ordinary exchanges. Important exchanges.

XXIII.

Transmission
of special de-
livery articles.

Transmission of special delivery articles.

Ordinary ar-
ticles.

1. Ordinary articles intended for special delivery are combined in a special bundle and inserted, by the offices of exchange, in the envelope containing the letter bill which accompanies the mail.

Labels.

When the case arises, a label placed in this bundle indicates the presence in the mail of correspondence of this nature which by reason of its form or size can not be placed with the letter bill.

Registered
articles.

2. Registered articles intended for special delivery are arranged in order among the other registered articles, and the entry "Express" is made in the column headed "Observations" of the letter bill in respect of each article.

XXIV.

Making up
mails.

Making up the mails.

Classification
and separation.

1. As a general rule, the articles of which the mails consist must be classified and tied up in bundles according to the nature of the articles, the prepaid articles being separated from the unpaid and insufficiently prepaid.

Damaged,
etc., letters.

Letters bearing traces of violation or damage must have the fact noted on them and be marked with the date stamp of the office making the note.

Money or-
ders.

Money Orders sent in open mail are made up in a separate packet after subdivision, if necessary, into as many bundles as there are countries of destination. This packet is inserted, whenever practicable, by the offices of exchange in the envelope containing the Letter Bill which accompanies the Mail.

Territorial
exchanges.

2. In territorial exchanges every mail, after having been tied with string, is wrapped in strong paper sufficient in quantity to prevent damage to the contents, then tied again with string on the outside, and sealed with wax by means of the official seal. The mail is furnished with a printed address bearing, in small characters, the name of the despatching office, and in larger characters the name of the office of destination: "From _____ for _____."

Mails sent by
sea, etc.

Mails sent by sea are enclosed in sacks properly closed, sealed with wax or with lead and labelled. The same rule applies in the case of Mails sent by land when their size requires it.

Labels.

3. The labels used for mails sent in sacks must be of linen, leather or parchment, or of paper affixed to blocks. The label should indicate in a legible manner the office of origin and that of destination.

4. When the number or bulk of the mails necessitates the use of more than one sack, separate sacks must as far as possible be utilised: Use of separate sacks.

(a) For letters and post cards;

(b) For other articles.

Each sack must bear the indication of its contents.

The packet or sack of registered articles is placed in one of the sacks of letters.

This sack is distinguished by the letter *F* marked plainly on the label.

5. No sack must exceed 40 kilogrammes in weight.

6. The sacks must be returned empty to the country of origin by the next mail, in the absence of other arrangements between the corresponding Offices.

The return of empty sacks must be effected by such offices of exchange of the corresponding countries as are respectively appointed for the purpose by the Administrations interested, after previous understanding. Return of empty sacks.

The empty sacks must be rolled up and tied together in suitable bundles; the label blocks, if any, being placed in the inside of the sacks. The bundles must be supplied with a label showing the name of the office of exchange whence the sacks have been received on every occasion when they are returned through another office of exchange.

If the sacks to be returned are not too numerous they may be placed in the sacks containing correspondence. In the contrary case, they must be placed separately in sealed sacks, labelled with the name of the respective offices of exchange. The labels must be marked "Sacs vides" (empty sacks).

XXV.

Verification of the mails.

Verification of mails.

1. The office of exchange which receives a mail ascertains whether the entries in the letter bill and in the registered letter list, if there be one, are correct. Correct entries.

The mails must be delivered in good condition. Nevertheless, the receipt of a mail cannot be refused on account of its bad condition. In the case of a mail for an office other than that which has received it, it must be packed up afresh, but the original packing should be preserved as far as possible. The repacking is preceded by a verification of the contents, if there is reason to suppose that they are not intact. Mails to be delivered in good condition.

2. When the office of exchange detects errors or omissions, it immediately makes the necessary corrections on the letter bills or lists, taking care to erase by a stroke of the pen the erroneous entries in such a manner as to leave the original entries legible. Correction of errors, etc.

Corrections to be accepted. 3. These corrections are made by two officers. Except in the case of an obvious error, they are accepted in preference to the original statement.

Bulletin of verification. 4. A Bulletin of Verification, in conformity with the Form *F* annexed to the present Regulations, is prepared by the receiving office, and sent without delay, officially registered, to the despatching office.

In the case contemplated in paragraph 1 of the present Article, a copy of the Bulletin of verification is inserted in the repacked mail.

Return of Bulletins. 5. The despatching office, after examination, returns the Bulletin with any observations to which it may give rise.

Report of irregularities, etc. 6. In case of the failure of a mail, of one or more registered articles, of the letter bill, or of the special list, the fact is immediately verified in the prescribed manner by two officers of the Exchange office of destination, and notified to the despatching office by means of a Bulletin of verification officially registered. Nevertheless, when the absence of a mail is the result of a failure of connections the verification note is not sent registered. If circumstances require, the despatching office of exchange may also be advised by telegram, at the expense of the Office which sends the telegram. At the same time a duplicate of the Bulletin of verification is sent by the office of destination in the same conditions as the original to the Administration to which the despatching office is subordinate, and when it is a case of the nonreceipt of one or more registered articles, of the letter bill, or of the special list of registered articles, this duplicate must be accompanied by the sack or envelope, and by the seal of the packet of the articles in question, or of the sack and by the string, the label, and the seal of the mail, if the packet itself has not been found.

Receipt of missing mail to be reported. As soon as a mail which had been reported to the office of origin or an intermediate office as missing comes to hand, a second Bulletin of verification is to be addressed to such office announcing the receipt of the mail.

When the failure of a mail is duly explained on the way bill, and if this mail reaches the office of destination by the next opportunity, the preparation of a Bulletin of verification is not necessary.

Responsibility for losses. 7. In the event of the loss of a closed mail, intermediate offices become responsible for the registered articles contained in the mail, within the limits of Article 8 of the Convention, provided that the non-receipt of such mail shall have been notified to them as soon as possible.

Failure to send Bulletin evidence of receipt of mail. 8. Where the office of destination has not forwarded to the despatching office by the first mail after verification, a Bulletin reporting errors or irregularities of any kind, the absence of that document is to be regarded as evidence of the due receipt of the mail and its contents, until the contrary be proved.

XXVI.

Mails exchanged with Ships of War.

Mails exchanged with naval vessels.

Notice of establishment of exchange of closed mails.

1. The establishment of an exchange of closed mails between a Post Office of the Union and naval divisions or ships of war of the same nationality or between one naval division or ship of war and another of the same nationality must be notified, as far as possible in advance, to the intermediate offices.

2. The address of such mails should be in the following form:

Address.

From the Post Office of _____
 { the (nationality) naval division of (name of the
 division) at _____
 For { the (nationality) ship (name of the ship) at

 (Country)

or

From the (nationality) naval division of (name of the
 division) at _____
 From the (nationality) ship (name of the ship) at _____
 For the Post Office of _____
 (Country)

or

From the (nationality) naval division of (name of the
 division) at _____
 From the (nationality) ship (name of the ship) at _____
 { the (nationality) naval division (name of the di-
 vision) at _____
 For { the (nationality) ship (name of the ship) at _____
 (Country)

3. Mails addressed to or sent from naval divisions or ships of war are forwarded, unless specially addressed as to route, by the most rapid routes, and in the same conditions as mails exchanged between Post Offices.

Forwarding.

When mails for a naval division or ship of war are sent unenclosed, the captain of the steamer conveying them holds them at the disposal of the commanding officer of the naval division or ship addressed, in case the latter should require delivery of the mails while the steamer is on her way.

Disposal of unenclosed mails.

4. If the ships are not at the place of destination when mails addressed to them arrive there, the mails are kept at the Post Office until taken away by the addressee or forwarded to another place. Reforwarding may be demanded, either by the Post Office of origin, or by the commanding officer of the naval division or the ship addressed, or, lastly, by a Consul of the same nationality.

Reforwarding.

5. Such of the mails in question as bear the inscription "To the care of the Consul at _____" are delivered at the Consulate of the country of origin. At the request of the Consul they may afterwards be received back into

Mails in care of consuls.

the postal service and reforwarded to the place of origin or to another address.

Delivery.

6. Mails addressed to a ship of war are regarded as being in transit up to the time of their delivery to the commanding officer of that ship of war, even when they shall have been originally addressed to the care of a Post Office or to a Consul entrusted with the duty of acting as forwarding agent; they are not, therefore, regarded as having arrived at their address so long as they shall not have been delivered to the ship of war concerned.

XXVII.

Reforwarding articles.

Reforwarded articles.

1. In execution of Article 14 of the Convention, and subject to the exceptions specified in paragraph 2 following, articles of every kind circulating in the Union, addressed to persons who have changed their residence, are treated by the delivering Office as if they had been addressed directly from the place of origin to the place of the new destination.

Domestic service.

2. With regard to articles in the domestic service of one country of the Union, which enter, in consequence of reforwarding, into the service of another country of the Union, or to articles exchanged between two countries of the Union, which have adopted in their reciprocal relations a lower rate than the ordinary Union postage, but entering, in consequence of reforwarding, into the service of a third country of the Union as regards which the rate is the ordinary Union postage, or, lastly, to letters or packets exchanged, so far as their first transmission is concerned, between places in two neighbouring countries of the Union within a radius for which there exists a reduced rate, but redirected to other places in these countries or to another country of the Union, the following rules are observed:

Insufficiently prepaid articles.

1° Articles unpaid or insufficiently paid for their first transmission are subjected by the delivering Office to the charge applicable to articles of the same nature addressed directly from the place of origin to that of the new destination.

Paid for first transmission.

2° Articles regularly prepaid for their first transmission, on which the complementary postage pertaining to the further transmission has not been paid before their second despatch, are subjected, according to their nature, by the delivering Office to a charge equal to the difference between the amount of postage already prepaid and that which would have been chargeable if the articles had been despatched in the first instance to the new destination. The amount of this difference must be expressed in francs and centimes, by the side of the postage stamps, by the reforwarding Office.

In both cases the charges provided for above are leviable from the addressees, even if, owing to successive redirections, the articles should return to the country of origin. Charges paid by addressees.

3. When articles originally addressed from one part to another of a country of the Union, and prepaid in money, are reforwarded to another country, the reforwarding Office must indicate on each article the amount, expressed in francs and centimes, of the difference between the amount paid and the international rate. Reforwarding to another country.

4. Mis-sent articles of all kinds are reforwarded without delay, by the quickest route, to destination. Missent articles.

5. Articles of all kinds, ordinary or registered, which, being wrongly or insufficiently addressed, are returned to the senders in order that they may rectify or complete the address, are not, when posted with the direction rectified or completed, regarded as reforwarded articles, but as being really fresh articles; and they are consequently liable to fresh postage. Insufficient address.

XXVIII.

Undelivered articles.

Undelivered articles.

1. Articles of all kinds which are not delivered, from whatever cause, must be returned, as soon as possible after the period for keeping them required by the regulations of the country of destination, and at latest at the expiration of six months in relations with countries beyond sea, and of two months in other relations, through the medium of the respective offices of exchange, and in a special bundle labelled "Rebuts" and bearing indication of the country where the articles originated. The periods of two months and six months are reckoned from the end of the month in which the articles have reached the office of destination.

Return of.

2. Nevertheless, undelivered registered articles are returned to the office of exchange of the country of origin, as if they were registered correspondence addressed to that country, except that opposite the detailed advice in Table No. 1 of the letter bill, or in the separate list, the word "Rebuts" is entered in the column of observations by the returning office.

Registered articles.

3. As an exception, two corresponding Offices may, by mutual consent, adopt a different mode of returning undelivered articles. They may also come to an understanding to dispense with the reciprocal return of certain printed papers considered as destitute of value, as well as insufficiently prepaid "chain letters" (known as snowball letters) which have been refused by the addressee, when the Office of destination has ascertained after consultation with the addressee, that the letters in question are actually "chain letters."

Special agreements.

Cause of non-delivery to be indicated.

4. Before returning to the Office of origin articles which for any reason have not been delivered, the Office of destination must indicate in a clear and concise manner in the French language, on each article, the cause of the non-delivery in the following form: "not known," "refused," "travelling," "gone away," "not claimed," "deceased," &c. This indication is made by the application of a stamp or by affixing a label. Each Office has the option of adding a translation, in its own language, of the cause of non-delivery, and any other useful particulars.

Return of articles to foreign senders.

5. If articles mailed in one country of the Union to an address within that country are sent by persons resident in another country, and have, in consequence of non-delivery, to be returned to the senders abroad, they enter into the international system. In such a case, the re-directing Office and the delivering Office apply to the said articles the provisions of §§ 2 and 3 of the preceding Article XXVII.

Articles in care of consuls returned unclaimed.

6. Articles for seamen and others addressed to the care of a Consul, and returned by him to the local Post Office as unclaimed, are to be treated in the manner prescribed by § 1 or § 2 as the case may be, for returned articles in general. The amount of the charges paid by the Consul on these articles is at the same time to be refunded to him by the local Post Office.

XXIX.

Applications for ordinary articles not received.

Ordinary articles not received.

Applications for.

1. Every application respecting an ordinary article which has failed to reach its destination gives rise to the following procedure:

1° A form in conformity with the Form *G.* annexed hereto is handed to the applicant, who is requested to fill up as exactly as possible the portion which concerns him.

2° The office at which the application originates transmits the form directly to the corresponding office. It is transmitted officially without any written communication.

3° The corresponding office causes the form to be handed to the addressee or sender, as the case may be, with the request that particulars on the subject may be furnished.

4° With these particulars added, the form is sent back officially to the office which prepared it.

5° When the application proves to be well founded, it is transmitted to the central Administration in order to serve as a basis for further investigations.

6° In the absence of any understanding to the contrary, the form is drawn up in French or bears a French translation.

Transmission of applications.

2. Any Administration can demand, by notification addressed to the International Bureau, that applications

which concern its service shall be transmitted to its central Administration or to an office specially designated by it.

XXX.

Application for registered Articles.

1. For applications for registered articles a form is used in conformity with or similar to the Form *H.* annexed to the present regulations. The Office of the country of origin, after having entered the dates of despatch of the articles in question to the next service, transmits this form directly to the Office of destination.

Registered articles.

Applications for.

2. Nevertheless, in relations with countries beyond sea and of those countries between each other, the application is sent from office to office, following the same route as the article under inquiry.

Transmission of application.

3. In the case contemplated in § 1 above, when the Office of destination is in a position to furnish information as to the ultimate fate of the article under inquiry, it returns the form, filled in with the proper information, to the Office of origin.

Location of article by office of destination.

When the fate of an article which has passed in open-mail through several services cannot be immediately ascertained in the service of the country of destination, the Office of destination sends the form to the first intermediate Office, which, after having entered the particulars of the transmissions of the article to the next service, forwards the application to the next Office, and so on, until the ultimate fate of the article under inquiry is ascertained. The Office which has effected delivery to the addressee, or which, should it so happen, is unable to furnish proof either of delivery or of regular transmission to another Administration, records the fact on the form and returns it to the Office of origin.

Ascertaining ultimate fate of missing article.

4. In the case contemplated in § 2 above, the inquiries are prosecuted from the Office of origin to the Office of destination. Each Office enters on the form the particulars of the transmission to the next Office, and sends it forward to that Office. The Office which has effected delivery to the addressee, or which, should it so happen, is unable to furnish proof either of the delivery or of regular transmission to another Administration, records the fact on the form and returns it to the Office of origin.

Prosecuting inquiries.

5. The forms *H.* are drawn up in French, or bear a sublineary translation in that language. They must indicate the full address of the addressee, and be accompanied, as far as possible, by a facsimile of the envelope or of the address of the article. They are transmitted without covering letter in a closed envelope. Each Administration is free to require, by notification addressed to the International Bureau, that applications concerning its service shall be transmitted either to its central Admin-

Form, language of, etc.

istration, or to an office specially designated, or, lastly, directly to the office of destination, or, if the Administration in question is only concerned as an intermediary, to the office of exchange to which the article was sent.

Exceptions. 6. The foregoing provisions do not apply to cases of violation of mails, loss of mails, &c., which require a fuller correspondence between Administrations.

XXXI.

Withdrawing articles or correcting addresses.

Withdrawal of articles and correction of addresses.

1. For requests to have articles returned or reforwarded, as well as for requests to have addresses corrected, the sender must use a form in accordance with the Form I. annexed to the present regulations. In handing this application to the post-office, the sender must establish his identity and produce the certificate of posting, if there be one. The Administration of the country of origin assumes the responsibility in regard to identity, and, after its establishment, the course is as follows:—

Request by mail. 1° If the request is meant to be sent by post, the form, together with a perfect facsimile of the envelope or address of the missive, is despatched in a registered cover directly to the office of destination.

By telegraph. 2° If the request is to be made by telegraph, the form is handed over to the telegraph service, charged with the transmission of its terms to the office of destination.

Compliance. 2. On receipt of the form I. or of the telegram taking its place, the office of destination searches for the articles in question and takes such steps as may be necessary.

If, however, the case be one of an alteration of address requested by telegraph, the office of destination only retains the letter and awaits the arrival of the necessary fac-simile before complying with the request.

Notice to applicant. If the search is fruitless, or if the article has already been delivered to the addressee, or if the request by telegraph is not sufficiently explicit to admit of the identification of the article in question with certainty, the fact is at once communicated to the office of origin, which informs the applicant accordingly.

Language. 3. In the absence of any understanding to the contrary, form I is drawn up in French, or bears a sublineary translation in that language, and, in cases where the telegraph is resorted to, the telegram is sent in French.

Simple correction. 4. A simple correction of address (without modification of the name or description of the addressee) can also be claimed directly from the delivering office, that is to say, without fulfilling the formalities prescribed for the alteration of address properly so called.

Specially designated offices. 5. Any Administration can require, by notification addressed to the International Bureau, that the exchange of applications, so far as such Administration is concerned,

shall be effected through the medium of its central Administration, or of an office specially designated.

In cases where the exchange of applications is effected through the medium of the central Administrations, requests sent directly by the offices of origin to the offices of destination must be taken into account to the extent that the articles concerned shall be withheld from delivery until the arrival of the application from the central Administration.

Articles withheld from delivery.

Administrations which avail themselves of the option accorded by the first paragraph of the present clause bear the charges involved by the transmission, in their inland service, by post or by telegraph, of the communications to be exchanged with the delivering office.

Expenses.

Recourse must be had to the telegraph when the sender has himself used it, and the office of destination cannot be advised in time by post.

Use of telegraph.

XXXII.

Use of postage stamps presumed to be fraudulent.

Fraudulent stamps.

1. Subject to the regulations laid down by the laws of each country, even in cases where the provisions of the present Article do not expressly stipulate for this reservation, the undermentioned procedure is followed for reporting the use of fraudulent postage stamps for the prepayment of postage:—

Procedure in reporting use of.

(a) When the presence of a fraudulent postage stamp (counterfeit or already used), on any article whatever, is detected at the time of despatch by the Post Office of a country whose law does not require the immediate seizure of the article, the stamp is not altered in any way, and the article, enclosed in an envelope addressed to the delivering office, is forwarded officially registered.

(b) This formality is notified without delay to the Administrations of the countries of origin and destination, by means of an advice in conformity with Form K annexed to the present Regulations. A copy of that advice is, moreover, transmitted to the delivering office in the envelope which encloses the article bearing the supposed fraudulent postage stamp.

(c) The addressee is summoned in order to establish the offense.

Establishing the offense.

The delivery of the article takes place only if the addressee or his representative pays the charge due and consents to make known the name and address of the sender and to place at the disposal of the Post Office, after having taken cognisance of the contents, the entire article, if it is inseparable from the offense itself, or else the part of the article (envelope, wrapper, portion of letter, etc.), which contains the address and the stamp stated to be fraudulent.

Report.

(d) The result of the investigation is set forth in a formal report in conformity with the Form *L* annexed to the present Regulations, in which report are recorded the incidents that have happened, such as failure to appear, refusal to receive the article or to open it, or to make known the sender, etc. This document is signed by the postal official and by the addressee of the article or his representative; if the latter refuses to sign, the refusal is recorded in place of the signature.

Transmission of report.

The formal report is transmitted, with the relative vouchers, to the Postal Administration of the country of origin, which, with the aid of those documents, takes proceedings, if necessary, to repress the infringement according to its internal laws.

XXXIII.

Transit statistics.*Transit Statistics.***Settlement of transit charges.**

1. The statistics to be taken in execution of Articles 4 and 17 of the Convention for the settlement of transit charges within and outside the limits of the Union, are prepared once in every six years according to the stipulations of the following Articles, during the first twenty-eight days of the month of November or of May alternately.

The statistics of November 1907 will apply to the years 1908 to 1913 inclusive; the statistics of May 1913 will apply to the years 1914 to 1919 inclusive, and so on.

Special statistics.

2. In the event of the adhesion to the Union of a country having important relations, countries of the Union who might, by reason of that circumstance, find their position modified as regards the payment of transit charges, have the right of demanding special statistics relating exclusively to the country which has lately entered.

Division of transit charges.

3. When an important modification takes place in the movement of correspondence, and, provided that such modification affects a period or periods amounting to a total of twelve months at least, the Offices concerned come to an understanding for settling among themselves—if necessary, by means of new statistics—the division of the transit charges in proportion to the part taken by the said Offices in the conveyance of the correspondence to which these charges relate.

XXXIV.

Closed mails.*Closed mails.***Stipulations.**

1. Articles exchanged in closed mails between two Offices of the Union, or between an Office of the Union and an Office foreign to the Union, across the territory or by means of the services of one or several other Offices,

form the subject of a statement in conformity with the form *M*. attached to the present Regulations, which is filled up in accordance with the following stipulations:—

During each statistical period separate sacks or packets must be made up of “letters and post-cards” and “other articles.” These bags or packets must be provided with a label “L. C.” and “A. O.” respectively.

Making up
sacks, etc.

By way of exception to the stipulations of Article XXIV. of the present Regulations, each Administration has the option, during the statistical period, of enclosing registered articles other than letters or post cards in one of the sacks or packets intended for other articles, mentioning this fact on the letter bill; but if, in conformity with the said Article XXIV., these registered articles are enclosed in a sack or packet of letters, they are treated, so far as the weight statistics are concerned, as forming part of the letter correspondence.

Registered
articles ex-
cepted.

2. As regards mails from one Union country for another Union country, the despatching office of Exchange enters, on the letter bill for the Exchange office of destination the gross weight of the letters and post-cards and that of the other articles, without distinction of the origin or destination of the correspondence. The gross weight includes the weight of the packing, but not that of empty sacks packed in separate sacks. These entries are checked by the office of destination, which immediately informs the office of origin, by means of a Bulletin of verification, of any error in the statement of that office, amounting to a difference in weight of more than 50 grammes.

G r o s s
weight.

3. As soon as possible after the conclusion of the statistical operations, the offices of destination prepare the statements (Form *M*) making out as many copies as there are Offices concerned, including that of the place of despatch. These statements are forwarded by the offices of Exchange which have prepared them to the offices of Exchange of the debtor Office for acceptance by signature. These offices, after having accepted the statements forward them to the central Administration to which they are subordinate for distribution among the Offices concerned.

Statements.

4. As regards closed mails exchanged between a Union country and a country outside the Union, through the medium of one or several Union Offices, the offices of exchange of the Union country prepare, in respect of the mails sent or received, a statement (Form *M*) which they forward to the Office of exit or entry, and that Office prepares, at the end of the statistical period, a general statement in as many copies as there are Offices concerned, including itself and the debtor Union Office. A copy of this statement is forwarded to the debtor Office, as well as to each of the Offices which have taken part in the conveyance of the mails.

General
statement of
closed mails,
etc.

- Lists.** 5. After each statistical period, the Administrations which have despatched mails in transit send the list of such mails to the different Administrations whose services they have made use of.
- Warehousing closed mails.** 6. The mere warehousing at a port of closed mails brought by one vessel and intended to go on by another does not give rise to the payment of territorial transit charges to the Post Office of the place where the mails are warehoused.
- Mails sent or received by naval ships.** 7. It is incumbent on the Administrations of countries to which ships of war belong, to prepare statements (Form *M*), relative to the mails sent or received by such ships. These mails must, during the statistical period, bear on the labels the following indications:—
- Label indications.** (a) the nature of the contents, and the gross weight, according to the stipulations of § 1 of the present article; (b) the route followed or to be followed.
- Reforwarding.** In the event of a mail addressed to a ship of war being re-forwarded during the statistical period, the re-forwarding Office notifies the fact to the Office of the country to which the ship belongs.

XXXV.

Articles in open mail.

Articles in open-mail.

Letter bill.

1. Ordinary and registered articles as well as insured letters forwarded in open-mail during a statistical period form the subject of an entry on the letter bill, by the despatching office of exchange in the following manner:—

Articles in open-mail.	Number.
Letters	
Post-cards	
Other articles.....	

Exempted articles not included.

Articles exempt from all transit charges in accordance with the stipulations of § 8 of Article 4 of the Convention are not included in these figures.

2. The corresponding office of exchange, after verification of the entry on the letter bill, takes over the articles for despatch to destination among its own correspondence.

Errors.

3. Every error in the statement of the despatching office of exchange is reported immediately to that office by means of a verification note.

4. When no article is sent in open-mail, the despatching office enters at the head of the letter bill, the remark: "Pas de correspondances à découvert" (No articles in open-mail).

XXXVI.

*Account of transit expenses.*Transit ex-
pense account.

Procedure.

1. The number of articles forwarded in open-mail and the weight of the closed mails, both multiplied by 13, serve as the basis of special accounts determining in francs and centimes the yearly transit payments due to each Office. In cases where this multiplier does not correspond to the periodicity of the service, or when it is a question of extraordinary despatches made during the statistical period, the Administrations concerned come to an agreement for the adoption of another multiplier. The duty of preparing the account devolves on the creditor Office, which forwards them to the debtor Office. The multiplier agreed on holds good in each case for the 6 years of the same statistical period.

2. In order to take into account the weight of the sacks and packing and of the classes of articles exempt from all transit charges in conformity with the stipulations of § 8 of Article 4 of the Convention, the total amount of the account for closed mails is reduced by 10 per cent.

Articles, etc.,
exempt from
transit charges.

3. The detailed accounts are prepared, in duplicate, as nearly as possible in conformity with Forms *N*, *O*, and *P* attached to the present regulations.

Detailed du-
plicate ac-
counts.

4. The preparation and despatch of the detailed accounts should be effected with as little delay as possible, and, at the latest, before the expiration of the year following the statistical year.

Time limita-
tion.

In any case, if the Office which has sent the account has received no notice of amendments within an interval of 6 months, reckoning from the date of despatch, the account is regarded as fully accepted.

Acceptance of
accounts.

5. In the absence of any understanding to the contrary between the Administrations concerned, the general account, including the territorial and sea transit charges, is prepared by the International Bureau.

International
Bureau to pre-
pare general
account.

6. With this object, as soon as the reciprocal detailed accounts between two Administrations have been prepared, a statement (Form *Q*), showing the total amounts of these accounts is prepared by each of the two Administrations and forwarded by them without delay, and at the latest before the expiration of the second year following the statistical year, to the International Bureau.

Statement of
total amounts.

In the event of one of the Administrations not having furnished items in the time fixed above, the items of the other Administration hold good.

In the event of two Administrations having agreed between themselves to effect a special settlement the statement shall bear the inscription "Compte réglé à part—à titre d'information" (Account settled separately—for purposes of information) and shall not be included in the general account.

Special set-
tlements.

In case of difference between the corresponding items of two Administrations, the International Bureau invites them to come to an agreement, and to communicate to it the sums definitely fixed.

In the case provided for in § 4, section 2, of the present Article, the statements should bear the indication "Aucune observation de l'office déiteur n'est parvenue dans le délai réglementaire" (No comment has been received from the debtor Office within the prescribed period).

7. The International Bureau effects the suppressions provided for in Article 4, § 9, of the Principal Convention, and notifies the same to the Officers concerned.

Annual account of transit charges.

8. At the end of the first quarter of the year 1909 and of each following year, the International Bureau combines in an annual account of transit charges the statements which have reached it up to that time. This account shows:

(a) The total Debit and Credit of each Administration:

(b) The debit balance or the credit balance of each Administration, representing the difference between the total of the Debit and the total of the Credit;

(c) The sums to be paid by the Debtor Administrations;

(d) The sums to be received by the Creditor Administrations.

The totals of the two classes of balances under the letters (a) to (d) must necessarily be equal.

Reducing payments.

The International Bureau shall arrange for the number of payments to be made by the Debtor Administrations to be reduced so far as practicable.

Forwarding annual accounts.

9. The annual accounts are to be forwarded by the International Bureau to the Administrations of the Union as early as possible.

XXXVII.

Settlement of transit charges.

Settlement of transit charges.

Payment of balance in account between two countries.

1. The annual balance resulting from the account of the International Bureau is paid by the Debtor Office to the Creditor Office by means of drafts. If the Creditor Office has the franc for its monetary unit, the drafts are drawn in effective francs on a place in the Creditor country at the option of the Debtor Office. If the Creditor Office has not the franc for its monetary unit, the drafts are drawn at the option of the Debtor Office either in hard cash (francs) on Paris or on a place in the Creditor country or else in the money of the Creditor country and on a place in that country; in the latter case the Offices interested agree upon the course to be followed and, if necessary, on the rate of conversion of the balance due into the metallic currency of the Creditor country. The costs of payment are borne by the Debtor Office.

2. The payment of the annual balance must be made with as little delay as possible and at latest before the expiration of a period of 3 months after the receipt of the liquidation account in the case of countries in Europe and of 4 months in the case of other countries. If this period is exceeded the sums due by one Office to another Office are chargeable with interest, at the rate of 5 per cent. per annum, from the date of the expiration of the period of grace mentioned.

Payment of annual balance.

Interest.

XXXVIII.

Division of the expenses of the International Bureau.

Expenses of International Bureau.

1. The ordinary expenses of the International Bureau must not exceed the sum of 125,000 francs annually, irrespective of the special expenses to which the meeting of a Congress or of a Conference gives rise.

Maximum, ordinary expenses.

2. The Swiss Postal Administration supervises the expenses of the International Bureau, makes the necessary advances, and prepares the annual account, which is communicated to all the other Administrations.

Advances, etc.

3. For the apportionment of the expenses, the countries of the Union are divided into seven classes, each contributing in the proportion of a certain number of units, viz:

Apportionment.

1st class	-----	25 units.
2nd	“ -----	20 “
3rd	“ -----	15 “
4th	“ -----	10 “
5th	“ -----	5 “
6th	“ -----	3 “
7th	“ -----	1 unit.

4. These co-efficients are multiplied by the number of countries of each class, and the total of the products thus obtained furnishes the number of units by which the whole expense is to be divided. The quotient gives the amount of the unit of expense.

Unit of expenses.

5. The countries of the Union are classified as follows, in view of the division of expenses:

Classification of countries.

1st class: Germany, Austria, United States of America, France, Great Britain, Hungary, British India, Commonwealth of Australia, Canada, the British Colonies and Protectorates of South Africa, the whole of the other British Colonies and Protectorates, Italy, Japan, Russia, Turkey.

2nd class: Spain.

3rd class: Belgium, Brazil, Egypt, Netherlands, Roumania, Sweden, Switzerland, Algeria, French Colonies and Protectorates in Indo-China, the whole of the other French Colonies, the whole of the insular possessions of the United States of America, Dutch East Indies;

4th class: Denmark, Norway, Portugal, Portuguese Colonies in Africa, the whole of the other Portuguese Colonies;

5th class: Argentine Republic, Bosnia-Herzegovina, Bulgaria, Chili, Colombia, Greece, Mexico, Peru, Servia, Tunis;

6th class: Bolivia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Hayti, Republic of Honduras, Luxemburg, Republic of Nicaragua, Republic of Panama, Paraguay, Persia, Republic of Salvador, Kingdom of Siam, Uruguay, Venezuela, German Protectorates in Africa, German Protectorates in Asia and Australasia, Danish Colonies, Colony of Curaçao (or Dutch West Indies), Colony of Surinam (or Dutch Guiana);

7th class: Congo Free State, Corea, Crete, Spanish Establishments in the Gulf of Guinea, the whole of the Italian Colonies, Liberia, Montenegro.

XXXIX.

Correspondence with International Bureau.

Communications to be addressed to the International Bureau.

- Notifications. 1. The International Bureau serves as the medium for regular notifications of a general kind concerning international relations.
- Information for Union countries. 2. The Administrations belonging to the Union must communicate to each other specially through the medium of the International Bureau:
- Surcharges, etc. 1° The particulars of the surcharges which, by virtue of Article 5 of the Convention, they levy in addition to the Union rate, whether for sea postage or for expenses of extraordinary conveyance, as well as a list of the countries in relation to which these surcharges are levied, and, if needful, the designation of the routes giving rise to the surcharges;
- Sets of stamps. 2° Three complete sets of their postage stamps, with an indication, when the case arises, of the date on which postage stamps of previous issues cease to be valid;
- Use of option. 3° Notice whether they mean to use the option left to Administrations to apply or not to apply certain general stipulations of the Convention and of the present Regulations;
- Reduced rates. 4° The reduced rates which they have adopted either in virtue of special arrangements concluded under Article 21 of the Convention, or in execution of Article 20 of the Convention, and a statement of the relations in which these reduced rates are applicable;
- List of prohibited articles, etc. 5° The list of articles prohibited from importation or from transit and of those which are admitted conditionally to conveyance in their respective services. This list must show separately the articles in question according to the mode of conveyance, namely:
- (a) by "letter post" (letters, printed papers, samples);

(b) by "parcel post" (in relations between participating or nonparticipating countries); and

(c) optionally under another form (by the medium of postal administrations or of other carrying agencies).

3. Every modification subsequently introduced, in regard to one or other of the five points above mentioned, must be notified without delay in the same manner. Modifications to be notified.

4. The International Bureau receives besides from all the Administrations of the Union two copies of all the documents which they publish, whether relating to the inland service or to the international service. Documents.

XL.

General Statistics.

1. Every Administration sends to the International Bureau, at the end of the month of July in each year, as complete a series as possible of statistical returns relating to the preceding year, arranged in tables in conformity with or analogous to the forms *R* and *S* annexed. General statistics.
Annual returns.

2. Those services in which each transaction is recorded are dealt with in periodical statements based upon the entries made. Periodical statements.

3. With regard to all other transactions, every year a count is made in bulk of correspondence of all kinds without distinction between letters, post cards, printed papers, commercial papers and samples of merchandise, and every three years, at latest, a count of the different classes of correspondence. Periodical counts.

The statistics are taken for daily exchanges during one week, from the second Thursday of October, and for exchanges not daily during four weeks from the first of the same month.

In the interval which elapses between the special statistics the estimate of the different classes is made on the basis of the proportionate figures derived from the preceding special statistics.

4. To the International Bureau is entrusted the duty of printing and distributing the statistical forms to be filled up by each Administration, and of furnishing to any Administrations on application all necessary information as to the rules to be followed, in order to ensure, as far as possible, uniformity of practice in taking the statistics. Printing, etc., of statistical forms.

XLI.

Duties of the International Bureau.

1. The International Bureau prepares general statistics for each year. Duties of International Bureau.
Preparation of statistics.

2. It publishes, by the aid of the documents which are put at its disposal, a special journal in the German, English and French languages. Special Journal.

Summary of notifications, etc. 3. The International Bureau publishes, in accordance with information furnished in virtue of the stipulations of the foregoing article XXXIX an official summary of all the notifications of general interest concerning the execution of the Convention and the present Regulations in each country of the Union. Subsequent modifications are made known by means of half-yearly supplements. In urgent cases, however, when an Administration expressly demands the immediate publication of a change brought about in its service, the International Bureau makes it the subject of a special circular.

Summaries of special arrangements. Similar summaries concerning the execution of the special arrangements of the Union may be published by the International Bureau at the request of the Administrations participating in those arrangements.

Distribution of documents. 4. All the documents published by the International Bureau are distributed to the Administrations of the Union, in the proportion of the number of contributing units assigned to each by the foregoing Article XXXVIII.

Additional copies. 5. Any additional copies and documents which may be applied for by these Administrations are paid for separately at prime cost.

Special information. 6. The International Bureau must moreover hold itself always at the disposal of members of the Union for the purpose of furnishing them with any special information they may require upon questions relating to the international postal service.

Modifications. 7. The International Bureau makes known demands for the modification or interpretation of the stipulations which regulate the Union. It notifies the results of each application, and no modification or resolution adopted is binding until three months at least after its notification.

Accounts. 8. The International Bureau effects the balance and liquidation of accounts of every description between the Administrations of the Union which declare their wish to use that Bureau as a medium under the conditions laid down by Article XLII following.

Congresses and conferences. 9. The International Bureau prepares the business to be submitted to Congresses or Conferences. It undertakes the necessary copying and printing, the editing and distribution of amendments, minutes of proceedings, and other information.

Director. 10. The Director of the International Bureau attends the sittings of the Congresses or Conferences, and takes part in the discussions, but without the power of voting.

Annual report. 11. On the subject of his proceedings he makes an annual report, which is communicated to all the Administrations of the Union.

Language. 12. The official language of the International Bureau is the French language.

13. It is the duty of the International Bureau to publish an alphabetical dictionary of all the Post Offices of the world, with special indication of such of those Offices as undertake services which have not yet become general. That dictionary is kept up to date by means of supplements or in any other manner which the International Bureau shall consider suitable.

Post-office directory.

The dictionary mentioned in the present paragraph is issued at prime cost to the Administrations which apply for it.

Cost.

14. It is the duty of the International Bureau to arrange for the manufacture and supply of the reply coupons provided for in Article 11 of the Principal Convention, as well as to prepare and liquidate the accounts connected with this service specified in Article VII of the present Regulations.

Manufacture and supply of reply coupons, etc.

XLII.

Central office of settlement and liquidation of accounts between the Administrations of the Union.

Central office of accounts.

1. It is the duty of the International Bureau of the Universal Postal Union to effect the balance and liquidation of accounts of every description relative to the international postal service between Administrations of countries of the Union which have the franc for their monetary unit, or which are agreed on the rate of conversion of their money into francs and centimes (specie).

Liquidation, etc.

The Administrations which intend to claim for this service of liquidation the assistance of the International Bureau, arrange accordingly with each other and with the Bureau.

Notwithstanding its adhesion, each Administration retains the right of preparing at will special accounts for different branches of the service, and of effecting the settlement of them at its own convenience with the corresponding Administrations, without employing the medium of the International Bureau, to which, according to the tenor of the preceding paragraph, it merely indicates for what branches of the service and in respect of what countries it applies the help of the Bureau.

Special accounts.

At the request of the Administrations concerned, telegraph accounts can also be notified to the International Bureau to be included in the setting-off of balances.

Telegraph accounts.

Administrations which have used the medium of the International Bureau for the balancing and liquidation of accounts may cease to use that medium three months after giving notice to the said Bureau to that effect.

Discontinuance of service of central office.
Notice.

2. After the detailed accounts have been checked and agreed upon, the Debtor Administrations transmit to the Creditor Administrations, for each class of operations, an acknowledgment made out in francs and centimes, of

Debt acknowledgment.

the amount of the balance of the two detailed accounts, indicating the object of the credit and the period to which it relates.

- Money orders.** As regards money order business, however, the acknowledgment must be transmitted by the Debtor Office as soon as it has prepared its own detailed account, and has received the detailed account of the corresponding Office, without waiting for verification of details. The discrepancies subsequently brought to light are adjusted in the first account which offers.
- General accounts.** In the absence of any understanding to the contrary, an Administration desiring for its own accounting purposes, to have general accounts, has to prepare them itself and to submit them to the corresponding Administration for acceptance.
- Other systems.** Administrations may come to an understanding for the adoption of another system in their relations.
- Monthly and quarterly accounts.** 3. Each Administration addresses monthly or quarterly, if special circumstances render it desirable, to the International Bureau a table showing the total Credit due to it on the individual accounts, as well as the total of the sums which are due to it from each of the contracting Administrations; each credit appearing in this table must be substantiated by an acknowledgment from the indebted Office.
- Time limit.** This table should reach the International Bureau not later than the 19th of each month or of the first month of each quarter, otherwise its liquidation is liable to be deferred until the month or the quarter following.
- Comparisons.** 4. The International Bureau ascertains, by comparing the acknowledgments, if the tables are correct. Every correction that is necessary is notified to the Offices concerned.
- Summary of debits.** The Debit of each Administration to another is carried forward into a summary; and in order to arrive at the total amount owing by each Administration, it suffices to add up the different columns of this summary.
- General balance sheet.** 5. The International Bureau combines the tables and the summaries in one general balance sheet showing:

 - (a) The total of the Debit and of the Credit of each Administration;
 - (b) The balance against or in favour of each Administration, representing the difference between the total of the Debit and the total of the Credit;
 - (c) The sums to be paid by some of the members of the Union to a single Administration, or, reciprocally, the sums to be paid by the latter to the former.
- Total of balances.** The totals of the two categories of balances under *a* and *b* must of necessity be equal.
- Payments.** It shall be arranged, as far as possible, that each Administration, in order to liquidate its debts, shall have to make only one or two distinct payments.

Nevertheless, an Administration which habitually finds a sum exceeding 50,000 francs due to it from another Administration has the right to claim remittances on account. Remittances on account.

These remittances on account are entered, both by the creditor Administration and by the debtor Administration, at the foot of the tables to be forwarded to the International Bureau (*see* § 3).

6. The acknowledgments (*see* § 3) transmitted to the International Bureau with the tables are classified according to the different Administrations. Classification of acknowledgments, etc.

They serve as the basis for settling the accounts of each of the Administrations concerned. In this settlement there should appear: Settlements.

(a) The sums relating to the special accounts concerning the different exchanges;

(b) The total of the sums resulting from all the special accounts with respect to each of the Administrations concerned;

(c) The totals of the sums due to all the Creditor Administrations on account of each branch of the service, as well as their general total.

This total should be equal to the total of the Debit which appears in the summary.

At the foot of the account, the balance is prepared between the total of the Debit and the total of the Credit resulting from the tables forwarded by the Administrations to the International Bureau (*see* § 3). The net amount of the Debit or of the Credit should be equal to the debit balance or to the credit balance carried into the general balance sheet. Moreover, the account determines the manner of settlement, that is to say, it indicates the Administrations to which payment must be made by the Administration indebted.

The accounts must be transmitted to the Administrations interested by the International Bureau not later than the 22nd of each month. Transmission of accounts.

7. Payment of the sums due, in virtue of an account, from one Administration to another, must be effected as soon as possible and at the latest a fortnight after receipt of the account by the debtor Administration. As regards other conditions of payment the stipulations of § 1 of the preceding Article XXXVII hold good. The stipulations of § 2 of the said Article are, if the case arise, applicable in case of non-payment of the balance within the fixed period. Payments.

Debit or credit balances not exceeding 500 francs can be carried forward to the settlement of the following month, provided, however, that the Administrations concerned are in monthly communication with the International Bureau. The amount brought forward is entered in the summaries and in the accounts for the Creditor and Debtor Administrations. The Debtor Ad- Account of balances.

ministration furnishes, in such case, to the Creditor Administration an acknowledgment of the sum due, to be carried into the next table.

XLIII.

Language.

French language to be used.

1. The letter bills, tables, statements, and other forms used by the Administrations of the Union in their reciprocal relations must be drawn up in the French language, with or without an interlineary translation in another language, unless the Administrations concerned arrange otherwise by direct agreement.

Official correspondence.

2. As regards official correspondence, the present state of things is maintained, unless any other arrangement should subsequently be arrived at by common consent between the Administrations concerned.

XLIV.

Jurisdiction of the Union.

Jurisdiction of the Union.

1. The following are considered as belonging to the Universal Postal Union:—

1° The German Post Offices established in China and in Morocco, as subordinate to the Postal Administration of Germany;

2° The Principality of Lichtenstein, as subordinate to the Postal Administration of Austria;

3° Iceland and the Farøe islands, as forming part of Denmark;

4° The Spanish possessions on the North Coast of Africa, as forming part of Spain; the Republic of Andorra, and the postal establishments of Spain in Morocco, as subordinate to the Postal Administration of Spain;

5° The Principality of Monaco and the French Post Offices established in Morocco and in China, as subordinate to the Postal Administration of France;

6° The Post Offices which the Administration of the French Colonies and Protectorates of Indo-China maintains in China, as subordinate to that Administration;

7° The postal agencies which the Postal Administration of Gibraltar maintains in Morocco;

8° The Post Offices which the Administration of the British Colony of Hong Kong maintains in China;

9° The Indian postal establishments of Aden, Muscat, the Persian Gulf, and Guadur, as subordinate to the Postal Administration of British India;

10° The Republic of San Marino and the Italian Post Office at Tripoli in Barbary, as subordinate to the Postal Administration of Italy;

11° The Post Offices which the Japanese Administration has established in China;

12° The Grand Duchy of Finland, as forming an integral part of the Empire of Russia, the Russian Post Offices established in China, as subordinate to the Russian Postal Administration;

13° Basutoland, as subordinate to the Postal Administration of the Colony of the Cape of Good Hope;

14° Walfisch Bay, as forming part of the Colony of the Cape of Good Hope;

15° The Norwegian Post Office established at Advent Bay on the west of Spitzbergen as subordinate to the Administration of Posts of Norway.

2. In the interval which elapses between the meetings, the Administrations of Union countries opening in countries foreign to the Union Post Offices which are to be regarded as belonging to the Union, communicate the fact to the Administrations of all the other Union countries, through the medium of the International Bureau.

Notice of new post offices on countries foreign to the Union, etc.

XLV.

Proposals made in the interval between meetings.

1. In the interval which elapses between the meetings, the Postal Administration of every country of the Union has the right of addressing to the other participating Administrations, through the medium of the International Bureau, proposals concerning the present Regulations.

Proposals concerning the Regulations.

2. Every proposal is subject to the following procedure:—

Procedure.

A period of six months is allowed to Administrations to examine the proposals and communicate their observations, if any, to the International Bureau. Amendments are not admitted. The answers are tabulated by the International Bureau and communicated to the Administrations with an invitation to express themselves for or against. The Administrations which have not declared their votes within a period of six months, counting from the date of the second circular of the International Bureau notifying to them the observations made, are regarded as abstaining.

3. In order to become binding the proposals must obtain—

Votes necessary.

1° Unanimity of votes, if they relate to the addition of new stipulations or to the modification of the stipulations of the present Article and of Articles III, IV, VIII, XIII, XXXI, XXXII, XXXIII, XXXVII, and XLVI.

Unanimity.

2° Two thirds of the votes, if they relate to the modification of the stipulations of Articles I, II, V, VI, XI, XII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXII,

Two thirds.

XXV, XXVI, XXVII, XXXVI, XL, XLII, XLIII,
and XLIV.

Majority. 3° Simply an absolute majority, if they relate to the modification of stipulations other than those indicated above, or to the interpretation of the various provisions of the Regulations, except in the case of litigation contemplated by Article 23 of the Convention.

Notification. 4. Resolutions adopted in due form are made binding by a simple notification from the International Bureau to all the Administrations of the Union.

Effect. 5. No modification or resolution adopted is binding until at least three months after its notification.

XLVI.

Duration of regulations.

Duration of the Regulations.

The present Regulations shall be put into execution on the day on which the Convention of the 26th of May 1906 comes into force. They shall have the same duration as that Convention, unless they be renewed by common consent between the parties concerned.

Signatures. Done at Rome, the 26th of May 1906.
(Here follow signatures.)

ANNEXES.

[No official translation of all into English has been made.]

[Form A.]

A

COUPON-RÉPONSE INTERNATIONAL

(a).....

(c)

Timbre
du bureau
d'origine

(Dessin)

Timbre
du bureau
d'échange

(d) Ce coupon peut être échangé contre un timbre-poste de la valeur de 25 centimes ou de l'équivalent de cette somme, dans les pays qui ont adhéré à l'Arrangement.

(Nom du pays d'émission.)

- (a) Traduction de l'entête dans la langue du pays d'émission.
- (b) Prix de vente dans le pays d'émission.
- (c) Cet espace est occupé par une traduction du texte (d) dans la langue du pays d'émission.
- (d) Cette explication est répétée au verso dans les langues de plusieurs pays.

[Form B.]

B

R

L A U S A N N E

No. 1460.

[Form C.]

C

Timbre du bureau expéditeur.



Administration de

AVIS DE RÉCEPTION

d'une lettre avec valeur déclarée de } enregistré au bureau
d'un objet recommandé (.....) (1) } sous le n° (2)
de le
expédié par M à
et adressé à M
(adresse complète)

Le soussigné déclare {qu'une lettre avec valeur déclarée} à l'adresse susmentionnée et provenant
Timbre du bureau {qu'un objet recommandé} distributeur.



de a été dûment
livré le 19..

du destinataire,

Signature (3) de l'agent du bureau distributeur,

.....

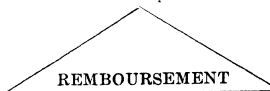
(1) Nature de l'objet (lettre, échantillon, imprimé, etc.).

(2) Bureau d'origine; date de dépôt à ce bureau; n° d'enregistrement au même bureau.

(3) NOTA.—Cet avis doit être signé par les destinataires ou, si les règlements du pays de destination le comportent, par l'agent du bureau distributeur, puis être mis sous enveloppe et envoyé, par le premier courrier, au bureau d'origine de l'objet qu'il concerne

[Form D.]

D



E (*verso*)

II. LISTE DES DÉPÊCHES CLOSES INSÉRÉES DANS LA PRÉSENTE DÉPÊCHE.

Bureaux d'origine. 1	Bureaux de destination. 2	Nombre des dépêches closes. 3	Observations. 4

RECOMMANDATIONS D'OFFICE

..... sacs vides en retour, dont à dépêches et pour objets recommandés.

(L'employé du bureau d'échange expéditeur.)

(L'employé du bureau d'échange destinataire.)

[Form F.]

F

Timbre du bureau expéditeur.

BULLETIN DE VÉRIFICATION

Timbre du bureau destinataire.

Administration des postes

Correspondance avec l'office

d d

pour la rectification et la constatation des erreurs et irrégularités de toute nature reconnues dans la dépêche du bureau d'échange d

pour le bureau d'échange d

..... expédition du 190 .., à ... h ... du

ERREURS OU IRRÉGULARITÉS DIVERSES.

(Manque de la dépêche, manque d'objets recommandés ou de la feuille d'avis, dépêche spoliée, lacérée ou en mauvais état, etc.)

A, le 190..

Les employés du bureau d'échange destinataire,

.....

A, le 190..

Vu et accepté:

Le chef du bureau d'échange expéditeur,

.....

[Form G.]
G (recto)

Timbre du bureau expéditeur.

Administration des postes
d.....
Bureau d.....



RENSEIGNEMENTS À FOURNIR EN CAS DE RÉCLAMATION D'UN OBJET DE CORRESPONDANCE ORDINAIRE NON PARVENU.

I. PAR LE RÉCLAMANT (EXPÉDITEUR OU DESTINATAIRE).

Demandes.	Réponses.
<p>a. Nature de l'envoi (lettre, carte postale, journal ou autre imprimé, échantillon ou paquet de papiers d'affaires). b. Quelle était l'adresse de l'envoi? c. Quelle est l'adresse exacte du destinataire? d. L'envoi était-il volumineux? e. Que renfermait-il? (Signalement aussi exact et complet que possible). f. Date précise ou approximative du dépôt à la poste. g. Nom et domicile de l'expéditeur. h. En cas de recherches fructueuses, à qui, de l'envoyeur ou du destinataire, doit-on faire parvenir l'envoi réclamé?</p>	

II. PAR L'EXPÉDITEUR.

<p>i. Était-il affranchi et, dans l'affirmative, quelle était la valeur des timbres-poste apposés? j. Date et heure du dépôt à la poste. k. Le dépôt a-t-il eu lieu au guichet ou à la boîte? Dans ce dernier cas, à quelle boîte? l. Le dépôt a-t-il été effectué par l'envoyeur lui-même ou par un tiers? Dans ce dernier cas, par quelle personne?</p>	
<p>m. Renseignements particuliers du bureau d'origine. n. Renseignements du 1^{er} bureau intermédiaire. o. Renseignements du 2^e bureau intermédiaire. La présente formule doit être renvoyée à</p>	

G (verso)

Timbre du bureau expéditeur.

Administration des postes
d.....
Bureau d.....



III. RENSEIGNEMENTS À FOURNIR PAR LE DESTINATAIRE EN CAS DE RÉCLAMATION D'UN OBJET DE CORRESPONDANCE ORDINAIRE NON PARVENU.

Demandes.	Réponses.
<p>p. L'envoi est-il parvenu au destinataire? q. Les correspondances sont-elles d'ordinaire retirées au bureau de poste ou distribuées à domicile? r. A qui sont-elles confiées dans le premier cas? s. Dans le second cas, sont-elles remises directement au destinataire ou à une personne attachée à son service; ou bien déposées dans une boîte particulière? Le cas échéant, cette boîte est-elle bien fermée et régulièrement levée? t. La perte des correspondances s'est-elle déjà produite souvent? Dans le cas affirmatif, indiquer d'où provenaient les correspondances perdues. u. Renseignements particuliers du bureau de destination.</p>	

La présente formule doit être renvoyée à

[Form H.]

H (*recto*)

Administration de.....
Bureau de

Timbre du bureau
d'origine.



RÉCLAMATION

A remplir dans le service d'origine. { d'un objet recommandé (.....) (a)
ou d'un envoi de valeur déclarée de (.....) (b)
contenant (.....) (c)
déposé par M. le
sous le N° au bureau de à l'adresse
suivante:
.....
..... (d)
et faisant l'objet d'une demande d'avis de réception. (e)

L'envoi désigné ci-dessus a été expédié dans la dépêche du bureau d'échange de
du 19 (..... ° envoi) pour le bureau d'échange de
Il a été inscrit sous le N° du tableau I de la feuille d'avis.
de la feuille d'envoi N.

A remplir dans le service de destination. { en cas de distribution. { Le soussigné déclare que l'envoi susmentionné a été dûment livré à l'ayant droit le
.....
Le chef du bureau distributeur,
.....

Timbre du bureau
distributeur.



en cas de non-distribution. { Le soussigné déclare que l'envoi susmentionné
est encore en instance au bureau de
a été renvoyé au bureau d'origine le
a été réexpédié le à
n'est pas parvenu au bureau de destination.
Le chef du bureau de destination,
.....

Timbre du bureau
de destination.



- (a) Lettre, échantillon, imprimé, &c.
- (b) Lettre ou boîte.
- (c) Description du contenu autant que possible.
- (d) Cadre à remplir par l'expéditeur ou, à défaut, par le bureau d'origine.
- (e) Biffer, le cas échéant.

H (*verso*)

A remplir dans les services intermédiaires

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange de
 du 19..... (.....° envoi) pour le bureau d'échange
 de
 Il a été inscrit sous le N° { du tableau I de la feuille d'avis.
 { de la feuille d'envoi.

Signature

Timbre à date.

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange de
 du 19..... (.....° envoi) pour le bureau d'échange
 de
 Il a été inscrit sous le N° { du tableau I de la feuille d'avis.
 { de la feuille d'envoi.

Signature

Timbre à date.

L'envoi désigné d'autre part a été inséré dans la dépêche du bureau d'échange de
 du 19..... (.....° envoi) pour le bureau d'échange
 de
 Il a été inscrit sous le N° { du tableau I de la feuille d'avis.
 { de la feuille d'envoi.

Signature

Timbre à date.

RÉPONSE DÉFINITIVE

de l'Office de destination ou, le cas échéant, de l'Office intermédiaire qui ne peut établir la transmission régulière de l'envoi réclamé à l'Office suivant.

[Form I.]

I (*recto*)Administration des postes
de

DEMANDE DE RETRAIT OU DE RECTIFICATION D'ADRESSE.*

RÉCLAMATION PAR VOIE POSTALE.

(Note à transmettre sous pli recommandé et aux frais du réclamant.)

I. DEMANDE DE RETRAIT.

Prière de renvoyer au bureau (d'origine) pour être remis à l'expéditeur, l.....
(nature de l'objet) adressé à votre bureau le 190.. et dont la suscription est conforme au
fac-similé ci-joint.

A, le 190..

Timbre du bureau:

Le des postes,
.....

II. DEMANDE DE RECTIFICATION D'ADRESSE.

Prière de substituer (telle indication) à (telle autre indication) sur la
suscription de l..... (nature de l'objet) adressé à votre bureau le 190.. du bureau
de et dont la suscription est conforme au fac-similé ci-joint.

A, le 190..

Timbre du bureau:

Le des postes,
.....

* Biffer le recto ou le verso, suivant le cas.

I (*verso*)

RÉCLAMATION PER VOIE TÉLÉGRAPHIQUE.

(Télégramme aux frais du réclamant.)

I. DEMANDE DE RETRAIT.

Renvoyer à l'origine (tel objet) adressé (ce jour ou le) à M. (Adresse exacte du destinataire).
 Griffe: (Situation et description).
 Cachet (Description).
 Suscription (Format et couleur de l'envoi).
 Particularité: (Annotations et signes de toute nature).

Timbre du bureau:



(Signature)

.....
 Receveur des postes.

II. DEMANDE DE RECTIFICATION D'ADRESSE.*

Substituer (telle indication) à (telle autre indication) sur l'adresse de l..... (nature de l'objet) expédié..... (ce jour ou le) à votre bureau pour M (Adresse exacte du destinataire).
 Griffe: (Situation et description).
 Cachet (Description).
 Suscription (Format et couleur de l'envoi).
 Particularité: (Annotations et signes de toute nature).

Timbre du bureau:



(Signature)

.....
 Receveur des postes.

*N. B.—Il ne peut être satisfait à cette demande qu'après réception du fac-similé par la poste.

[Form K.]

Administration des postes
 d.....

K.

Bureau
 d.....
 Département ou province
 d.....

AVIS DE L'ENVOI.

SOUS RECOMMANDATION D'OFFICE, DE L'OBJET DE CORRESPONDANCE DÉCRIT CI-APRÈS PARRAISANT REVÊTU D'UN TIMBRE-POSTE FRAUDULEUX.

Nature de l'objet.	Bureau d'origine et date d'expédition.	Copie textuelle de l'adresse.	Indication du timbre-poste présumé frauduleux (valeur).	Observations.
1.	2.	3.	4.	5.

Timbre du bureau expéditeur.



..... des postes

[Form L.

L

Timbre à date du bureau de destination.



Administration des postes
d.....

PROCÈS-VERBAL

dressé à par application de l'article 18 de la Convention de l'Union postale universelle et de l'article XXXII du Règlement d'exécution de cette Convention.

EMPLOI D'UN TIMBRE-POSTE FRAUDULEUX.

L'an mil neuf cent le Nous soussigné des postes à agissant en vertu de l'article 18 de la Convention de l'Union postale universelle et de l'article XXXII du Règlement d'exécution de cette Convention, et assistant à la vérification d'¹ expédié le de à l'adresse de M. pesant et affranchi à raison de avons constaté que cet envoi était revêtu d'un timbre-poste présumé frauduleux, ce qui constitue la contravention prévue par l'article 18 de la Convention précitée.

Le destinataire nous a déclaré² { qu'il refusait de faire connaître l'expéditeur
que l'expéditeur lui est inconnu
que l'expéditeur est M.³

..... En conséquence, nous lui avons remis nous avons saisi à l'effet de les transmettre à l'Administration des postes de De quoi nous avons dressé le présent procès-verbal en simple expédition pour qu'il y soit donné suite conformément à l'article 18 de la Convention et à l'article XXXII du Règlement susmentionnés. Signature du destinataire ou du fondé de pouvoirs. Signature d'..... des postes.

¹ Nature de l'envoi (lettre, échantillon, imprimé, papiers d'affaires, etc.).

² Biffer, suivant le cas, l'une ou l'autre de ces indications.

³ Nom et adresse du contrevenant (s'il habite une grande ville, indiquer la rue et le numéro de la maison).

[Form M.]

M

Office expéditeur Office destinataire

TRANSIT EN DÉPÊCHES CLOSES.

Dépêches du bureau d'échange d..... pour le bureau d'échange d..... expédiées par l'intermédiaire d.....

Dates	Première dépêche du bureau d'échange d..... pour le bureau d'échange d.....		Deuxième dépêche du bureau d'échange d..... pour le bureau d'échange d.....		Troisième dépêche du bureau d'échange d..... pour le bureau d'échange d.....	
	Poids brut		Poids brut		Poids brut	
	Lettres et cartes postales	Autres objets	Lettres et cartes postales	Autres objets	Lettres et cartes postales	Autres objets
	Grammes	Grammes	Grammes	Grammes	Grammes	Grammes
Totaux.....						

A le 19.. A le 19..
Le chef du bureau d'échange destinataire, Vu et accepté:
Le chef du bureau d'échange expéditeur,

[Form N.]

N

TRANSIT EN DÉPÊCHES CLOSES

Compte des sommes dues à pour le transport des dépêches closes expédiées par en transit par les services pendant l'année 19..

Bureaux d'origine	Bureaux de destination	Pois des dépêches dans la période de la statistique		Multiplié par	Poids pour l'année	Prix de transit par kilog.		Avoir de		Observations	
		Lettres et cartes postales	Autres objets			Fr.	c.	Fr.	c.		
		Grms.	Grms.	13	Grammes						
Total											
A déduire 10 pour cent											
Total à reporter au relevé (Formule Q)											

[Form O.]

O

Office expéditeur.

Office destinataire réexpéditeur.

TRANSIT À DÉCOUVERT.

Relevé des correspondances transmises à découvert dans les dépêches du bureau de pour le bureau de expédiées pendant les 28 premiers jours du mois de à h. du

Dates.	Nombre de		
	Lettres	Cartes postales	Autres objets
Totaux			

[Form R.]

R

TABLEAU STATISTIQUE DU
ANNÉE

Année	I.		II. ORGANISATION DES POSTES.										
	Superficie en kilomètres carrés	Nombre des habitants (d'après le recensement de....)	Nombres des bureaux de poste						A l'étranger	Total des bureaux de poste	Nombre des administrations des postes régionales	Nombre des boîtes aux lettres à l'usage du public	
			à l'intérieur									établies aux bureaux de poste dans les villes et localités pourvues d'un bureau de poste	établies dans les communes rurales
			Bureaux chargés de la réception et de la distribution des envois de poste de toute nature	Bureaux dont les attributions de réception et de distribution d'envois de poste sont restreintes	Autres bureaux établis pour l'expédition de malles	Bureaux ambulants, comptés d'après le nombre des convois de chaque route accompagnés de bureaux de poste							
1	2	3	4	5	6	7	8	9	10	11	12		

II. ORGANISATION

Année	Relais de la poste aux chevaux			Chevaux de trait, etc.				Voitures et traîneaux			
	de l'Etat	privés	Total	de l'Etat	privés		Total	de l'Etat	privés		Total
					Services gratuits	Services subventionnés			Services gratuits	Services subventionnés	
	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre	Nombre
29	30	31	32	33	34	35	36	37	38	39	

III. SERVICE

Année	Envois soumis à la taxe								
	Lettres				Cartes postales		Imprimés	Papiers d'affaires	Echantillons de marchandises
	affranchies	non affranchies	simples	avec réponse payée	simples	avec réponse payée			
	Nombre	Nombre	Nombre.	Nombre	Nombre	Nombre	Nombre	Nombre	
48		49	50	51	52	53	54	55	
	Service intérieur.....								
	Service international:								
	(a) Réception.....								
	(b) Expédition.....								
	(c) Transit.....								

Dec. 3, 1903. *International Sanitary Convention, 1903. Signed at Paris December 3, 1903; ratification advised by the Senate March 1, 1905; ratified by the President of the United States August 2, 1905; ratifications deposited with the Government of the French Republic April 6, 1907; proclaimed May 18, 1907.*

35 Stat. L.,
pt. 2, p. 1770.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an International Sanitary Convention was concluded and signed on December 3, 1903, by the Plenipotentiaries of the United States of America, Germany, Austria-Hungary, Belgium, Brazil, Spain, France, Great Britain, Greece, Italy, Luxemburg, Montenegro, the Netherlands, Persia, Portugal, Roumania, Russia, Servia, Switzerland, and Egypt, the original of which Convention, in the French language is word for word as follows:

[Translation.]

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire; His Majesty the Emperor of Austria, King of Bohemia, and Apostolic King of Hungary, etc.; His Majesty the King of the Belgians; the President of the Republic of the United States of Brazil; His Majesty the King of Spain; the President of the United States of America; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland, and of British territories beyond the seas, and Emperor of India; His Majesty the King of the Hellenes; His Majesty the King of Italy; His Royal Highness the Grand Duke of Luxemburg; His Royal Highness the Prince of Montenegro; Her Majesty the Queen of the Netherlands; His Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves; His Majesty the King of Roumania; His Majesty the Emperor of all the Russias; His Majesty the King of Servia; the Swiss Federal Council, and His Highness the Khedive of Egypt, acting within the limits of the powers conferred upon him by the imperial firmans,

Having deemed it expedient to establish in a single arrangement the measures calculated to safeguard the public health against the invasion and propagation of plague and cholera, and desiring to revise and supple-

ment the international sanitary conventions at present in force, have appointed as their plenipotentiaries, to wit:

His Majesty the Emperor of Germany, King of Prussia, ^{Plenipotentiaries.}

Count de Groeben, Counselor of Legation and First Secretary in the Imperial Embassy of Germany at Paris;

M. Bumm, Superior Privy Government Counselor, Member of the Board of Health of the Empire;

Doctor Gaffky, Privy Medical Counselor of the Grand Duchy of Hesse and Professor at the University of Giessen, Member of the Board of Health of the Empire;

Doctor Nocht, Physician of the Port of Hamburg, Member of the Board of Health of the Empire;

His Majesty the Emperor of Austria, King of Bohemia, etc., etc., and Apostolic King of Hungary,

M. le Chevalier Alexandre de Suzzara, Chief of Section in the Imperial and Royal Ministry of Foreign Affairs, Commander of the Order of Francis Joseph, Third-class Knight of the Order of the Iron Crown;

M. Noël Ebner d'Ebenthal, President of the Imperial and Royal Maritime Department at Triest, Knight of the Orders of Leopold and Francis Joseph;

M. Joseph Daimer, Counselor in the Imperial and Royal Ministry of the Interior, Third-class Knight of the Order of the Iron Crown, Knight of the Order of Francis Joseph;

M. Kornel Chyzer, Counselor in the Hungarian Ministry of the Interior, Knight of the Orders of Leopold and Francis Joseph;

M. Ernest Roediger, Counselor of Section;

His Majesty the King of the Belgians,

M. Beco, Chief Clerk of the Ministry of Agriculture, in charge of the general direction of the public health and hygienic service, Commander of the Order of Leopold, decorated with the Civic Cross of the third class;

The President of the Republic of the United States of Brazil,

M. G. de Piza, his Envoy Extraordinary and Minister Plenipotentiary near the President of the French Republic;

His Majesty the King of Spain,

M. Fernand Jordan de Urries y Ruiz de Arana, Marquis de Novallas, Chamberlain of His Majesty, First Secretary of the Royal Embassy of Spain at Paris, Commander of the Order of Charles III;

The President of the United States of America,

Dr. H. D. Geddings, Assistant Surgeon General of the Medical Service and of the Marine Hospital;

Mr. Frank Anderson, Medical Inspector of the Navy;

The President of the French Republic,

M. Camille Barrère, Ambassador of the French Republic near H. M. the King of Italy, Grand Officer of the National Order of the Legion of Honor;

M. Georges Luis, Minister Plenipotentiary of the 1st class, Director of Consulates and Commercial Affairs in the Ministry of Foreign Affairs, Officer of the National Order of the Legion of Honor;

Professor Brouardel, Honorary Dean of the Faculty of Medicine of Paris, President of the Advisory Board on Public Hygiene of France, member of the Institute and of the Academy of Medicine, Grand Officer of the National Order of the Legion of Honor;

M. Henri Monod, Counselor of State, Director of Public Assistance and Hygiene in the Ministry of the Interior, member of the Academy of Medicine, Commander of the National Order of the Legion of Honor;

Doctor Émile Roux, Subdirector of the Pasteur Institute, Vice President of the Advisory Board of Public Hygiene of France, member of the Academy of Sciences and of the Academy of Medicine, Commander of the National Order of the Legion of Honor;

M. Jacques de Cazotte, Subdirector of Consular Affairs in the Ministry of Foreign Affairs, Officer of the National Order of the Legion of Honor;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Territories beyond the Seas, Emperor of India,

Mr. Maurice William Ernest de Bunsen, Minister Plenipotentiary, acting as First Secretary of the Royal British Embassy at Paris, Commander of the Royal Order of Victoria, Companion of the Order of the Bath;

Dr. Theodore Thomson, of the Local Government Board;

Dr. Frank Gerard Clemow, Delegate of Great Britain to the Superior Board of Health of Constantinople;

Mr. Arthur David Alban, Consul of His Britannic Majesty at Cairo;

His Majesty the King of the Hellenes,

M. Delyanni, His Envoy Extraordinary and Minister Plenipotentiary near the President of the French Republic, Grand Commander of the Royal Order of the Savior;

Doctor S. Clado, physician of the Royal Greek Legation at Paris;

His Majesty the King of Italy,

Commander Rocco Santoliquido, Director General of Public Health of Italy;

Marquis Paulucci de' Calboli, Counselor at the Royal Embassy of Italy at Paris;

M. le Chevalier Adolphe Cotta, Chief of the Bureau of General Affairs under the General Bureau of Public Health of Italy;

His Royal Highness the Grand Duke of Luxemburg,

M. Vannerus, Chargé d'Affaires of Luxemburg at Paris;

His Royal Highness the Prince of Montenegro,
M. le Chevalier Alexandre de Suzzara, Chief of Section in the Imperial and Royal Ministry of Foreign Affairs of Austria-Hungary, Commander of the Order of Francis Joseph, Third-class Knight of the Order of the Iron Crown;

Her Majesty the Queen of the Netherlands,
Baron W. B. R. de Welderen Rengers, Counselor of the Royal Legation of the Netherlands at Paris;

Doctor W. P. Ruijsch, Inspector General of the Sanitary Service in South Holland and Zeeland, member of the Superior Board of Hygiene;

Doctor C. Stekoulis, delegate of the Netherlands to the Superior Board of Health of Constantinople;

M. A. Plate, President of the Chamber of Commerce of Rotterdam, extraordinary member of the Superior Board of Hygiene;

His Majesty the Shah of Persia,

General Nazare Aga Yémines-Saltané, his Envoy Extraordinary and Minister Plenipotentiary near the President of the French Republic, possessor of the portrait of the Shah in diamonds, Grand Cordon of the Order of the Lion and of the Sun in diamonds;

His Majesty the King of Portugal and the Algarves,

Doctor José Joaquim da Silva Amado, of His Very Faithful Majesty's Council, professor in the Institute of Hygiene of Lisbon, Vice President of the Royal Academy of Sciences, Commander of the Order of Saint James;

His Majesty the King of Roumania,

M. Grégoire G. Ghika, his Envoy Extraordinary and Minister Plenipotentiary near the President of the French Republic, Grand Officer of the Order of the Star of Roumania, Grand Officer of the Order of the Roumanian Crown;

Doctor Jean Cantacuzene, member of the Superior Board of Health of Roumania;

His Majesty the Emperor of all the Russias,

M. Platon de Waxel, Actual Counselor of State, Grand Cordon of the Order of Saint Stanislaus;

His Majesty the King of Servia,

Doctor Michel Popovitch, chargé d'affaires of Servia at Paris;

The Swiss Federal Council,

M. Charles Edouard Lardy, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation near the President of the French Republic;

Doctor F. Schmid, Director of the Federal Health Bureau;

and His Highness the Khedive of Egypt,

Mohamed Chérif Pacha, Assistant Secretary of State for Foreign Affairs, Grand Cordon of the Order of the Medjidie, grand Officer of the Order of the Osmanie;

Doctor Marc Armand Ruffer, President of the Sanitary, Maritime, and Quarantine Board of Egypt, Grand Officer of the Orders of the Osmanie and the Medjidie;

Who, having exchanged their full powers, found in good and due form, have agreed to the following provisions:

TITLE I.—GENERAL PROVISIONS.

General provisions.

Rules to be observed upon appearance of plague, etc.

CHAPTER I.—*Rules to be observed by the countries signing the convention as soon as plague or cholera appears in their territory.*

SECTION I.—*Notification and subsequent communications to the other countries.*

Notification, etc., to other countries.

ARTICLE 1. Each government shall immediately notify the other governments of the first appearance in its territory of authentic cases of plague or cholera.

Detailed information.

ARTICLE 2. This notification shall be accompanied, or very promptly followed, by particulars regarding:

1. The neighborhood in which the disease has appeared.
2. The date of its appearance, its origin, and its form.
3. The number of established cases and the number of deaths.

4. In case of plague: The existence of plague or of an unusual mortality among rats and mice.

5. The measures immediately taken following this first appearance.

Notice to diplomatic, etc., officers.

ARTICLE 3. The notification and particulars contemplated in Articles 1 and 2 shall be sent to the diplomatic or consular offices in the capital of the infected country.

In the case of countries not represented there, they shall be transmitted directly by telegraph to the governments of such countries.

Information concerning progress of epidemic.

ARTICLE 4. The notification and particulars contemplated in Articles 1 and 2 shall be followed by further communications sent regularly so as to keep the governments informed of the progress of the epidemic.

These communications, which shall be sent at least once a week and shall be as complete as possible, shall indicate more particularly the precautions taken to prevent the spread of the disease.

They shall specify: 1 The prophylactic measures applied with regard to sanitary or medical inspection, to isolation, and to disinfection; 2 the measures enforced upon the departure of vessels to prevent the exportation of the disease, and especially, in the case contemplated under No. 4 of Article 2 above, the measures taken against rats.

Prompt notification recommended.

ARTICLE 5. The prompt and faithful execution of the foregoing provisions is of prime importance.

The notifications are of no real value unless each government is itself opportunely informed of cases of plague and cholera and of doubtful cases occurring in its terri-

tory. It can not therefore be too strongly recommended to the various governments that they make compulsory the announcement of cases of plague and cholera and that they keep themselves informed of any unusual mortality among rats and mice, especially in ports.

ARTICLE 6. It is understood that neighboring countries reserve the right to make special arrangements with a view to organizing a service of direct information among the heads of frontier departments.

Special arrangements.

SECTION II.—*Conditions which warrant the consideration of a territorial area as being contaminated or as having again become healthy.*

ARTICLE 7. The notification of a single case of plague or cholera shall not involve the application, against the territorial area in which it has occurred, of the measures prescribed in Chapter II hereinbelow.

Application of restrictions.

However, when several unimported cases of plague have appeared or when the cholera cases become localized, the area shall be declared contaminated.

ARTICLE 8. In order to limit the measures to the stricken regions alone, the governments shall only apply them to arrivals from the contaminated areas.

Limiting restrictions, etc.

By the word *area* is meant a portion of territory definitely specified in the particulars which accompany or follow the notification; for instance, a province, a government, a district, a department, a canton, an island, a commune, a city, a quarter of a city, a village, a port, a polder, a hamlet, etc., whatever be the area and population of these portions of territory.

Meaning of word "area."

However, this restriction to the contaminated area shall only be accepted upon the formal condition that the government of the contaminated country take the necessary measures 1 to prevent the exportation of the articles enumerated under Nos. 1 and 2 of Article 12 and coming from the contaminated area, unless they are previously disinfected, and 2 to combat the spread of the epidemic.

Preventing exportation of articles.

When an area is contaminated, no restrictive measure shall be taken against arrivals from such area if such arrivals have left it at least five days before the beginning of the epidemic.

ARTICLE 9. In order that an area may be considered as being no longer contaminated, it must be officially ascertained:

Areas no longer contaminated.

1. That there has been neither a death nor a new case of plague or cholera within five days after the isolation,^a death, or cure of the last plague or cholera patient.

2. That all the measures of disinfection have been applied, and, in the case of plague, that the measures against rats have been executed.

^a By "isolation" is meant the isolation of the patient, and of the persons attending him permanently, and the prohibition of visits by any other person.

Defensive measures by noncontaminated countries. CHAPTER II.—*Measures of defense by other countries against territories declared to be contaminated.*

SECTION I.—*Publication of the prescribed measures.*

Prescribed measures to be published.

ARTICLE 10. The government of each country is obliged to immediately publish the measures which it believes necessary to prescribe with regard to arrivals from a contaminated country or territorial area.

It shall at once communicate this publication to the diplomatic or consular officer of the contaminated country residing in its capital, as well as to the international boards of health.

It shall likewise be obliged to make known through the same channels the revocation of these measures or any modifications which may be made therein.

In default of a diplomatic or consular office in the capital, the communications shall be made directly to the government of the country concerned.

Disinfection, etc.

SECTION II.—*Merchandise—Disinfection—Importation and Transit—Baggage.*

ARTICLE 11. No merchandise is capable by itself of transmitting plague or cholera. It only becomes dangerous when contaminated by plague or cholera products.

Disinfecting contaminated articles, etc.

ARTICLE 12. Disinfection shall only be applied to merchandise and articles which the local health authority considers to be contaminated.

However, the merchandise or articles enumerated below may be subjected to disinfection or even prohibited entry independently of any proof that they are or are not contaminated.

Body linen, etc.

1. Body linen, clothing worn (wearing apparel), and bedding which has been used.

When these articles are being transported as baggage or as a result of a change of residence (household goods), they shall not be prohibited and are subject to the provisions of Article 19.

Packages left by soldiers and sailors and returned to their country after death are treated the same as the articles comprised in the first paragraph of No. 1.

Rags, etc.

2. Rags (including those for making paper), with the exception, as to cholera, of compressed rags transported as wholesale merchandise in hooped bales.

Fresh waste coming directly from spinning mills, weaving mills, manufactories, or bleacheries; artificial wools (shoddy), and fresh paper trimmings shall not be forbidden.

Merchandise, etc., in transit.

ARTICLE 13. The transit of the merchandise and articles specified under Nos. 1 and 2 of the preceding article shall not be prohibited if they are so packed that they can not be manipulated en route.

Likewise, when the merchandise or articles are transported in such a manner that it is impossible for them to have been in contact with contaminated articles en route, their transit across an infected territorial area shall not constitute an obstacle to their entry into the country of destination.

ARTICLE 14. The merchandise and articles specified under Nos. 1 and 2 of Article 12 shall not be subject to the application of the measures prohibiting entry if it is proven to the authorities of the country of destination that they were shipped at least five days before the beginning of the epidemic.

Merchandise, etc., shipped five days before beginning of epidemic.

ARTICLE 15. The mode and place of disinfection, as well as the methods to be employed for the destruction of rats, shall be determined by the authorities of the country of destination. These operations should be performed in such a manner as to cause the least possible injury to the articles.

Mode, etc., of disinfecting.

It shall devolve upon each Nation to determine the question as to the possible payment of damages as a result of disinfection or of the destruction of rats.

Payment of damages.

If, on the occasion of the taking of measures for the destruction of rats on board vessels, the health authorities should levy a tax either directly or through a society or private individual, the rate of such tax must be fixed by a tariff published in advance and so calculated that no profit shall be derived by the Nation or the Health Department from its application as a whole.

Destruction of rats on vessels.

ARTICLE 16. Letters and correspondence, printed matter, books, newspapers, business papers, etc. (parcels post not included) shall not be subjected to any restriction or disinfection.

Letters, etc., not subject to disinfection.

ARTICLE 17. Merchandise, arriving by land or by sea, shall not be detained at frontiers or in ports.

Merchandise not to be detained at frontiers, etc.

The only measures which it is permissible to prescribe with regard to them are specified in Article 12 hereinabove.

However, if merchandise arriving by sea in bulk or in defective bales has been contaminated during the passage by rats known to be stricken with plague, and if it can not be disinfected, the destruction of the germs may be insured by storing it in a warehouse for a maximum period of two weeks.

To be warehoused if contaminated.

It is understood that the application of this last measure shall not entail any delay upon the vessel or any extra expense as a result of the lack of warehouses in the ports.

ARTICLE 18. When merchandise has been disinfected by applying the provisions of Article 12, or temporarily warehoused in accordance with the third paragraph of Article 17, the owner or his representative shall be entitled to demand from the health authority who has

Certificate from health authorities.

ordered the disinfection or storage, a certificate setting forth the measures taken.

Disinfecting
baggage.

ARTICLE 19. *Baggage*.—The disinfection of the soiled linen, wearing apparel, and articles of baggage or furniture (household goods) coming from a territorial area declared to be contaminated shall only take place in cases when the health authority considers them to be contaminated

Classification
of vessels.

SECTION III.—*Measures in ports and at maritime frontiers.*

Infected ves-
sels.

ARTICLE 20. *Classification of vessels*.—A vessel is considered as *infected* which has plague or cholera on board, or which has presented one or more cases of plague or cholera within seven days.

Suspects.

A vessel is considered as *suspicious* on board of which there were cases of plague or cholera at the time of departure or have been during the voyage, but on which there have been no new cases within seven days.

Nonsuspects.

A vessel is considered as *uninfected* which, although coming from an infected port, has had neither death nor any case of plague or cholera on board either before departure, during the voyage, or at the time of arrival.

Restrictions
concerning
plague - infect-
ed ships.

ARTICLE 21. *Ships infected with plague* shall be subjected to the following measures:

1. Medical inspection.

2. The patients shall be immediately landed and isolated.

3. The other persons shall also be landed, if possible, and subjected, from the date of their arrival, either to an observation^a which shall not exceed five days and may be followed or not by a surveillance^b of five days at most, or simply to a surveillance not to exceed ten days.

It is within the discretion of the health authority of the port to apply whichever of these measures appears preferable to him according to the date of the last case, the condition of the vessel, and the local possibilities.

Disinfecting
soiled linen,
etc.

4. The soiled linen, wearing apparel, and other articles of the crew^c and passengers which are considered by the health authority as being contaminated shall be disinfected.

^a By "observation" is meant the isolation of the passengers, either on board a vessel or at a sanitary station, before they are granted pratique.

^b By "surveillance" is meant that the passengers are not isolated and that they immediately obtain pratique, but that the attention of the authorities is called to them wherever they go and that they are subjected to a medical examination to ascertain the state of their health.

^c The term "crew" is applied to all persons who form or have formed part of the crew or of the servants on board the vessel, including stewards, waiters, "cafedji," etc. The term is to be construed in this sense wherever employed in the present Convention.

5. The parts of the vessel which have been occupied by persons stricken with plague or which are considered by the health authority as being contaminated shall be disinfected.

6. The destruction of the rats on the vessel shall take place before or after the discharge of the cargo as rapidly as possible, and at all events within a maximum period of forty-eight hours, avoiding injury to the cargo, the plating, and the engines.

In the case of vessels in ballast, this operation shall be performed as soon as possible before taking on cargo.

ARTICLE 22. Vessels *suspected of plague* shall be subjected to the measures indicated under Nos. 1, 4, and 5 of Article 21.

Moreover, the crew and passengers may be subjected to a surveillance not to exceed five days from the arrival of the vessel. The landing of the crew may be forbidden during the same period except in connection with the service.

It is recommended that the rats on the vessel be destroyed. This destruction should be effected before or after the discharge of cargo as rapidly as possible, and at all events within a maximum period of forty-eight hours, avoiding injury to the merchandise, plating, and engines.

In case of vessels in ballast, this operation shall be performed, if there is occasion for it, as soon as possible and at all events before taking on cargo.

ARTICLE 23. Vessels *uninfected with plague* shall be granted pratique immediately, whatever be the nature of their bill of health.

The only measures which the authority of the port of arrival may prescribe with regard to them shall be the following:

1. Medical inspection.
2. Disinfection of the soiled linen, wearing apparel, and other articles of the crew and passengers, but only in exceptional cases when the health authority has special reason to believe that they are contaminated.
3. Although not to be adopted as a general rule, the health authority may subject vessels coming from a contaminated port to an operation designed to destroy the rats on board, either before or after the discharge of the cargo. This operation should take place as soon as possible and should not in any event last more than twenty-four hours, avoiding injury to the cargo, plating, and engines, and avoiding hindrance to the movement of the passengers and crew between the vessel and the shore. In case of vessels in ballast, this operation, if there is occasion for it, should take place as soon as possible and at all events before taking on cargo.

When a vessel hailing from a contaminated port has been subjected to an operation for the destruction of rats,

this operation shall not be repeated unless the vessel has stopped and moored at a wharf in a contaminated port, or unless the presence of dead or diseased rats is discovered on board.

The crew and passengers may be subjected to a surveillance not to exceed five days from the date on which the vessel left the contaminated port. The landing of the crew may also be forbidden during the same time except in connection with the service.

The competent authority of the port of arrival may always demand an affidavit from the ship's physician, or in default of such physician, from the captain, to the effect that there has not been a case of plague on the vessel since its departure and that no unusual mortality among the rats has been observed.

Vessels with
plague-stricken
rats.

ARTICLE 24. When rats have been recognized as plague-stricken on board an *uninfected* vessel as a result of a bacteriological examination, or when an unusual mortality has been discovered among these rodents, the following measures shall be applied:

I. Vessels with plague-stricken rats:

a) Medical inspection.

b) The rats shall be destroyed either before or after the discharge of the cargo as rapidly as possible and at all events within a maximum period of forty-eight hours, avoiding injury to the cargo, plating, and engines. On vessels in ballast this operation shall be performed as soon as possible and at all events before taking on cargo.

c) The parts of the vessel and the articles which the health authority considers to be contaminated shall be disinfected.

d) The passengers and crew may be subjected to a surveillance whose duration shall not exceed five days from the date of arrival, save exceptional cases, in which the health authority may prolong the surveillance to a maximum of ten days.

Measures in
case of unusual
mortality is
among rats.

II. Vessels on which an unusual mortality among rats is discovered:

a) Medical inspection.

b) An examination of the rats with regard to the plague shall be made as far and as quickly as possible.

c) If the destruction of the rats is deemed necessary, it shall take place under the conditions indicated above for vessels with plague-stricken rats.

d) Until all suspicion is removed, the passengers and the crew may be subjected to a surveillance whose duration shall not exceed five days from the date of arrival, save exceptional cases, in which the health authority may prolong the surveillance to a maximum of ten days.

Certificate
from health au-
thorities.

ARTICLE 25. The health authority of the port shall deliver to the captain or to the shipowner or his agent, whenever demanded, a certificate to the effect that the measures

for the destruction of rats have been applied and stating the reasons for their application.

ARTICLE 26. Vessels *infected* with cholera shall be subjected to the following measures: Cholera - infected vessels.

1. Medical inspection.

2. The patients shall be immediately landed and isolated.

3. The other persons shall likewise be landed, if possible, and subjected, from the date of arrival of the vessel, to an observation or a surveillance whose duration shall vary according to the sanitary condition of the vessel and the date of the last case, without, however, exceeding five days.

4. The soiled linen, wearing apparel, and other articles of the crew and passengers which are considered by the health authority of the port as being contaminated shall be disinfected.

5. The parts of the vessel which have been occupied by cholera patients or which are considered by the health authority as being contaminated shall be disinfected.

6. The bilge-water shall be discharged after disinfection.

The health authority may order the substitution of good drinking water for that stored on board.

It may be forbidden to throw human excrements or allow them to run into the water of a port unless they are previously disinfected.

ARTICLE 27. Vessels *suspected of cholera* shall be subjected to the measures prescribed under Nos. 1, 4, 5, and 6 of Article 26. Suspected vessels.

The crew and passengers may be subjected to a surveillance not to exceed five days from the arrival of the vessel. It is recommended that the landing of the crew be prevented during the same period except for purposes connected with the service.

ARTICLE 28. Vessels *uninfected with cholera* shall be granted pratique immediately, whatever be the nature of their bill of health. Uninfected ships.

The only measures to which they may be subjected by the health authority of the port of arrival shall be those provided under Nos. 1, 4, and 6 of Article 26.

With regard to the state of their health, the crew and passengers may be subjected to a surveillance not to exceed five days from the date on which the vessel left the contaminated port.

It is recommended that the landing of the crew be forbidden during the same period except for purposes connected with the service.

The competent authority of the port of arrival may always demand an affidavit from the ship's physician or, in the absence of such, from the captain, to the effect that there has not been a case of cholera on board since the vessel sailed.

Uninfected ships may be relieved from inspection. **ARTICLE 29.** In order to apply the measures indicated in articles 21 to 28, the competent authority shall take account of the presence of a physician and of disinfecting apparatuses (chambers) on board the vessels of the three categories mentioned above.

In regard to plague, he shall likewise take account of the installation on board of apparatus for the destruction of rats.

The health authorities of nations which may deem it suitable to reach an understanding on this point may excuse from the medical inspection and other measures those uninfected vessels which have on board a physician specially commissioned by their country.

Special measures for crowded, etc., ships. **ARTICLE 30.** Special measures may be prescribed in regard to crowded vessels, especially emigrant vessels or any others presenting bad hygienic conditions.

Vessels free to put to sea. **ARTICLE 31.** Any vessel not desiring to submit to the obligations imposed by the authority of the port by virtue of the stipulations of the present convention shall be free to put to sea again.

May land cargoes. It may be permitted to land its cargo after the necessary precautions have been taken, viz:

- Restrictions.
1. Isolation of the vessel, crew, and passengers.
 2. In regard to plague, inquiry as to the existence of an unusual mortality among the rats.
 3. In regard to cholera, the discharge of the bilgewater after disinfection and the substitution of good drinking water for that stored on board the vessel.

It may also be permitted to land passengers who so request, upon condition that they submit to the measures prescribed by the local authority.

Disinfected vessels from contaminated ports. **ARTICLE 32.** Vessels hailing from a contaminated port which have been disinfected and subjected to sanitary measures applied in an efficient manner shall not undergo the same measures a second time upon their arrival in a new port provided that no case has appeared since the disinfection took place and that they have not touched at a contaminated port in the meantime.

When a vessel lands only passengers and their baggage, or the mails, without having been in communication with the mainland, it is not to be considered as having touched at the port.

Passengers arriving on infected ships. **ARTICLE 33.** Passengers arriving on an infected vessel shall have the right to demand a certificate of the health authority of the port showing the date of their arrival and the measures to which they and their baggage have been subjected.

Special measures for coasting vessels. **ARTICLE 34.** Coasting vessels shall be subjected to special measures to be established by mutual agreement among the countries concerned.

Sanitary stations. **ARTICLE 35.** Without prejudice to the right which governments possess to agree upon the organization of common sanitary stations, each country shall provide at least

one port upon each of its seaboard with an organization and equipment sufficient to receive a vessel, whatever may be its sanitary condition.

When an uninfected vessel hailing from a contaminated port arrives in a large maritime port, it is recommended that she be not sent back to another port for the purpose of having the prescribed sanitary measures executed.

Treatment of uninfected ships from contaminated ports.

In every country, ports open to the arrival of vessels from ports infected with plague or cholera shall be equipped in such a manner that uninfected vessels may, immediately upon their arrival, undergo the prescribed measures and not be sent for this purpose to another port.

The governments shall make known the ports which are open *in their territories* to arrivals from ports infected with plague or cholera.

ARTICLE 36. It is recommended that there be established in large maritime ports:

Sanitary arrangements for important ports.

a) A regular medical service of the port and a permanent medical surveillance of the sanitary conditions of the crews and the inhabitants of the port.

b) Places set apart for the isolation of the sick and the observation of suspected persons.

c) The necessary plants for efficient disinfection, and bacteriological laboratories.

d) A supply of drinking water beyond suspicion for the use of the port, and a system affording all possible security for the carrying off of refuse and sewage.

SECTION IV. — *Measures on land frontiers. — Travelers. — Railroads. — Frontier Zones. — River Routes.*

Land frontiers, etc.

ARTICLE 37. Land quarantines shall no longer be established.

Quarantines no longer established.

Persons showing symptoms of plague or cholera shall alone be detained at frontiers.

Infected persons to be detained.

This principle shall not bar the right of each Nation to close a part of its frontier in case of necessity.

ARTICLE 38. It is important that travelers be subjected to a surveillance on the part of railroad employees with a view to determining the state of their health.

Surveillance of travelers.

ARTICLE 39. Medical interference is limited to an examination of the passengers and the care to be given to the sick. If such an examination is made, it should be combined as far as possible with the custom house inspection to the end that travelers may be detained as short a time as possible. Only persons who are obviously ill shall be subjected to a thorough medical examination.

Limit of medical interference.

ARTICLE 40. As soon as travelers coming from an infected locality shall have arrived at their destination, it would be of the greatest utility to subject them to a surveillance which should not exceed ten or five days from the date of departure, according to whether it is a question of plague or cholera.

Surveillance of persons from infected area.

Rights reserved concerning gypsies, etc.

ARTICLE 41. The governments reserve the right to take special measures in regard to certain categories of persons, notably gypsies, vagabonds, emigrants, and persons traveling or crossing the frontier in troops.

Detention of passenger cars, etc.

ARTICLE 42. Cars used for the conveyance of passengers, mail, and baggage shall not be detained at frontiers.

Contaminated cars to be disinfected.

If it should happen that one of these cars is contaminated or has been occupied by a plague or cholera patient, it shall be detached from the train and disinfected as soon as possible.

Freight cars.

The same rule shall apply to freight cars.

Nonhindrance of railroad, etc., employees at frontiers.

ARTICLE 43. The measures concerning the crossing of frontiers by railroad and postal employees shall be determined by the companies or departments concerned and shall be so arranged as not to hinder the service.

Regulation of frontier traffic.

ARTICLE 44. The regulation of frontier traffic and questions pertaining thereto, as well as the adoption of exceptional measures of surveillance, shall be left to special arrangements between the contiguous nations.

Sanitary regulations concerning river routes.

ARTICLE 45. It is the province of the governments of the riparian nations to regulate the sanitary conditions of river routes by means of special arrangements.

Countries outside of Europe.

TITLE II.—SPECIAL PROVISIONS APPLICABLE TO COUNTRIES SITUATED OUTSIDE OF EUROPE.

Arrivals by sea.

CHAPTER I.—*Arrivals by sea.*

Departure of vessels from contaminated ports.

SECTION I.—*Measures in contaminated ports upon the departure of vessels.*

Preventing embarkation of suspects.

ARTICLE 46. It shall be incumbent upon the competent authority to take effectual measures to prevent the embarkation of persons showing symptoms of plague or cholera.

Every person taking passage on board a vessel shall, at the time of embarkation, be examined individually in the daytime on shore, for the necessary length of time, by a physician delegated by the authorities. The consular officer of the nation to which the ship belongs may be present at this examination.

Medical examination at Alexandria and Port Said.

As an exception to this stipulation, the medical examination may take place on shipboard at Alexandria and Port Said, when the local health authority deems it expedient, provided that the third-class passengers shall not be permitted to leave the vessel. This medical examination may be made at night in the case of first and second class passengers, but not of third-class passengers.

ARTICLE 47. It shall be incumbent upon the competent authorities to take effectual measures:

Preventing exportation of contaminated articles, etc.

1. To prevent the exportation of merchandise or any articles which they may consider as contaminated and which have not been previously disinfected on shore under

the supervision of the physician delegated by the public authorities.

2. In case of plague, to prevent the access of rats to the vessel.

3. In case of cholera, to see that the drinking water taken on board is wholesome.

SECTION II.—*Measures with respect to ordinary vessels hailing from contaminated northern ports and appearing at the entrance of the Suez Canal or in Egyptian ports.* Vessels from infected northern ports.

ARTICLE 48. Ordinary *uninfected* vessels hailing from a plague or cholera infected port of Europe or the basin of the Mediterranean and presenting themselves for passage through the Suez Canal shall be allowed to pass through in quarantine. They shall continue their route under observation of five days. Uninfected vessels may pass Suez Canal in quarantine.

ARTICLE 49. Ordinary uninfected vessels wishing to make a landing in Egypt may stop at Alexandria or Port Said, where the passengers shall complete the observation period of five days either on shipboard or in a sanitary station, according to the decision of the local health authority. May land at Alexandria or Port Said.

ARTICLE 50. The measures to which *infected* or *suspected* vessels shall be subjected which hail from a plague or cholera infected port of Europe or the shores of the Mediterranean, and which desire to effect a landing in one of the Egyptian ports or to pass through the Suez Canal, shall be determined by the Board of Health of Egypt in conformity with the stipulations of the present convention. Egyptian Board of Health to control infected ships.

The regulations containing these measures shall, in order to become effective, be accepted by the various Powers represented on the Board; they shall determine the measures to which vessels, passengers, and merchandise are to be subjected and shall be presented within the shortest possible period.

SECTION III.—*Measures in the Red Sea.*

Red Sea.

A. MEASURES WITH RESPECT TO ORDINARY VESSELS HAILING FROM THE SOUTH AND APPEARING IN PORTS OF THE RED SEA OR BOUND TOWARD THE MEDITERRANEAN. Ordinary vessels hailing from southern ports.

ARTICLE 51. Independently of the general provisions contained in Section III, Chapter 2, Title I, concerning the classification of and the measures applicable to infected, suspected, or uninfected vessels, the special provisions contained in the ensuing articles are applicable to ordinary vessels coming from the south and entering the Red Sea. Special provisions applicable to.

ARTICLE 52. *Uninfected* vessels must have completed or shall be required to complete an observation period of five full days from the time of their departure from the last infected port. Uninfected ships.

They shall be allowed to pass through the Suez Canal in quarantine and shall enter the Mediterranean continuing the aforesaid observation period of five days. Ships having a physician and a disinfecting chamber on board shall not undergo disinfection until the passage through in quarantine begins.

Suspected ships.

ARTICLE 53. Suspected vessels shall be treated differently according to whether they have a physician and a disinfecting apparatus (chamber) on board or not.

a) Vessels having a physician and a disinfecting apparatus (chamber) on board and fulfilling the necessary conditions shall be permitted to pass through the Suez Canal in quarantine under conditions prescribed by the regulations for the passage through.

b) Other suspected vessels having neither physician nor disinfecting apparatus (chamber) on board shall, before being permitted to pass through in quarantine, be detained at Suez or Moses Spring a sufficient length of time to carry out the disinfecting measures prescribed and to ascertain the sanitary condition of the vessel.

Mail and passenger vessels.

In the case of mail vessels or of packets specially utilized for the transportation of passengers and having no disinfecting apparatus (chamber) but having a physician on board, if the local authority is assured by an official declaration that the measures of sanitation and disinfection have been suitably carried out either at the point of departure or during the voyage, the passage through in quarantine shall be allowed.

In the case of mail vessels or of packets specially utilized for the transportation of passengers and having no disinfecting apparatus (chamber) but having a physician on board, if the last case of plague or cholera dates back longer than seven days and if the sanitary condition of the vessel is satisfactory, pratique may be granted at Suez when the operations prescribed by the regulations are completed.

Passengers destined for Egypt.

When a vessel has had a run of less than seven days without infection, the passengers destined for Egypt shall be landed at an establishment designated by the Board of Health of Alexandria and isolated a sufficient length of time to complete the observation period of five days. Their soiled linen and wearing apparel shall be disinfected. They shall then receive pratique.

Vessels having had a run of less than seven days without infection and desiring to obtain pratique in Egypt shall be detained in an establishment designated by the Board of Health of Alexandria for a sufficient length of time to complete the observation period of five days. They shall undergo the measures prescribed for suspected vessels.

Plague, etc., among crew.

When plague or cholera has appeared exclusively among the crew, only the soiled linen of the latter shall

be disinfected, but it shall all be disinfected, including that in the living quarters of the crew.

ARTICLE 54. Infected vessels are divided into vessels with a physician and a disinfecting apparatus (chamber) on board, and vessels without a physician and a disinfecting apparatus (chamber).

Vessels with a physician, etc.

a) Vessels without a physician and a disinfecting apparatus (chamber) shall be stopped at Moses Spring; ^a persons showing symptoms of plague or cholera shall be landed and isolated in a hospital. The disinfection shall be carried out in a thorough manner. The other passengers shall be landed and isolated in groups composed of as few persons as possible, so that the whole number may not be infected by a particular group if the plague or cholera should develop. The soiled linen, wearing apparel, and clothing of the crew and passengers, as well as the vessel, shall be disinfected.

Vessels without a physician, etc.

It is to be distinctly understood that there shall be no discharge of cargo but simply a disinfection of the part of the vessel which has been infected.

No discharge of cargo allowed.

The passengers shall remain for five days in an establishment designated by the Sanitary, Maritime, and Quarantine Board of Egypt. When the cases of plague or cholera date back several days, the length of the isolation shall be diminished. This length shall vary according to the date of the cure, death, or isolation of the last patient. Thus, when the last case of plague or cholera has terminated six days before by a cure or death, or when the last patient has been isolated for six days, the observation shall last one day; if only five days have elapsed, the observation period shall be two days; if only four days have elapsed, the observation period shall be three days; if only three days have elapsed, the observation period shall be four days; if only two days or one day have elapsed, the observation period shall be five days.

Detention of passengers.

Time of detention.

b) Vessels with a physician and a disinfecting apparatus (chamber) on board shall be stopped at Moses Spring. The ship's physician must declare, under oath, what persons on board show symptoms of plague or cholera. These patients shall be landed and isolated.

Vessels with a physician, etc.

After the landing of these patients the soiled linen of the rest of the passengers which the health authority may consider as dangerous, as well as that of the crew, shall undergo disinfection on board.

Soiled linen to be disinfected.

When plague or cholera shall have appeared exclusively among the crew, the disinfection of the linen shall be limited to the soiled linen of the crew and the linen of the living apartments of the crew.

^a The patients shall as far as possible be landed at Moses Spring. The other persons may undergo the observation in a sanitary station designated by the Sanitary, Maritime, and Quarantine Board of Egypt (pilots' lazaretto).

Who shall be considered suspects.

The ship's physician shall indicate also, under oath, the part or compartment of the vessel and the section of the hospital in which the patient or patients have been transported. He shall also declare, under oath, what persons have been in contact with the plague or cholera patient since the first manifestation of the disease, either directly or through contact with objects which might be contaminated. Such persons alone shall be considered as suspects.

Places to be disinfected.

The part or compartment of the vessel and the section of the hospital in which the patient or patients shall have been transported shall be thoroughly disinfected. By the "part of the ship" shall be understood the cabin of the patient, the neighboring cabins, the corridor upon which these cabins are located, the deck, and the parts of the deck where the patients may have stayed.

Treatment of suspects.

If it is impossible to disinfect the part or compartment of the vessel which has been occupied by the persons stricken with plague or cholera without landing the persons declared as suspects, these persons shall be either placed in another vessel specially designated for this purpose or landed and lodged in the sanitary establishment without coming in contact with the patients, who should be placed in the hospital.

The duration of this stay on the vessel or on shore for disinfection shall be as short as possible and shall not exceed twenty-four hours.

The suspects shall undergo, either on their vessel or on the vessel designated for this purpose, an observation period whose duration shall vary according to the cases and under the conditions provided in the third paragraph of subdivision a).

The time taken up by the prescribed operations shall be comprised in the duration of the observation period.

Vessels may pass through in quarantine after complete disinfection.

The passage through in quarantine may be allowed before the expiration of the periods indicated above if the health authority deems it possible. It shall at all events be granted when the disinfection has been completed, if the vessel leaves behind not only its patients but also the persons indicated above as "suspects."

A disinfecting chamber placed on a lighter may come alongside the vessel in order to expedite the disinfecting operations.

Infected vessels at Moses Spring.

Infected vessels requesting pratique in Egypt shall be detained at Moses Spring five days; they shall, moreover, undergo the same measures as those adopted for infected vessels arriving in Europe.

Measures used during Mecca pilgrimage.

B. MEASURES WITH RESPECT TO ORDINARY VESSELS HAILING FROM THE INFECTED PORTS OF HEDJAZ DURING THE PILGRIMAGE SEASON.

Treatment of vessels coming from Hedjaz, etc.

ARTICLE 55. If plague or cholera prevails in Hedjaz during the time of the Mecca pilgrimage, vessels coming from Hedjaz or from any other part of the Arabian coast

of the Red Sea without having embarked there any pilgrims or similar masses of persons, and which have not had any suspicious occurrence on board during the voyage, shall be placed in the category of ordinary suspected vessels. They shall be subjected to the preventive measures and to the treatment imposed on such vessels.

If they are bound for Egypt they shall undergo, in a sanitary establishment designated by the Sanitary, Maritime, and Quarantine Board, an observation of five days from the date of departure, for cholera as well as for plague. They shall be subjected, moreover, to all the measures prescribed for suspected vessels (disinfection, etc.), and shall not be granted pratique until they have passed a favorable medical examination.

It shall be understood that if the vessels have had suspicious occurrences during the voyage, they shall pass the observation period at Moses Spring, which shall last five days whether it be a question of plague or cholera.

SECTION IV.—*Organization of the surveillance and of the disinfection at Suez and Moses Spring.*

ARTICLE 56. The medical inspection prescribed by the regulations shall be made on each vessel arriving at Suez by one or more of the physicians of the station, being made in the daytime on vessels hailing from ports infected with plague or cholera. It may, however, be made at night on vessels which present themselves in order to pass through the canal if they are lighted by electricity and whenever the local health authority is satisfied that the lighting facilities are adequate.

ARTICLE 57. The physicians of the Suez station shall be at least seven in number—one chief physician and six others. They must possess a regular diploma and shall be chosen preferably from among physicians who have made special practical studies in epidemiology and bacteriology. They shall be appointed by the Minister of the Interior upon the recommendation of the Sanitary, Maritime, and Quarantine Board of Egypt. They shall receive a salary which shall begin at 8,000 francs and may progressively rise to 12,000 francs for the six physicians, and which shall vary from 12,000 to 15,000 francs for the chief physician.

If the medical service should still prove inadequate, recourse may be had to the surgeons of the navies of the several nations, who shall be placed under the authority of the chief physician of the sanitary station.

ARTICLE 58. A corps of sanitary guards shall be entrusted with the surveillance and the execution of the prophylactic measures applied in the Suez Canal, at the establishment at Moses Spring, and at Tor.

ARTICLE 59. This corps shall comprise ten guards. It shall be recruited from among former noncommissioned officers of the European and Egyptian armies and navies.

Vessels bound for Egypt.

Detention at Moses Spring.

Surveillance, etc., at Suez and Moses Spring. Medical inspection.

Physicians at Suez station.

Salaries.

Surgeons of navies may act.

Sanitary guards.

Appointment of guards.

After their competence has been ascertained by the Board, the guards shall be appointed in the manner provided by Article 14 of the Khedival decree of June 19, 1893.

Classifying the guards. ARTICLE 60. The guards shall be divided into two classes, the first class comprising four guards and the second class comprising six guards.

Compensation. ARTICLE 61. The annual compensation allowed to the guards shall be:

For the first class, from £160 Eg. to £200 Eg.;

For the second class, from £120 Eg. to £168 Eg.;

With a progressive increase until the maximum is reached.

Duties, etc. ARTICLE 62. The guards shall be invested with the character of officers of the public peace, with the right to call for assistance in case of infractions of the sanitary regulations.

They shall be placed under the immediate orders of the Director of the Suez or the Tor Bureau.

They shall be instructed in all the methods and operations of disinfection in vogue, and must understand the manipulation of the substances and the handling of the instruments employed for this purpose.

Moses Spring station. ARTICLE 63. The disinfection and isolation station of Moses Spring is placed under the authority of the chief physician of Suez.

If patients are landed there, two of the physicians of Suez shall be interned there, one to take care of plague or cholera patients, the other to care for the persons not stricken with plague or cholera.

In case there are plague and cholera patients and other sick at the same time, the number of interned physicians shall be increased to three, one for the plague patients, one for the cholera patients, and the third for those sick with other ailments.

Plans for treatment of patients, etc. ARTICLE 64. The disinfection and isolation station at Moses Spring shall comprise:

1. Three disinfecting chambers, one being placed on a lighter, and the necessary apparatus for the destruction of rats.

2. Two isolation hospitals with twelve beds each, one for plague patients and persons suspected of plague, the other for persons stricken with or suspected of cholera. These hospitals shall be so arranged that the patients, the suspects, the men, and the women shall be isolated from one another in each of them.

3. Huts, hospital tents, and ordinary tents for the landed persons.

4. Bath tubs and shower baths in sufficient number.

5. The necessary buildings for the ordinary services, the medical staff, the guards, etc., a store, and a laundry.

6. A tank of water.

7. The various buildings shall be so arranged as to render impossible all contact among the patients, the infected or suspicious objects, and the other persons.

ARTICLE 65. A machinist shall be specially intrusted with the care of the disinfecting chambers installed at Moses Spring. Disinfecting chambers.

SECTION V.—*Passage through the Suez Canal in quarantine.*

ARTICLE 66. The health authority of Suez shall grant the passage through in quarantine, and the Board shall be immediately informed thereof. Passing the canal in quarantine.
Granting permit to pass.

In doubtful cases, the decision shall be reached by the Board.

ARTICLE 67. As soon as the permit provided for in the preceding Article is granted, a telegram shall be sent to the authority designated by each Power, the dispatch of the telegram being at the expense of the vessel. Notification by telegram.

ARTICLE 68. Each Power shall establish penalties against vessels which abandon the route indicated by the captain and unduly approach one of the ports within its territory, cases of *vis major* and enforced sojourn being excepted. Penalty for abandoning indicated route.

ARTICLE 69. Upon a vessel's being spoken, the captain shall be obliged to declare whether he has on board any gangs of native stokers or of wage-earning employees of any description who are not inscribed on the crew list or the register kept for this purpose. Employees not on crew list, etc.

The following questions in particular shall be asked the captains of all vessels arriving at Suez from the south, and shall be answered under oath:

“Have you any helpers (stokers or other workmen) not inscribed on your crew list or on the special register? What is their nationality? Where did you embark them?”

The sanitary physicians should ascertain the presence of these helpers and if they discover that any of them are missing they should carefully seek the cause of their absence.

ARTICLE 70. A health officer and two sanitary guards shall board the vessel and accompany her to Port Said. Their duty shall be to prevent communications and see to the execution of the prescribed measures during the passage through the canal. Health officer, etc., to accompany vessel to Port Said.

ARTICLE 71. All embarkations, landings, and transshipments of passengers or cargo are forbidden during the passage through the Suez Canal to Port Said. Embarkations, etc., forbidden.

However, passengers may embark at Port Said in quarantine. Exception.

ARTICLE 72. Vessels passing through in quarantine shall make the trip from Suez to Port Said without putting into dock. Duties of vessels passing in quarantine.

In case of stranding or of being compelled to put into dock, the necessary operations shall be performed by the personnel on board, all communication with the employees of the Suez Canal Company being avoided.

Suspected,
etc., ships con-
veying troops.

ARTICLE 73. When troops are conveyed through the canal on suspicious or infected vessels passing through in quarantine, the trip shall be made in the daytime only. If it is necessary to stop at night in the canal, the vessels shall anchor in Lake Timsah or the Great Lake.

Vessels for-
bidden to stop
at Port Said,
etc.

ARTICLE 74. Vessels passing through in quarantine are forbidden to stop in the harbor of Port Said except in the cases contemplated in articles 71 (paragraph 2) and 75.

Supplying
food.

The supply and preparation of food on board vessels shall be effected with the means at hand on the vessels.

Isolating
stevedores, etc.

Stevedores or any other persons who may have gone on board shall be isolated on the quarantine lighter. Their clothing shall there undergo disinfection as per regulations.

Coaling at
Port Said.

ARTICLE 75. When it is absolutely necessary for vessels passing through in quarantine to take on coal at Port Said, they shall perform this operation in a locality affording the necessary facilities for isolation and sanitary surveillance, to be selected by the Board of Health. When it is possible to maintain a strict supervision on board the vessel and to prevent all contact with the persons on board, the coaling of the vessel by the workmen of the port may be permitted. At night the place where the coaling is done should be illuminated by electric lights.

Treatment of
pilots, etc.

ARTICLE 76. The pilots, electricians, agents of the Company, and sanitary guards shall be put off at Port Said outside of the port between the jetties and thence conducted directly to the quarantine lighter, where their clothing shall undergo disinfection when deemed necessary.

Privileges ac-
corded war
ships.

ARTICLE 77. The war vessels hereinafter specified shall enjoy the benefits of the following provisions when passing through the Suez Canal:

They shall be recognized by the quarantine authority as uninfected upon the production of a certificate issued by the physicians on board, countersigned by the commanding officer, and affirming under oath:

a) That there has not been any case of plague or cholera on board either at the time of departure or during the passage.

b) That a careful examination of all persons on board, without any exception, has been made less than twelve hours before the arrival in the Egyptian port, and that it revealed no case of these diseases.

These vessels shall be exempted from the medical examination and immediately receive pratique, provided a period of five full days has elapsed since their departure from the last infected port.

In case the required period has not elapsed, the vessels may pass through the canal in quarantine without undergoing the medical examination, provided they present the above-mentioned certificate to the quarantine authorities.

The quarantine authorities shall nevertheless have the right to cause their agents to perform the medical examination on board war vessels whenever they deem it necessary.

Suspicious or infected war vessels shall be subjected to the regulations in force.

Only fighting units shall be considered as war vessels, transports, and hospital ships falling under the category of ordinary vessels. Transports, etc., considered ordinary vessels.

ARTICLE 78. The Maritime and Quarantine Board of Egypt is authorized to organize the transit through Egyptian territory by rail of the mails and ordinary passengers coming from infected countries in quarantine trains, under the conditions set forth in Annex I. Transit through Egyptian territory of mails, etc.

SECTION VI.—*Sanitary measures applicable in the Persian Gulf.* Persian Gulf.

ARTICLE 79. Vessels shall be spoken at the sanitary establishment of the Island of Ormuz before entering the Persian Gulf. According to their sanitary condition and their port of departure, they shall be subjected to the measures prescribed by Section 3, Chapter 2, Title I. Sanitary measures.

However, vessels which are to go up the Chat-el-Arab shall, if the observation period is not terminated, be permitted to continue their voyage upon condition of passing through the Persian Gulf and up the Chat-el-Arab in quarantine. A chief guard and two sanitary guards, taken on board at Ormuz, shall watch the vessel as far as Bassorah, where a second medical examination shall be made and the necessary disinfections performed. Vessels going up the Chat-el-Arab.

Pending the organization of the sanitary station of Ormuz, sanitary guards taken from the provisional post established in accordance with Article 82, paragraph 2, shall accompany the vessels passing in quarantine into the Chat-el-Arab and to the establishment situated in the neighborhood of Bassorah.

Vessels which are to touch at Persian ports in order to land passengers and cargo there may perform these operations at Bender-Bouchir.

It is distinctly understood that a vessel which remains uninfected at the expiration of five days from the date on which it left the last port infected with plague or cholera, shall obtain pratique in the ports of the Gulf after it has been ascertained, upon its arrival, that it is uninfected. Pratique granted if uninfected.

ARTICLE 80. Articles 20 to 28 of the present convention are applicable with regard to the classification of the Surveillance of ships from infected ports.

vessels and the measures to be applied to them in the Persian Gulf, with the three following exceptions:

1. The surveillance of the passengers and crew shall always be superseded by an observation of the same duration.

2. Uninfected vessels shall only obtain pratique upon condition that five full days have elapsed since the time of their departure from the last infected port.

3. In regard to suspected vessels the period of five days for the observation of the crew and passengers shall begin as soon as there is no case of plague or cholera on board.

SECTION VII.—*Sanitary establishments in the Persian Gulf.*

Construction of sanitary establishments. Location, etc.

ARTICLE 81. Sanitary establishments shall be constructed under the direction of the Board of Health of Constantinople and at its expense, one on the Island of Ormuz and the other in the neighborhood of Bassorah at a place to be determined upon.

Station at Island of Ormuz.

At the sanitary station of the Island of Ormuz there shall be at least two physicians, sanitary agents, sanitary guards, and a complete set of appliances for disinfection and the destruction of rats. A small hospital shall be built.

Lazaretto at Bassorah.

At the station in the neighborhood of Bassorah there shall be constructed a large lazaretto suitable for a medical service composed of several physicians, and apparatus for the disinfection of merchandise.

Superior Board of Health, Constantinople, to control.

ARTICLE 82. The Superior Board of Health of Constantinople, which has the sanitary establishment of Bassorah under its control, shall exercise the same power over that of Ormuz.

Pending the construction of the sanitary establishment of Ormuz, a sanitary post shall be established there under the direction of the Superior Board of Health of Constantinople.

Arrivals by land.

CHAPTER II.—*Arrivals by land.*

SECTION I.—*General rules.*

General rules.

ARTICLE 83. The measures taken on land routes against arrivals from regions infected with plague or cholera shall conform to the sanitary principles formulated by the present convention.

Modern disinfecting methods shall be substituted for land quarantines. To this end disinfecting chambers and other disinfecting appliances shall be installed at well chosen points along the routes followed by travelers.

The same means shall be employed on railroad lines already built or to be built.

Freight shall be disinfected according to the principles of the present convention.

ARTICLE 84. Each Government shall be free to close, when necessary, a part of its frontiers against passengers and freight at places where the organization of a sanitary supervision is attended with difficulties.

Ports of frontiers may be closed.

SECTION II.—*Turkish land frontiers.*

Turkish land frontiers.

ARTICLE 85. The Superior Board of Health of Constantinople shall, without delay, organize the sanitary establishments of Hanikin and Kisil Dizie, near Bayazid, on the Turko-Persian and Turko-Russian frontiers.

Location of sanitary establishments.

TITLE III.—PROVISIONS SPECIALLY APPLICABLE TO PILGRIMAGES.

Pilgrimages.

CHAPTER I.—*General provisions.*

General provisions.

ARTICLE 86. The provisions of articles 46 and 47 of Title II are applicable to persons and objects to be embarked on a pilgrim ship sailing from a port of the Indian Ocean and Oceania, even if the port is not infected with plague or cholera.

Ships from noninfected ports.

ARTICLE 87. When cases of plague or cholera exist in the port, no embarkation shall be made on pilgrim ships until after the persons, assembled in a group, have been subjected to an observation for the purpose of ascertaining that none of them is stricken with plague or cholera.

Embarkation from infected ports restricted.

It shall be understood that, in executing this measure, each Government may take into account the local circumstances and possibilities.

ARTICLE 88. If local circumstances permit, the pilgrims shall be obliged to prove that they possess the means absolutely necessary to complete the pilgrimage, especially a round-trip ticket.

Sufficient means for pilgrimage required.

ARTICLE 89. Steamships shall alone be permitted to engage in the long-voyage transportation of pilgrims, all other vessels being forbidden to engage in this traffic.

Long-voyage transportation restricted to steamships.

ARTICLE 90. Pilgrim ships engaged in coasting trade and used in making the conveyances of short duration called "coasting voyages" shall be subject to the provisions contained in the special regulations applicable to the Hedjaz pilgrimage, which shall be published by the Board of Health of Constantinople in accordance with the principles enounced in the present Convention.

Ships engaged in coasting trade, etc.

ARTICLE 91. A vessel which does not embark a greater proportion of pilgrims of the lowest class than one per hundred tons' gross burden, in addition to its ordinary passengers (among whom pilgrims of the higher classes may be included), shall not be considered as a pilgrim ship.

Vessels not rated as pilgrim ships.

ARTICLE 92. Every pilgrim ship, upon entering the Red Sea or the Persian Gulf, must conform to the provisions contained in the special regulations applicable to

Pilgrim ships entering Red Sea, etc.

the Hedjaz pilgrimage, which shall be published by the Board of Health of Constantinople in accordance with the principles set forth in the present convention.

Payment of
sanitary taxes.

ARTICLE 93. The captain shall be obliged to pay all the sanitary taxes collectible from the pilgrims, which shall be comprised in the price of the ticket.

Landing,
etc., at sani-
tary stations.

ARTICLE 94. As far as possible, the pilgrims who land or embark at the sanitary stations should not come in contact with one another at the points of debarkation.

After landing their pilgrims, the vessels shall change their anchorage in order to reembark them.

The pilgrims who are landed shall be sent to the encampment in as small groups as possible.

They must be furnished with good drinking water, whether it is found on the spot or obtained by distillation.

Destruction
of provisions.

ARTICLE 95. When there is plague or cholera in Hedjaz, the provisions carried by the pilgrims shall be destroyed if the health authority deems it necessary.

Pilgrim
ships.

CHAPTER II.—*Pilgrim ships.—Sanitary arrangements.*

Sanitary,
etc., arrange-
ments.

SECTION I.—*General arrangement of vessels.*

ARTICLE 96. The vessel must be able to lodge pilgrims between decks.

Outside of the crew, the vessel shall furnish to every individual, whatever be his age, a surface of 1.5 square meters (16 English square feet) with a height between decks of about 1.8 meters.

On vessels engaged in coasting trade each pilgrim shall have at his disposal a space of at least 2 meters wide along the gunwales of the vessel.

Sea water
for pilgrims.

ARTICLE 97. On each side of the vessel, on deck, there shall be reserved a place screened from view and provided with a hand pump so as to furnish sea water for the needs of the pilgrims. One such place shall be reserved exclusively for women.

Water-
closets.

ARTICLE 98. In addition to the water-closets for the use of the crew, the vessel shall be provided with latrines flushed with water or provided with a stop cock, in the proportion of at least one latrine for every 100 persons embarked.

There shall be latrines reserved exclusively for women.

There shall be no water-closets between decks or within the hold.

Arrange-
ments for pri-
vate cooking.

ARTICLE 99. The vessel shall have two places arranged for private cooking by the pilgrims, who shall be forbidden to make a fire elsewhere and especially on deck.

Infirmary.

ARTICLE 100. An infirmary regularly fitted up and properly arranged with regard to safety and sanitary conditions shall be reserved for lodging the sick.

It must be able to receive at least 5 per cent of the pilgrims embarked, allowing at least 3 square meters per head.

ARTICLE 101. The vessel shall be provided with the means of isolating persons who show symptoms of plague or cholera. Isolating suspects.

ARTICLE 102. Every vessel shall have on board the medicines, disinfectants, and articles necessary for the care of the sick. The regulations made for this kind of vessels by each Government shall determine the nature and quantity of the medicines.^a The care and the remedies shall be furnished gratuitously to the pilgrims. Free medicines.

ARTICLE 103. Every vessel embarking pilgrims shall have on board a physician holding a regular diploma and commissioned by the Government of the country to which the vessel belongs or by the Government of the port in which the vessel takes pilgrims on board. A second physician shall be embarked as soon as the number of pilgrims carried by the vessel exceeds one thousand. Physicians.

ARTICLE 104. The captain shall be obliged to have handbills posted on board in a position which is conspicuous and accessible to those interested. They shall be in the principal languages of the countries inhabited by the pilgrims embarked, and show: Posting handbills in different languages.

1. The destination of the vessel.
2. The price of the tickets.
3. The daily ration of water and food allowed to each pilgrim.

4. A price list of victuals not comprised in the daily ration and to be paid for extra.

ARTICLE 105. The heavy baggage of the pilgrims shall be registered, numbered, and placed in the hold. The pilgrims shall keep with them only such articles as are absolutely necessary, the regulations made by each Government for its vessels determining the nature, quantity, and dimensions thereof. Registering heavy baggage, etc.

ARTICLE 106. The provisions of Chapters I, II (sections I, II, and III), and III of the present title shall be posted, in the form of regulations, in the language of the nationality of the vessel as well as in the principal languages of the countries inhabited by the pilgrims embarked, in a conspicuous and accessible place on each deck and between decks on every vessel carrying pilgrims. Posting custom regulations required.

SECTION II.—*Measures to be taken before departure.*

ARTICLE 107. At least three days before departure the captain, or in the absence of the captain the owner or agent, of every pilgrim ship must declare his intention to embark pilgrims to the competent authority of the port of departure. In ports of call the captain, or in the absence of the captain the owner or agent, of every pilgrim ship must make this same declaration twelve hours before the departure of the vessel. This declaration must indicate Declaring date of sailing and destination.

^a It is desirable that each vessel be provided with the principal immunizing agents (antiplague serum, Haffkine vaccine, etc.).

the intended day of sailing and the destination of the vessel.

Inspection, etc. ARTICLE 108. Upon the declaration prescribed by the preceding article being made, the competent authority shall proceed to the inspection and measurement of the vessel at the expense of the captain. The consular officer of the country to which the vessel belongs may be present at this inspection.

The inspection only shall be made if the captain is already provided with a certificate of measurement issued by the competent authority of his country, unless it is suspected that the document no longer corresponds to the actual state of the vessel.^a

Requirements before sailing. ARTICLE 109. The competent authority shall not permit the departure of a pilgrim ship until he has ascertained:

Cleanliness of ship. a) That the vessel has been put in a state of perfect cleanliness and, if necessary, disinfected.

Proper equipment. b) That the vessel is in condition to undertake the voyage without danger; that it is properly equipped, arranged, and ventilated; that it is provided with an adequate number of small boats; that it contains nothing on board which is or might become detrimental to the health or safety of the passengers, and that the deck is of wood or of iron covered over with wood.

Sufficient food and fuel supply. c) That, in addition to the provisions for the crew, there are provisions and fuel of good quality on board, suitably stored and in sufficient quantity for all the pilgrims and for the entire anticipated duration of the voyage.

Good drinking water. d) That drinking water taken on board is of good quality and from a source protected against all contamination; that there is a sufficient quantity thereof; that the tanks of drinking water on board are protected against all contamination and closed in such a way that the water can only be let out through the stop cocks or pumps. The devices for letting water out called "suckers" are absolutely forbidden.

Distilling apparatus. e) That the vessel has a distilling apparatus capable of producing at least 5 liters of water per head each day for every person embarked, including the crew.

Disinfecting chamber. f) That the vessel has a disinfecting chamber whose safety and efficiency have been ascertained by the health authority of the port of embarkation of the pilgrims.

Physician, etc. g) That the crew comprises a physician holding a diploma and commissioned^b either by the Government of

^a The competent authority is at present: In British India, an officer designated for this purpose by the local government (Native Passenger Ships Act 1887, Art. 7); in Dutch India, the master of the port; in Turkey, the health authority; in Austria-Hungary, the authority of the port; in Italy, the captain of the port; in France, Tunis, and Spain, the health authority; in Egypt, the quarantine and health authority, etc.

^b Exception is made for governments which have no commissioned physicians.

the country to which the vessel belongs or by the Government of the port where the vessel takes on pilgrims, and that the vessel has a supply of medicines, all in conformity with Articles 102 and 103.

h) That the deck of the vessel is free from all cargo and other incumbrances.

i) That the arrangements of the vessel are such that the measures prescribed by Section III hereinafter may be executed.

ARTICLE 110. The captain shall not sail until he has in his possession :

1. A list viséed by the competent authority and showing the name, sex, and total number of the pilgrims whom he is authorized to embark. Viséed list of pilgrims.

2. A bill of health setting forth the name, nationality, and tonnage of the vessel, the name of the captain and of the physician, the exact number of persons embarked (crew, pilgrims, and other passengers), the nature of the cargo, and the port of departure. Bill of health.

The competent authority shall indicate upon the bill of health whether the number of pilgrims allowed by the regulations is reached or not, and, in case it is not reached, the additional number of passengers which the vessel is authorized to embark in subsequent ports of call.

SECTION III.—*Measures to be taken during the passage.*

ARTICLE 111. The deck shall remain free from encumbering objects during the voyage and shall be reserved day and night for the persons on board and be placed gratuitously at their service. Measures required during voyage. Unencumbered decks.

ARTICLE 112. Every day the space between decks should be cleaned carefully and scrubbed with dry sand mixed with disinfectants while the pilgrims are on deck. Washing decks with sand, etc.

ARTICLE 113. The latrines intended for passengers as well as those for the crew should be kept neat and be cleansed and disinfected three times a day. Disinfecting latrines.

ARTICLE 114. The excretions and dejections of persons showing symptoms of plague or cholera shall be collected in vessels containing a disinfecting solution. These vessels shall be emptied into the latrines, which shall be thoroughly disinfected after each flushing. Removal of excretions, etc.

ARTICLE 115. Articles of bedding, carpets, and clothing which have been in contact with the patients mentioned in the preceding article shall be immediately disinfected. The observance of this rule is especially enjoined with regard to the clothing of persons who come near to these patients and who may have become contaminated. Disinfecting bedding, etc.

Such of the articles mentioned above as have no value shall either be thrown overboard, if the vessel is neither in a port nor a canal, or else destroyed by fire. The others shall be carried to the disinfecting chamber in impermeable sacks washed with a disinfecting solution.

Patients' quarters to be disinfected. ARTICLE 116. The quarters occupied by the patients and referred to in Article 100 shall be rigorously disinfected.

Ships must submit to disinfecting operations, etc. ARTICLE 117. Pilgrim ships shall be compelled to submit to disinfecting operations in conformity with the regulations in force on the subject in the country whose flag they fly.

Minimum amount of free drinking water. ARTICLE 118. The quantity of drinking water allowed daily to each pilgrim free of charge, whatever be his age, shall be at least 5 liters.

Water to be sterilized. ARTICLE 119. If there is any doubt about the quality of the drinking water or any possibility of its contamination either at the place of its origin or during the course of the voyage, the water shall be boiled or otherwise sterilized and the captain shall be obliged to throw it overboard at the first port in which a stop is made and in which he is able to procure a better supply.

Duties of physicians in charge. ARTICLE 120. The physician shall examine the pilgrims, attend the patients, and see that the rules of hygiene are observed on board. He shall especially:

1. Satisfy himself that the provisions dealt out to the pilgrims are of good quality, that their quantity is in conformity with the obligations assumed, and that they are suitably prepared.

2. Satisfy himself that the requirements of Article 118 relative to the distribution of water are observed.

3. If there is any doubt about the quality of the drinking water, remind the captain in writing of the provisions of Article 119.

4. Satisfy himself that the vessel is maintained in a constant state of cleanliness, and especially that the latrines are cleansed in accordance with the provisions of Article 113.

5. Satisfy himself that the lodgings of the pilgrims are maintained in a healthful condition, and that, in case of transmissible disease, they are disinfected in conformity with Articles 116 and 117.

6. Keep a diary of all the sanitary incidents occurring during the course of the voyage and present this diary to the competent authority of the port of arrival.

Restrictions on persons in charge of patients. ARTICLE 121. The persons intrusted with the care of the plague or cholera patients shall alone have access to them and shall have no contact with the other persons on board.

Deaths occurring during voyage. ARTICLE 122. In case of a death occurring during the voyage, the captain shall make note of the death opposite the name on the list viséed by the authority of the port of departure, besides entering on his journal the name of the deceased person, his age, where he comes from, the presumable cause of his death according to the physician's certificate, and the date of the death.

In case of death by a transmissible disease, the body shall be wrapped in a shroud saturated with a disinfecting solution and thrown overboard.

ARTICLE 123. The captain shall see that all the prophylactic measures executed during the voyage are recorded in the ship's journal. This journal shall be presented by him to the competent authority of the port of arrival.

Ship's journal to show all preventive measures executed.

In each port of call the captain shall have the list prepared in accordance with Article 110 viséed by the competent authority.

In case a pilgrim is landed during the course of the voyage, the captain shall note the fact on the list opposite the name of the pilgrim.

In case of an embarkation, the persons embarked shall be mentioned on this list in conformity with the aforementioned Article 110 and before it is viséed again by the competent authority.

ARTICLE 124. The bill of health delivered at the port of departure shall not be changed during the course of the voyage.

Bill of health.

It shall be viséed by the health authority of each port of call, who shall note thereon:

1. The number of passengers landed or embarked in the port.
2. The incidents occurring at sea and affecting the health or life of the persons on board.
3. The sanitary condition of the port of call.

SECTION IV.—*Measures to be taken on the arrival of pilgrims in the Red Sea.*

Arrival of pilgrims in Red Sea.

A. SANITARY MEASURES APPLICABLE TO MUSSULMAN-PILGRIM SHIPS HAILING FROM AN INFECTED PORT AND BOUND FROM THE SOUTH TOWARD HEDJAZ.

Sanitary measures.

ARTICLE 125. Pilgrim ships hailing from the south and bound for Hedjaz shall first stop at the sanitary station of Camaran, where they shall be subjected to the measures prescribed by Articles 126 to 128.

Ships bound for Hedjaz from the south.

ARTICLE 126. Vessels recognized as *uninfected* after a medical inspection shall obtain pratique when the following operations are completed:

Uninfected vessels.

The pilgrims shall be landed, take a shower or sea bath, and their soiled linen and the part of their wearing apparel and baggage which appears suspicious in the opinion of the health authority shall be disinfected. The duration of these operations, including debarkation and embarkation, shall not exceed forty-eight hours.

If no real or suspected case of plague or cholera is discovered during these operations, the pilgrims shall be reembarked immediately and the vessel shall proceed toward Hedjaz.

For plague, the provisions of Articles 23 and 24 shall be applied with regard to the rats which may be found on board the vessels.

ARTICLE 127. *Suspicious* vessels on board of which there were cases of plague or cholera at the time of de-

Control of vessels under suspicion.

parture, but on which there has been no new case of plague or cholera for seven days, shall be treated in the following manner:

The pilgrims shall be landed, take a shower or sea bath, and their soiled linen and the part of their wearing apparel and baggage which appears suspicious in the opinion of the health authority shall be disinfected.

In time of cholera the bilge water shall be changed.

The parts of the vessel occupied by the patients shall be disinfected. The duration of these operations, including debarkation and embarkation, shall not exceed forty-eight hours.

Second medical inspection at Djeddah.

If no real or suspected case of plague or cholera is discovered during these operations, the pilgrims shall be reembarked immediately and the vessel shall proceed to Djeddah, where a second medical inspection shall take place on board. If the result thereof is favorable, and on the strength of a written affidavit by the ship's physician to the effect that there has been no case of plague or cholera during the passage, the pilgrims shall be immediately landed.

Discovery of plague, etc., during voyage.

If, on the contrary, one or more real or suspected cases of plague or cholera have been discovered during the voyage or at the time of arrival, the vessel shall be sent back to Camaran, where it shall undergo anew the measures applicable to infected vessels.

For plague, the provisions of Article 22, third paragraph, shall be applied with regard to the rats which may be found on board the vessels.

Treatment of infected ships.

ARTICLE 128. *Infected vessels*, that is, those having cases of plague or cholera on board or having had cases of plague or cholera within seven days, shall undergo the following treatment:

The persons stricken with plague or cholera shall be landed and isolated in the hospital. The other passengers shall be landed and isolated in groups comprising as few persons as possible, so that the whole number may not be infected by a particular group if plague or cholera should develop therein.

The soiled linen, wearing apparel, and clothing of the crew and passengers, as well as the vessel, shall be disinfected in a thorough manner.

However, the local health authority may decide that the discharge of the heavy baggage and the cargo is not necessary, and that only a part of the vessel need be disinfected.

Passengers to be detained at Camaran.

The passengers shall remain at the Camaran establishment seven or five days, according to whether it is a question of plague or cholera. When cases of plague or cholera date back several days, the length of the isolation may be diminished. This length may vary according to the date of appearance of the last case and the decision of the health authority.

The vessel shall then proceed to Djeddah, where an individual and rigorous medical inspection shall be made. If the result thereof is favorable, the vessel shall obtain pratique. If, on the contrary, real cases of plague or cholera have appeared on board during the voyage or at the time of arrival, the vessel shall be sent back to Camaran, where it shall undergo anew the treatment applicable to infected vessels.

For plague, the measures prescribed by Article 21 shall be applied with regard to the rats which may be found on board the vessels.

1. *The Camaran Station.*

ARTICLE 129. The following conditions shall exist at the Camaran station:

The island shall be completely vacated by its inhabitants.

In order to insure the safety and facilitate the movement of vessels in the bay of Camaran Island—

1. Buoys and beacons shall be installed in sufficient number.

2. A mole or quay shall be constructed to land passengers and baggage.

3. A separate flying bridge shall be arranged for the embarkation of the pilgrims of each camp.

4. A steam tug and a sufficient number of barges shall be provided in order to land and embark the pilgrims.

ARTICLE 130. The landing of the pilgrims from infected vessels shall be effected with the means on board. If these means are inadequate, the persons and the barges which have assisted in the landing must undergo the same treatment as the pilgrims and the infected vessel.

ARTICLE 131. The sanitary station shall comprise the following installations and equipment:

1. A system of railway tracks connecting the landing places with the administrative and disinfecting quarters as well as with the buildings used for the various services and with the camps.

2. Quarters for the administrative office and for the personnel of the sanitary and other services.

3. Buildings for the disinfection and washing of wearing apparel and other articles.

4. Buildings in which the pilgrims shall be subjected to shower or sea baths while their clothing in use is being disinfected.

5. Hospitals separated for the two sexes and completely isolated:

- a) For the observation of suspects;
- b) For plague patients;
- c) For cholera patients;
- d) For patients stricken with other contagious diseases;
- e) For those sick with ordinary diseases.

Medical inspection at Djeddah.

Camaran station.

Arrangements to facilitate movement of vessels, etc.

Landing of infected persons.

Sanitary station, equipment, etc.

Hospitals.

- Camps. 6. Camps suitably separated from one another, the distance between them being as great as possible. The lodgings intended for pilgrims shall be constructed on the best hygienic principles and shall not contain over twenty-five persons.
- Cemetery. 7. A well situated cemetery, remote from all habitations, without contact with any sheet of underground water, and drained half a meter below the level of the graves.
- Steam disinfecting chambers. 8. Steam disinfecting chambers in sufficient number and combining all the elements of safety, efficiency, and rapidity. Apparatuses for the destruction of rats.
- Chemical disinfection. 9. Atomizers, disinfecting chambers, and the appliances necessary for chemical disinfection.
- Drinking water. 10. Machines for distilling water, apparatus for the sterilization of water by heat, and machines for manufacturing ice. For the distribution of the drinking water: Pipes and closed, tight tanks capable of being emptied only by stop-cocks or pumps.
- Bacteriological laboratory. 11. A bacteriological laboratory with the necessary personnel.
- Night - soil cans. 12. A set of movable night-soil cans for receiving the previously disinfected fecal matters and spreading them over one of the most distant parts of the island from the camps, care being taken that these dumping grounds are properly managed from a hygienic standpoint.
- Removal of dirty water. 13. All dirty water shall be removed from the camps and shall neither be allowed to stagnate nor be used in preparing food. The waste waters coming from hospitals shall be disinfected.
- Food supplies. ARTICLE 132. The health authority shall provide a building for the food supplies and one for the fuel in each camp.

The schedule of prices fixed by the competent authority shall be posted up in several places in the camp in the principal languages of the countries inhabited by the pilgrims.

The camp physician shall each day inspect the quality of the victuals and see that there is a sufficient supply thereof.

Water shall be furnished free of charge.

- Sanitary stations at Abou-Ali, Abou-Saad, Djeddah, Vasta, and Yambo. 2. *Stations of Abou-Ali, Abou-Saad, Djeddah, Vasta, and Yambo.*

ARTICLE 133. The sanitary stations of Abou-Ali, Abou-Saad, and Vasta, as well as those of Djeddah and Yambo, shall fulfill the following conditions:

- 1. At Abou-Ali there shall be established four hospitals—two for plague patients (male and female) and two for cholera patients (male and female).
- 2. At Vasta a hospital for ordinary patients shall be created.

3. At Abou-Saad and Vasta stone lodgings with a capacity of fifty persons each shall be constructed.

4. Three disinfecting chambers shall be located at Abou-Ali, Abou-Saad, and Vasta, with laundries, accessories, and apparatus for the destruction of rats.

5. Shower baths shall be established at Abou-Saad and Vasta.

6. On each of the islands of Abou-Saad and Vasta there shall be installed distilling apparatus capable of furnishing altogether fifteen tons of water a day.

7. The measures with regard to fecal matters and dirty water shall be regulated in accordance with the rules adopted for Camaran.

8. A cemetery shall be established in one of the islands.

9. The sanitary arrangements at Djeddah and Yambo provided for in Article 150 shall be installed, and especially the disinfecting chambers and other means of disinfection for pilgrims leaving Hedjaz.

ARTICLE 134. The rules prescribed for Camaran with regard to food supplies and water shall be applicable to the camps of Abou-Ali, Abou-Saad, and Vasta.

B. SANITARY MEASURES APPLICABLE TO MUSSULMAN-PILGRIM SHIPS HAILING FROM THE NORTH AND BOUND TOWARD HEDJAZ.

Mussulman-pilgrim ships from the north.

ARTICLE 135. If plague or cholera is not known to exist in the port of departure or its neighborhood, and if no case of plague or cholera has occurred during the passage, the vessel shall be immediately granted pratique.

Sanitary measures.

ARTICLE 136. If plague or cholera is known to exist in the port of departure or its vicinity, or if a case of plague or cholera has occurred during the voyage, the vessel shall be subjected at Tor to the rules established for vessels coming from the south and stopping at Camaran. The vessels shall thereupon be granted pratique.

Inspection, etc., at Tor.

SECTION V.—*Measures to be taken upon the return of pilgrims.*

A. PILGRIM SHIPS RETURNING NORTHWARD.

ARTICLE 137. Every vessel bound for Suez or for a Mediterranean port, having on board pilgrims or similar masses of persons, and hailing from a port of Hedjaz or from any other port on the Arabian coast of the Red Sea, must repair to Tor in order to undergo there the observation and the sanitary measures indicated in Articles 141 to 143.

Pilgrim ships returning northward.

Vessels to report at Tor for observation, etc.

ARTICLE 138. Vessels bringing Mussulman pilgrims back toward the Mediterranean shall pass through the canal in quarantine only.

Passing through canal in quarantine.

ARTICLE 139. The agents of navigation companies and captains are warned that, after completing their observa-

Egyptian pilgrims at Tor.

tion period at the sanitary station of Tor, the Egyptian pilgrims will alone be permitted to leave the vessel permanently in order to return thereupon to their homes.

Certificate of residence required.

Only those pilgrims will be recognized as Egyptians or as residents of Egypt who are provided with a certificate of residence issued by an Egyptian authority and conforming to the established model. Samples of this certificate shall be deposited with the consular and health authorities of Djeddah and Yambo, where the agents and captains of vessels can examine them.

Other pilgrims.

Pilgrims other than Egyptians, such as Turks, Russians, Persians, Tunisians, Algerians, Moroccans, etc., can not be landed in an Egyptian port after leaving Tor. Consequently, navigation agents and captains are warned that the transshipment of pilgrims not residents of Egypt at Tor, Suez, Port Said, or Alexandria is forbidden.

Vessels having pilgrims on board who belong to the nationalities mentioned in the foregoing paragraph shall be subject to the rules applicable to these pilgrims and shall not be received in any Egyptian port of the Mediterranean.

Medical examination of Egyptian pilgrims.

ARTICLE 140. Before being granted pratique, Egyptian pilgrims shall undergo an observation of three days and a medical examination at Tor, Souakim, or any other station designated by the Board of Health of Egypt.

Cholera, etc., at Hedjaz, etc.

ARTICLE 141. If plague or cholera is known to exist in Hedjaz or in the port from which the vessel hails, or if it has existed in Hedjaz during the course of the pilgrimage, the vessel shall be subjected at Tor to the rules adopted at Camaran for infected vessels.

Treatment of patients.

The persons stricken with plague or cholera shall be landed and isolated in the hospital. The other passengers shall be landed and isolated in groups composed of as few persons as possible, so that the whole number may not be infected by a particular group if the plague or cholera should develop therein.

The soiled linen, wearing apparel, and clothing of the crew and passengers, as well as the baggage and cargo suspected of contamination shall be landed and disinfected. Their disinfection as well as that of the vessel shall be thorough.

However, the local health authority may decide that the unloading of the heavy baggage and the cargo is not necessary, and that only a part of the vessel need undergo disinfection.

The measures provided by Articles 21 and 24 shall be applied with regard to the rats which may be found on board.

Seven-day surveillance.

All the pilgrims shall be subjected to an observation of seven full days from the day on which the disinfecting operations are completed, whether it be a question of plague or of cholera. If a case of plague or cholera has appeared in one section, the period of seven days shall

not begin for this section until the day on which the last case was discovered.

ARTICLE 142. In the case contemplated in the preceding article, the Egyptian pilgrims shall be subjected, besides, to an additional observation of three days.

Additional observation period.

ARTICLE 143. If plague or cholera is not known to exist either in Hedjaz or in the port from which the vessel hails, and has not been known to exist in Hedjaz during the course of the pilgrimage, the vessel shall be subjected at Tor to the rules adopted at Camaran for uninfected vessels.

If cholera, etc., does not exist at Hedjaz, etc.

The pilgrims shall be landed and take a shower or sea bath, and their soiled linen or the part of their wearing apparel and baggage which may appear suspicious in the opinion of the health authority shall be disinfected. The duration of these operations, including the debarkation and embarkation, shall not exceed seventy-two hours.

Treatment of pilgrims.

However, a pilgrim ship belonging to one of the nations which have adhered to the stipulations of the present and the previous conventions, if it has had no plague or cholera patients during the course of the voyage from Djed-dah to Yambo or Tor and if the individual medical examination made at Tor after debarkation establishes the fact that it contains no such patients, may be authorized by the Board of Health of Egypt to pass through the Suez Canal in quarantine even at night when the four following conditions are fulfilled:

Passage through canal of uninspected ships.

1. Medical attendance shall be given on board by one or several physicians commissioned by the governments to which the vessel belongs.

Conditions.

2. The vessel shall be provided with disinfecting chambers and it shall be ascertained that the soiled linen has been disinfected during the course of the voyage.

3. It shall be shown that the number of pilgrims does not exceed that authorized by the pilgrimage regulations.

4. The captain shall bind himself to repair directly to a port of the country to which the vessel belongs.

The medical examination shall be made as soon as possible after debarkation at Tor.

The sanitary tax to be paid to the quarantine administration shall be the same as the pilgrims would have paid had they remained in quarantine three days.

ARTICLE 144. A vessel which has had a suspicious case on board during the voyage from Tor to Suez shall be sent back to Tor.

Suspected ships sent back to Tor.

ARTICLE 145. The transshipment of pilgrims is strictly forbidden in Egyptian ports.

Transshipment of pilgrims forbidden.

ARTICLE 146. Vessels leaving Hedjaz and having on board pilgrims who are bound for a port on the African shore of the Red Sea shall be authorized to proceed directly to Souakim or to such other place as the Board of Health of Alexandria may determine, where they shall submit to the same quarantine procedure as at Tor.

Vessels departing from Hedjaz with pilgrims.

Uninspected ships from Hedjaz, etc.

ARTICLE 147. Vessels hailing from Hedjaz or from a port on the Arabian coast of the Red Sea with a clean bill of health, having no pilgrims or similar groups of people on board, and which have had no suspicious occurrence during the voyage, shall be granted pratique at Suez after a favorable medical inspection.

Requirements if plague, etc., exists at Hedjaz.

ARTICLE 148. When plague or cholera shall have been proven to exist in Hedjaz:

1. Caravans composed of Egyptian pilgrims shall, before going to Egypt, undergo at Tor a rigid quarantine of seven days in case of cholera or plague. They shall then undergo an observation of three days at Tor, after which they shall not be granted pratique until a favorable medical inspection has been made and their belongings have been disinfected.

2. Caravans composed of foreign pilgrims who are about to return to their homes by land routes shall be subjected to the same measures as the Egyptian caravans and shall be accompanied by sanitary guards to the edge of the desert.

Requirements if plague, etc., does not exist at Hedjaz.

ARTICLE 149. When plague or cholera has not been observed in Hedjaz, the caravans of pilgrims coming from Hedjaz by way of Akaba or Moila shall, upon their arrival at the canal or at Nakhel, be subjected to a medical examination and their soiled linen and wearing apparel shall be disinfected.

Pilgrims returning southward.

B. PILGRIMS RETURNING SOUTHWARD.

Sanitary arrangements.

ARTICLE 150. Sufficiently complete sanitary arrangements shall be installed in the ports of embarkation of Hedjaz in order to render possible the application, to pilgrims who have to travel southward in order to return to their homes, of the measures which are obligatory by virtue of Articles 46 and 47 at the moment of departure of these pilgrims in the ports situated beyond the Straits of Bab-el-Mandeb.

Application of measures optional.

The application of these measures is optional; that is, they are only to be applied in those cases in which the consular officer of the country to which the pilgrim belongs, or the physician of the vessel on which he is about to embark, deems them necessary.

Penalties imposed on captains.

CHAPTER III.—*Penalties.*

Failure to distribute water, etc.

ARTICLE 151. Every captain convicted of not having conformed, in the distribution of water, provisions, or fuel, to the obligations assumed by him, shall be liable to a fine of two Turkish pounds.^a This fine shall be collected for the benefit of the pilgrim who shall have been the

Collection and use of fines.

^a The Turkish pound is worth 22 francs and 50 centimes.

victim of the default, and who shall prove that he has vainly demanded the execution of the agreement made.

ARTICLE 152. Every infraction of Article 104 shall be punished by a fine of thirty Turkish pounds.

Fines for failure to post handbills, etc.
False bill of health, etc.

ARTICLE 153. Every captain who has committed or who has knowingly permitted any fraud whatever concerning the list of pilgrims or the bill of health provided for in Article 110 shall be liable to a fine of fifty Turkish pounds.

ARTICLE 154. Every captain of a vessel arriving without a bill of health from the port of departure, or without a visé from the ports of call, or who is not provided with the list required by the regulations and regularly kept in accordance with Articles 110, 123, and 124, shall be liable in each case to a fine of twelve Turkish pounds.

Vessel arriving without bill of health, etc.

ARTICLE 155. Every captain convicted of having or having had on board more than 100 pilgrims without the presence of a commissioned physician in conformity with the provisions of Article 103 shall be liable to a fine of thirty Turkish pounds.

Ships not carrying a physician.

ARTICLE 156. Every captain convicted of having or having had on board a greater number of pilgrims than that which he is authorized to embark in conformity with the provisions of Article 110 shall be liable to a fine of five Turkish pounds for each pilgrim in excess.

Vessels carrying excess of pilgrims.

The pilgrims in excess of the regular number shall be landed at the first station at which a competent authority resides, and the captain shall be obliged to furnish the landed pilgrims with the money necessary to pursue their voyage to their destination.

ARTICLE 157. Every captain convicted of having landed pilgrims at a place other than their destination, except with their consent or excepting cases of *vis major*, shall be liable to a fine of twenty Turkish pounds for each pilgrim wrongfully landed.

Landing pilgrims at other than place of destination.

ARTICLE 158. All other infractions of the provisions relative to pilgrim ships are punishable by a fine of from 10 to 100 Turkish pounds.

Penalty for other violations of regulations.

ARTICLE 159. Every violation proven in the course of a voyage shall be noted on the bill of health as well as on the list of pilgrims. The competent authority shall draw up a report thereof and deliver it to the proper party.

Infractions to be noted on bill of health, etc.

ARTICLE 160. In Ottoman ports, violations of the provisions concerning pilgrim ships shall be proven and the fine imposed by the competent authority in conformity with Articles 173 and 174.

Violations of provisions in Ottoman ports.

ARTICLE 161. All agents called upon to assist in the execution of the provisions of the present convention with regard to pilgrim ships are liable to punishment in conformity with the laws of their respective countries in case of faults committed by them in the application of the said provisions.

Punishment of agents.

Surveillance
and execution.

TITLE IV.—SURVEILLANCE AND EXECUTION.

I.—*The Sanitary, Maritime, and Quarantine Board of Egypt.*Sanitary,
Maritime, and
Quarantine
Board of Egypt.

ARTICLE 162. The stipulations of Annex III of the Sanitary Convention of Venice of January 30, 1892, concerning the composition, rights and duties, and operation of the Sanitary, Maritime, and Quarantine Board of Egypt, are confirmed as they appear in the decrees of His Highness the Khedive under date of June 19, 1893, and December 25, 1894, as well as in the ministerial decision of June 19, 1894.

The said decrees and decision are annexed to the present convention.

Payment of
ordinary ex-
penses.

ARTICLE 163. The ordinary expenses resulting from the provisions of the present convention, especially those relating to the increase of the personnel belonging to the Sanitary, Maritime, and Quarantine Board of Egypt, shall be covered by means of an annual supplementary payment by the Egyptian Government of the sum of 4,000 Egyptian pounds, which may be taken from the surplus revenues from the light-house service remaining at the disposal of said Government.

However, the proceeds of a supplementary quarantine tax of 10 tariff dollars per pilgrim to be collected at Tor shall be deducted from this sum.

In case the Egyptian Government should find difficulty in bearing this share of the expenses, the Powers represented in the Board of Health shall reach an understanding with the Khedival Government in order to insure the participation of the latter in the expenses contemplated.

Revision,
etc., of regula-
tions.

ARTICLE 164. The Sanitary, Maritime, and Quarantine Board of Egypt shall undertake the task of bringing the provisions of the present convention into conformity with the regulations at present enforced by it in regard to the plague, cholera, and yellow fever, as well as with the regulations relative to arrivals from the Arabian ports of the Red Sea during the pilgrim season.

To the same end it shall, if necessary, revise the general regulations of the sanitary, maritime, and quarantine police at present in force.

These regulations, in order to become effective, must be accepted by the various Powers represented on the Board.

Superior
Board of
Health, Con-
stantinople.
Preventing
introduction of
epidemics.II.—*The Superior Board of Health of Constantinople.*

ARTICLE 165. The Superior Board of Health of Constantinople shall decide on the measures to be adopted in order to prevent the introduction of epidemic diseases

into the Ottoman Empire and their transmission to foreign countries.

ARTICLE 166. The number of Ottoman delegates to the Superior Board of Health who shall take part in the voting of the Board is fixed at four members, namely: Ottoman delegates limited to four members.

The President of the Board or, in his absence, the person presiding over the meeting. They shall not take part in the voting except in case of a tie.

The Inspector General of the Sanitary Services.

The Service Inspector.

The Delegate acting as intermediary between the Board and the Sublime Porte, called Mouhassebedgi.

ARTICLE 167. The appointment of the Inspector General, of the Service Inspector, and of the aforementioned Delegate, who are designated by the Board, shall be ratified by the Ottoman Government. Ratification of appointments.

ARTICLE 168. The High Contracting Parties recognize the right of Roumania, as a maritime power, to be represented on the Board by one delegate. Roumanian delegate.

ARTICLE 169. The delegates of the various nations shall be physicians holding regular diplomas from a European faculty of medicine and citizens or subjects of the country which they represent, or consular officers of the grade of vice-consul at least or an equivalent grade. Delegates of other nations.

The delegates shall have no connection of any kind with the local authorities or with a maritime company.

These provisions do not apply to the present incumbents.

ARTICLE 170. The decisions of the Superior Board of Health, reached by a majority of the members who compose it, are of an executory character and without appeal. Majority decisions without appeal.

The signatory governments agree that their representatives at Constantinople shall be instructed to notify the Ottoman Government of the present convention and to endeavor to obtain its accession thereto. Notifying Ottoman Government.

ARTICLE 171. The enforcement and surveillance of the provisions of the present convention with regard to pilgrimages and to measures against the invasion and propagation of plague and cholera are intrusted, within the scope of the jurisdiction of the Superior Board of Health of Constantinople, to a committee appointed entirely from among the members of this Board and composed of representatives of the various Powers which shall have adhered to the present convention. Committee for enforcement of provisions in regard to pilgrims.

The number of representatives of Turkey on this committee shall be three, one of them being president thereof. In case of a tie in voting, the president shall have the casting vote. Turkish representation on committee.

ARTICLE 172. A corps of diplomaed physicians, disinfectors, and skilled mechanics, as well as of sanitary guards recruited from among persons who have performed military service as officers or noncommissioned officers, shall be created for the purpose of insuring the Creation of a corps to insure enforcement of sanitary measures.

proper operation, under the direction of the Superior Board of Health of Alexandria, of the various sanitary establishments enumerated in and instituted by the present convention.

Reports on violation of regulations.

Certified copy.

ARTICLE 173. The health authority of the Ottoman port of call or arrival who discovers a violation of the regulations, shall draw up a report thereof, on which the captain may enter his observations. A certified copy of this report shall be transmitted, at the port of call or arrival, to the consular officer of the country whose flag the vessel flies. The latter officer shall see that the fine is deposited with him. In the absence of a consul, the health authority shall receive this fine on deposit. The fine shall not be finally credited to the Superior Board of Health of Constantinople until the consular commission referred to in the following article has pronounced upon the validity of the fine.

A second copy of the certified report shall be transmitted by the health authority who has discovered the violation to the President of the Board of Health of Constantinople, who shall communicate the document to the Consular Commission.

A minute shall be made on the bill of health by the health or consular authority, noting the violation discovered and the deposit of the fine.

Consular Commission.

ARTICLE 174. At Constantinople there shall be created a Consular Commission to pass judgment upon the contradictory declarations of the health officer and the captain under charge. It shall be appointed each year by the consular corps. The Health Department may be represented by an agent acting as public prosecutor. The consul of the nation interested shall always be summoned and shall be entitled to vote.

Building sanitary posts. Payment of expenses.

ARTICLE 175. The expenses of the establishment, within the jurisdiction of the Superior Board of Health of Constantinople, of the permanent and temporary sanitary posts contemplated by the present convention, shall be borne by the Ottoman Government as far as the construction of buildings is concerned. The Superior Board of Health of Constantinople is authorized, if there is urgent need, to advance the necessary sums out of the reserve fund; these sums shall be furnished it upon demand by "the Mixed Commission in charge of the revision of the sanitary tariff." It shall, in this case, see to the construction of these establishments.

New sanitary establishments.

The Superior Board of Health of Constantinople shall organize without delay the sanitary establishments of Hanikin and Kasil-Dizie, near Bayazid, upon the Turko-Persian and Turko-Russian frontiers, by means of the funds which are henceforth placed at its disposal.

Payment of other expenses.

The other expenses arising, within the jurisdiction of the said Board, in connection with the measures prescribed by the present convention, shall be divided between the

Ottoman Government and the Superior Board of Health of Constantinople, in conformity with the understanding reached between the Government and the Powers represented on this Board.

III.—*The International Health Board of Tangier.*

International
Health Board,
Tangier.
Enforcing
regulations.

ARTICLE 176. In the interest of public health, the High Contracting Parties agree that their representatives in Morocco shall again invite the attention of the International Health Board of Tangier to the necessity of enforcing the provisions of the sanitary conventions.

IV.—*Miscellaneous Provisions.*

Miscellaneous
provisions.

ARTICLE 177. Each Government shall determine the means to be employed for disinfection and for the destruction of rats.^a

Determining
means for dis-
infecting, etc.

^a The following modes of disinfection are given by way of suggestion.

Old clothing, old rags, infected materials used in dressing wounds, paper, and other objects without value should be destroyed by fire.

Wearing apparel, bedding, and mattresses contaminated by plague bacilli are positively disinfected—

By passing them through a disinfecting chamber using steam under pressure, or through a chamber with flowing steam at 100° C.

By exposure to vapors of formol.

Objects which may, without damage, be immersed in antiseptic solutions (bed covers, underclothes, sheets) may be disinfected by means of solutions of sublimate in the proportion of 1 per 1,000, of phenic acid in the proportion of 3 per 100, of lysol and commercial cresyl in the proportion of 3 per 100, of formol in the proportion of 1 per 100 (one part of the commercial solution of formaldehyde in the proportion of 40 per 100), or by means of alkaline hypochlorites (of soda, potassium) in the proportion of 1 per 100, that is, one part of the usual commercial hypochlorite.

It goes without saying that the time of contact should be long enough to allow dried up germs to be penetrated by the antiseptic solutions, four to six hours being sufficient.

For the destruction of rats three methods are at present employed:

1. That using sulphurous acid mixed with a small quantity of sulphuric anhydride, which is forced under pressure into the holds, stirring the air up. This causes the death of the rats and insects, and destroys the plague bacilli at the same time when the content of sulphuro-sulphuric anhydride is sufficiently great.

2. The process by which a noncombustible mixture of carbon monoxid and carbon dioxid is sent into the holds.

The process which utilizes carbonic acid in such a way that the content of this gas in the air of the vessel is about 30 per cent.

The last two procedures cause the death of the rodents, but are not claimed to kill the insects and plague bacilli.

The technical committee of the Paris Sanitary Conference of 1903 suggested the following three remedies, viz, a mixture of sulphuro-sulphuric anhydride, a mixture of carbon monoxid and carbonic acid, and carbonic acid, as being among those to which the governments might have recourse, and it was of opinion that, in case they were not used by the health department itself, the latter ought to supervise each operation and ascertain that the rats have been destroyed.

Use of sanitary taxes, etc.

ARTICLE 178. The proceeds from the sanitary taxes and fines shall in no case be employed for objects other than those within the scope of the Boards of Health.

Instructions to captains.

ARTICLE 179. The High Contracting Parties agree to have a set of instructions prepared by their health departments for the purpose of enabling captains of vessels, especially when there is no physician on board, to enforce the provisions contained in the present convention with regard to plague and cholera, as well as the regulations relative to yellow fever.

Persian Gulf.

V.—*The Persian Gulf.*

Expenses at Island of Ormuz.

ARTICLE 180. The expenses of construction and maintenance of the sanitary station whose creation at the Island of Ormuz is provided for by Article 81 of the present convention shall be borne by the Superior Board of Health of Constantinople. The mixed committee of revision of the said Board shall meet as soon as possible in order to furnish it, upon its demand, the necessary funds from the available reserves.

VI.—*An International Health Bureau.*

International Health Bureau at Paris contemplated.

ARTICLE 181. The Conference having taken note of the annexed conclusions of its committee on ways and means regarding the creation of an international health bureau at Paris, the French Government shall, when it judges it opportune, submit propositions to this effect through diplomatic channels to the nations represented at the Conference.

TITLE V.—YELLOW FEVER.

Modification of yellow fever regulations.

ARTICLE 182. It is recommended that the countries interested modify their sanitary regulations so as to bring them into accord with the latest scientific data regarding the mode of transmission of yellow fever, and especially regarding the part played by mosquitoes as vehicles of the germs of the disease.

TITLE VI.—ADHESIONS AND RATIFICATIONS.

Adhesion.

ARTICLE 183. The governments which have not signed the present convention shall be permitted to adhere thereto upon request. Notice of this adhesion shall be given through diplomatic channels to the Government of the French Republic and by the latter to the other signatory governments.

Notice.

Ratification.

ARTICLE 184. The present convention shall be ratified and the ratifications thereof deposited at Paris as soon as possible.

It shall be enforced as soon as it shall have been proclaimed in conformity with the legislation of the signa-

tory nations. In the respective relations of the Powers which shall have ratified it, it shall supersede the international sanitary conventions signed January 30, 1892; April 15, 1893; April 3, 1894; and March 19, 1897.

The previous arrangements enumerated above shall remain in force with regard to the Powers which, having signed or adhered to them, may not ratify or accede to the present act.

In witness whereof the respective Plenipotentiaries have signed the present convention and affixed thereto their seals.

Done at Paris on December 3, 1903, in a single copy which shall remain deposited in the archives of the Government of the French Republic, and of which certified copies shall be transmitted through diplomatic channels to the Contracting Powers.

Signatures.

[Here follow signatures.]

And whereas the said Convention was duly ratified by the Government of the United States of America, by and with the advice and consent of the Senate thereof, and by the Governments aforesaid with the exception of Spain, Greece, Portugal, Servia and Egypt; and their ratifications were, in pursuance of Article 184 of the said Convention, deposited with the Government of the French Republic at Paris on April 6, 1907;

Preamble.

And whereas, the ratification of the United States of America was so deposited with the following declaration, to wit: "That there is occasion to substitute in the United States 'observation' for 'surveillance' in the cases contemplated in Article 21 and following articles, by reason of the special legislation of the several States of the Union."

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the aforesaid declaration.

Proclamation

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this eighteenth day of May, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States of America the one hundred and thirty-first.

[SEAL.]

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

ANNEXES.

[No official translation thereof into English has been made.]

[Voir art. 78.]

ANNEXE I.—RÈGLEMENT RELATIF AU TRANSIT, EN TRAIN QUARANTENAIRE, PAR LE TERRITOIRE ÉGYPTIEN, DES VOYAGEURS ET DES MALLES POSTALES PROVENANT DES PAYS CONTAMINÉS.

ARTICLE PREMIER.

L'Administration des Chemins de fer Égyptiens désirant un train quarantenaire en correspondance avec l'arrivée des navires provenant de ports contaminés devra en aviser l'autorité quarantenaire locale au moins deux heures avant le départ.

ART. 2.

Les passagers débarqueront à l'endroit indiqué par l'autorité quarantenaire d'accord avec l'Administration des Chemins de fer et le Gouvernement égyptien, et passeront directement, sans aucune communication, du bateau au train, sous la surveillance d'un officier du transit et de deux ou plusieurs gardes sanitaires.

ART. 3.

Le transport des effets, bagages, etc., des passagers sera effectué en quarantaine par les moyens du bord.

ART. 4.

Les agents du chemin de fer sont tenus de se conformer, en ce qui concerne les mesures quaranténaires, aux ordres de l'officier du transit.

ART. 5.

Les wagons affectés à ce service seront des wagons à couloir. Un garde sanitaire sera placé dans chaque wagon et sera chargé de la surveillance des passagers. Les agents du chemin de fer n'auront aucune communication avec les passagers.

Un médecin du service quarantenaire accompagnera le train.

ART. 6.

Les gros bagages des passagers seront placés dans un wagon spécial qui sera scellé au départ du train par l'officier du transit. A l'arrivée, les scellés seront retirés par l'officier du transit.

Tout transbordement ou embarquement sur le parcours est interdit.

ART. 7.

Les cabinets seront munis de tinettes contenant une certaine quantité d'antiseptique pour recevoir les déjections des passagers.

ART. 8.

Le quai des gares où le train sera obligé de s'arrêter sera complètement évacué sauf par les agents de service absolument indispensables.

ART. 9.

Chaque train pourra avoir un wagon-restaurant. La desserte de la table sera détruite. Les employés de ce wagon et les autres employés du chemin de fer qui,

pour une raison quelconque, ont été en contact avec les passagers, seront assujettis au même traitement que les pilotes et les électriciens à Port-Saïd ou à Suez ou à telles mesures que le Conseil jugera nécessaires.

ART. 10.

Il est absolument défendu aux passagers de jeter quoi que ce soit par les fenêtres, portières, etc.

ART. 11.

Dans chaque train un compartiment-infirmerie restera vide pour y isoler les malades si le cas se présente. Ce compartiment sera installé d'après les indications du Conseil quarantenaire.

Si un cas de peste ou de choléra se déclarait parmi les passagers, le malade serait immédiatement isolé dans le compartiment spécial. Ce malade, à l'arrivée du train, sera immédiatement transféré au lazaret quarantenaire. Les autres passagers continueront leur voyage en quarantaine.

ART. 12.

Si un cas de peste ou de choléra se déclarait pendant le parcours, le train serait désinfecté par l'autorité quarantenaire.

Dans tous les cas, les fourgons ayant contenu les bagages et la malle seront désinfectés immédiatement après l'arrivée du train.

ART. 13.

Le transbordement du train au bateau sera fait de la même façon qu'à l'arrivée. Le bateau recevant les passagers sera immédiatement mis en quarantaine et mention sera faite sur la patente des accidents qui auraient pu survenir en cours de route, avec désignation spéciale des personnes qui auraient été en contact avec les malades.

ART. 14.

Les frais encourus par l'Administration quarantenaire sont à la charge de qui aura fait la demande du train quarantenaire

ART. 15.

Le Président du Conseil, ou son remplaçant, aura le droit de surveiller ce train pendant tout son parcours.

Le Président pourra, en plus, charger un employé supérieur (outre l'officier du transit et les gardes) de la surveillance dudit train.

Cet employé aura accès dans le train sur la simple présentation d'un ordre signé par le Président.

[Voir art. 162.]

ANNEXE II.—DÉCRET KHÉDIVIAL DU 19 JUIN 1893.

Nous, Khédive d'Égypte,

Sur la proposition de Notre Ministre de l'Intérieur, et l'avis conforme de Notre Conseil des Ministres,

Considérant qu'il a été nécessaire d'introduire diverses modifications dans notre Décret du 3 janvier 1881 (2 Safer 1298),

Décrétons :

ARTICLE PREMIER.

Le Conseil Sanitaire, Maritime et Quarantenaire est chargé d'arrêter les mesures à prendre pour prévenir l'introduction en Égypte, ou la transmission à l'étranger, des maladies épidémiques et des épizooties.

ART. 2.

Le nombre des Délégués égyptiens sera réduit à quatre membres :

1° Le Président du Conseil, nommé par le Gouvernement Égyptien, et qui ne votera qu'en cas de partage des voix ;

2° Un Docteur en médecine européen, Inspecteur général du Service Sanitaire, Maritime et Quarantenaire;

3° L'Inspecteur sanitaire de la ville d'Alexandrie ou celui qui remplit ses fonctions;

4° L'Inspecteur vétérinaire de l'Administration des services sanitaires et de l'Hygiène publique.

Tous les Délégués doivent être médecins régulièrement diplômés, soit par une Faculté de médecine européenne, soit par l'État, ou être fonctionnaires effectifs de carrière, du grade de vice-consul au moins, ou d'un grade équivalent. Cette disposition ne s'applique pas aux titulaires actuellement en fonctions.

ART. 3.

Le Conseil Sanitaire, Maritime et Quarantenaire exerce une surveillance permanente sur l'état sanitaire de l'Égypte et sur les provenances des pays étrangers.

ART. 4.

En ce qui concerne l'Égypte, le Conseil Sanitaire, Maritime et Quarantenaire recevra chaque semaine du Conseil de santé et d'hygiène publique, les bulletins sanitaires des villes du Caire et d'Alexandrie, et, chaque mois, les bulletins sanitaires des provinces. Ces bulletins devront être transmis à des intervalles plus rapprochés lorsque, à raison de circonstances spéciales, le Conseil Sanitaire, Maritime et Quarantenaire en fera la demande.

De son côté, le Conseil Sanitaire, Maritime et Quarantenaire communiquera au Conseil de santé et d'hygiène publique les décisions qu'il aura prises et les renseignements qu'il aura reçus de l'étranger.

Les Gouvernements adressent au Conseil, s'ils le jugent à propos, le bulletin sanitaire de leur pays et lui signalent, dès leur apparition, les épidémies et les épizooties.

ART 5.

Le Conseil Sanitaire, Maritime et Quarantenaire s'assure de l'état sanitaire du pays et envoie des commissions d'inspection partout où il le juge nécessaire. Le Conseil de santé et d'hygiène publique sera avisé de l'envoi de ces commissions et devra s'employer à faciliter l'accomplissement de leur mandat.

ART. 6.

Le Conseil arrête les mesures préventives ayant pour objet d'empêcher l'introduction en Égypte, par les frontières maritimes ou les frontières du désert, des maladies épidémiques ou des épizooties, et détermine les points où devront être installés les campements provisoires et les établissements permanents quarantentaires.

ART. 7.

Il formule l'annotation à inscrire sur la patente délivrée par les offices sanitaires aux navires en partance.

ART. 8.

En cas d'apparition de maladies épidémiques ou d'épizooties en Égypte, il arrête les mesures préventives ayant pour objet d'empêcher la transmission de ces maladies à l'étranger.

ART. 9.

Le Conseil surveille et contrôle l'exécution des mesures sanitaires quarantentaires qu'il a arrêtées.

Il formule tous les règlements relatifs au service quarantenaire, veille à leur stricte exécution, tant en ce qui concerne la protection du pays que le maintien des garanties stipulées par les conventions sanitaires internationales.

ART. 10.

Il réglemente, au point de vue sanitaire, les conditions dans lesquelles doit s'effectuer le transport de pèlerins à l'aller et au retour du Hedjaz, et surveille leur état de santé en temps de pèlerinage.

ART. 11.

Les décisions prises par le Conseil Sanitaire, Maritime et Quarantenaire sont communiquées au Ministère de l'Intérieur; il en sera également donné connaissance au Ministère des Affaires étrangères, qui les notifiera, s'il y a lieu, aux agences et consulats généraux.

Toutefois, le Président du Conseil est autorisé à correspondre directement avec les Autorités consulaires des villes maritimes pour les affaires courantes du service.

ART. 12.

Le Président, et, en cas d'absence ou d'empêchement de celui-ci, l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire, est chargé d'assurer l'exécution des décisions du Conseil.

A cet effet, il correspond directement avec tous les agents du Service Sanitaire, Maritime et Quarantenaire, et avec les diverses Autorités du pays. Il dirige, d'après les avis du Conseil, la police sanitaire des ports, les établissements maritimes quarantenaires et les stations quarantenaires du désert.

Enfin il expédie les affaires courantes.

ART. 13.

L'Inspecteur général sanitaire, les directeurs des offices sanitaires, les médecins des stations sanitaires et campements quarantenaires doivent être choisis parmi les médecins régulièrement diplômés, soit par une Faculté de médecine européenne, soit par l'État.

Le Délégué du Conseil à Djeddah pourra être médecin diplômé du Caire.

ART. 14.

Pour toutes les fonctions et emplois relevant du Service Sanitaire, Maritime et Quarantenaire, le Conseil, par l'entremise de son Président, désigne ses candidats au Ministère de l'Intérieur, qui seul aura le droit de les nommer.

Il sera procédé de même pour les révocations, mutations et avancements.

Toutefois le Président aura la nomination directe de tous les agents subalternes, hommes de peine, gens de service, etc.

La nomination des gardes de santé est réservée au Conseil.

ART. 15.

Les directeurs des offices sanitaires sont au nombre de sept, ayant leur résidence à Alexandrie, Damiette, Port-Saïd, Suez, Tor, Souakim et Kosseir.

L'Office sanitaire de Tor pourra ne fonctionner que pendant la durée du pèlerinage ou en temps d'épidémie.

ART. 16.

Les directeurs des offices sanitaires ont sous leurs ordres tous les employés sanitaires de leur circonscription. Ils sont responsables de la bonne exécution du service.

ART. 17.

Le chef de l'agence sanitaire d'El Ariche a les mêmes attributions que celles confiées aux directeurs par l'article qui précède.

ART. 18.

Les directeurs des stations sanitaires et campements quarantenaires ont sous leurs ordres tous les employés du service médical et du service administratif des établissements qu'ils dirigent.

ART. 19.

L'Inspecteur général sanitaire est chargé de la surveillance de tous les services dépendant du Conseil Sanitaire, Maritime et Quarantenaire.

ART. 20.

Le délégué du Conseil Sanitaire, Maritime et Quarantenaire à Djeddah a pour mission de fournir au Conseil des informations sur l'état sanitaire du Hedjaz, spécialement en temps de pèlerinage.

ART. 21.

Un Comité de discipline, composé du Président, de l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire et de trois Délégués élus par le Conseil, est chargé d'examiner les plaintes portées contre les agents relevant du Service Sanitaire, Maritime et Quarantenaire.

Il dresse sur chaque affaire un rapport et le soumet à l'appréciation du Conseil, réuni en assemblée générale. Les Délégués seront renouvelés tous les ans. Ils sont rééligibles.

La décision du Conseil est, par les soins de son Président, soumise à la sanction du Ministre de l'Intérieur.

Le Comité de discipline peut infliger, sans consulter le Conseil: 1° le blâme; 2° la suspension du traitement jusqu'à un mois.

ART. 22.

Les peines disciplinaires sont:

1° Le blâme;

2° La suspension de traitement depuis huit jours jusqu'à trois mois;

3° Le déplacement sans indemnité;

4° La révocation.

Le tout sans préjudice des poursuites à exercer pour les crimes ou délits de droit commun.

ART. 23.

Les droits sanitaires et quarantentaires sont perçus par les agents qui relèvent du Service Sanitaire, Maritime et Quarantenaire.

Ceux-ci se conforment, en ce qui concerne la comptabilité et la tenue des livres, aux règlements généraux établis par le Ministère des Finances.

Les agents comptables adressent leur comptabilité et le produit de leurs perceptions à la Présidence du Conseil.

L'agent comptable, chef du bureau central de la comptabilité, leur en donne décharge sur le visa du Président du Conseil.

ART. 24.

Le Conseil Sanitaire, Maritime et Quarantenaire dispose de ses finances.

L'administration des recettes et des dépenses est confiée à un Comité composé du Président, de l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire et de trois Délégués des Puissances élus par le Conseil. Il prend le titre de "Comité des Finances." Les trois Délégués des Puissances sont renouvelés tous les ans. Ils sont rééligibles.

Ce Comité fixe, sauf ratification par le Conseil, le traitement des employés de tout grade; il décide les dépenses fixes et les dépenses imprévues. Tous les trois mois, dans une séance spéciale, il fait au Conseil un rapport détaillé de sa gestion. Dans les trois mois qui suivront l'expiration de l'année budgétaire, le Conseil, sur la proposition du Comité, arrête le bilan définitif et le transmet, par l'entremise de son Président, au Ministère de l'Intérieur.

Le Conseil prépare le budget de ses recettes et celui de ses dépenses. Ce budget sera arrêté par le Conseil des Ministres, en même temps que le budget général de l'Etat à titre de budget annexe. Dans le cas où le chiffre des dépenses excéderait le chiffre des recettes, le déficit sera comblé par les ressources générales de l'Etat. Toutefois, le Conseil devra étudier sans retard les moyens d'équilibrer les recettes et les dépenses. Ses propositions seront, par les soins du Président, transmises au Ministre de l'Intérieur. L'excédent des recettes, s'il en existe, restera à la caisse du Conseil Sanitaire, Maritime et Quarantenaire; il sera, après décision du Conseil Sanitaire ratifiée par le Conseil des Ministres, affecté exclusivement à la création d'un fonds de réserve destiné à faire face aux besoins imprévus.

ART. 25.

Le Président est tenu d'ordonner que le vote aura lieu au scrutin secret, toutes les fois que trois membres du Conseil en font la demande. Le vote au scrutin secret est obligatoire toutes les fois qu'il s'agit du choix des Délégués des Puissances pour faire partie du Comité de discipline ou du Comité des Finances et lorsqu'il s'agit de nomination, révocation, mutation ou avancement dans le personnel.

ART. 26.

Les Gouverneurs, Préfets de police et Moudirs sont responsables, en ce qui les concerne, de l'exécution des règlements sanitaires. Ils doivent, ainsi que toutes les autorités civiles et militaires, donner leur concours lorsqu'ils en sont légalement requis par les agents du Service Sanitaire, Maritime et Quarantenaire, pour assurer la prompt exécution des mesures prises dans l'intérêt de la santé publique.

ART. 27.

Tous décrets et règlements antérieurs sont abrogés en ce qu'ils ont de contraire aux dispositions qui précèdent.

ART. 28.

Notre Ministre de l'Intérieur est chargé de l'exécution du présent décret, qui ne deviendra exécutoire qu'à partir du 1^{er} Novembre 1893.

Fait au palais de Ramleh, le 19 juin 1893.

ABBAS HILMI.

Par le Khédivé :

Le Président du Conseil, Ministre de l'Intérieur,
RIAZ.

DÉCRET KHÉDIVIAL DU DÉCEMBRE 1894.

Nous, Khédivé d'Égypte,

Sur la proposition de Notre Ministre de Finances et l'avis conforme de Notre Conseil des Ministres;

Vu l'avis conforme de MM. les Commissaires-Directeurs de la Caisse de la dette publique en ce qui concerne l'article 7;

Avec l'assentiment des Puissances,

Décrétons :

ARTICLE PREMIER.

A partir de l'exercice financier 1894, il sera prélevé annuellement sur les recettes actuelles des droits de phare, une somme de 40,000 L. E., qui sera employée comme il est expliqué dans les articles suivants.

ART. 2.

La somme prélevée en 1894 sera affectée: 1° à combler le déficit éventuel de l'exercice financier 1894 du Conseil quarantenaire, au cas où ce déficit n'aurait pas pu être entièrement couvert avec les ressources provenant du fonds de réserve dudit Conseil, ainsi qu'il sera dit à l'article qui suit; 2° à faire face aux dépenses extraordinaires nécessitées par l'aménagement des établissements sanitaires d'El Tor, de Suez et des Sources de Moïse.

ART. 3.

Le fonds de réserve actuel du Conseil quarantenaire sera employé à combler le déficit de l'exercice 1894, sans que ce fonds puisse être réduit à une somme inférieure à 10,000 L. E.

Si le déficit ne se trouve pas entièrement couvert, il y sera fait face, pour le reste, avec les ressources créées à l'article premier.

ART. 4.

Sur la somme de L. E. 80,000, provenant des exercices 1895 et 1896, il sera prélevé: 1° une somme égale à celle qui aura été payée en 1894 sur les mêmes

recettes, à valoir sur le déficit de ladite année 1894, de manière à porter à L. E. 40,000 le montant des sommes affectées aux travaux extraordinaires prévus à l'article 1^{er} pour El Tor, Suez et les Sources de Moïse; 2^o les sommes nécessaires pour combler le déficit du budget du Conseil quarantenaire, pour les exercices financiers 1895 et 1896.

Le surplus, après le prélèvement ci-dessus, sera affecté à la construction de nouveaux phares dans la Mer Rouge.

ART. 5.

A partir de l'exercice financier 1897, cette somme annuelle de L. E. 40,000 sera affectée à combler les déficits éventuels du Conseil quarantenaire. Le montant de la somme nécessaire à cet effet sera arrêté définitivement en prenant pour base les résultats financiers des exercices 1894 et 1895 du Conseil.

Le surplus sera affecté à une réduction des droits de phares: il est entendu que ces droits seront réduits dans la même proportion dans la Mer Rouge et dans la Méditerranée.

ART. 6.

Moyennant les prélèvements et affectations ci-dessus, le Gouvernement est, à partir de l'année 1894, déchargé de toute obligation quelconque en ce qui concerne les dépenses soit ordinaires, soit extraordinaires du Conseil quarantenaire.

Il est entendu, toutefois, que les dépenses supportées jusqu'à ce jour par le Gouvernement Égyptien continueront à rester à sa charge.

ART. 7.

A partir de l'exercice 1894, lors du règlement de compte des excédents avec la Caisse de la Dette publique, la part de ces excédents revenant au Gouvernement sera majorée d'une somme annuelle de 20,000 L. E.

ART. 8.

Il a été convenu entre le Gouvernement Égyptien et les Gouvernements d'Allemagne, de Belgique, de Grande-Bretagne et d'Italie que la somme affectée à la réduction des droits de phares, aux termes de l'article 5 du présent décret, viendra en déduction de celle de 40,000 L. E. prévue dans les lettres annexées aux Conventions Commerciales intervenues entre l'Égypte et lesdits Gouvernements.

ART. 9.

Notre Ministre des Finances est chargé de l'exécution du présent décret.
Fait au Palais de Koubeh, le 25 décembre 1894.

ABBAS HILMI.

Par le Khédive:

Le Président du Conseil des Ministres,
N. NUBAR.

Le Ministre des Finances,
AHMER MAZLOUM.

Le Ministre des Affaires étrangères,
BOUTROS GHALI.

ARRÊTÉ MINISTÉRIEL DU 19 JUIN 1893 CONCERNANT LE FONCTIONNEMENT DU SERVICE SANITAIRE, MARITIME ET QUARANTENAIRE.

Le Ministre de l'Intérieur.
Vu le Décret en date du 19 juin 1893,
Arrête:

TITRE I.—*Du Conseil Sanitaire, Maritime et Quarantenaire.*

ARTICLE PREMIER.

Le Président est tenu de convoquer le Conseil Sanitaire, Maritime et Quarantenaire, en séance ordinaire, le premier mardi de chaque mois.

Il est également tenu de le convoquer lorsque trois membres en font la demande.

Il doit enfin réunir le Conseil, en séance extraordinaire, toutes les fois que les circonstances exigent l'adoption immédiate d'une mesure grave.

ART. 2.

La lettre de convocation indique les questions portées à l'ordre du jour. A moins d'urgence, il ne pourra être pris de décisions définitives que sur les questions mentionnées dans la lettre de convocation.

ART. 3.

Le Secrétaire du Conseil rédige les procès-verbaux des séances.

Ces procès-verbaux doivent être présentés à la signature de tous les membres qui assistaient à la séance.

Ils sont intégralement copiés sur un registre qui est conservé dans les archives concurremment avec les originaux des procès-verbaux.

Une copie provisoire des procès-verbaux sera délivrée à tout membre du Conseil qui en fera la demande.

ART. 4.

Une Commission permanente composée du Président, de l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire, et de deux Délégués des Puissances élus par le Conseil, est chargée de prendre les décisions et mesures urgentes.

Le Délégué de la nation intéressée est toujours convoqué. Il a droit de vote.

Le Président ne vote qu'en cas de partage.

Les décisions sont immédiatement communiquées par lettres à tous les membres du Conseil.

Cette Commission sera renouvelée tous les 3 mois.

ART. 5.

Le Président ou, en son absence, l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire, dirige les délibérations du Conseil. Il ne vote qu'en cas de partage.

Le Président a la direction générale du Service. Il est chargé de faire exécuter les décisions du Conseil.

SECRETARIAT.

ART. 6.

Le secrétariat, placé sous la direction du Président, centralise la correspondance tant avec le Ministère de l'Intérieur qu'avec les divers agents du Service Sanitaire, Maritime et Quarantenaire.

Il est chargé de la statistique et des archives. Il lui sera adjoint des commis et interprètes en nombre suffisant pour assurer l'expédition des affaires.

ART. 7.

Le secrétaire du Conseil, chef du secrétariat, assiste aux séances du Conseil et rédige les procès-verbaux.

Il a sous ses ordres les employés et gens du service du secrétariat.

Il dirige et surveille leur travail, sous l'autorité du Président.

Il a la garde et la responsabilité des archives.

BUREAU DE COMPTABILITÉ.

ART. 8.

Le chef du bureau central de la comptabilité est "agent comptable."

Il ne pourra entrer en fonctions avant d'avoir fourni un cautionnement, dont le quantum sera fixé par le Conseil Sanitaire, Maritime et Quarantenaire.

Il contrôle, sous la direction du Comité des finances, les opérations des préposés à la recette des droits sanitaires et quaranténaires.

Il dresse les états et comptes qui doivent être transmis au Ministère de l'Intérieur après avoir été arrêtés par le Comité des finances et approuvés par le Conseil.

DE L'INSPECTEUR GÉNÉRAL SANITAIRE.

ART. 9.

L'Inspecteur général sanitaire a la surveillance de tous les services dépendant du Conseil. Il exerce cette surveillance dans les conditions prévues par l'article 19 du Décret en date du 19 juin 1893.

Il inspecte, au moins une fois par an, chacun des offices, agences ou postes sanitaires.

En outre, le Président détermine, sur la proposition du Conseil et selon les besoins du service, les inspections auxquelles l'Inspecteur général devra procéder.

En cas d'empêchement de l'Inspecteur général, le Président désignera, d'accord avec le Conseil, le fonctionnaire appelé à le suppléer.

Chaque fois que l'Inspecteur général a visité un office, une agence, un poste sanitaire, une station sanitaire ou un campement quarantenaire, il doit rendre compte à la Présidence du Conseil, par un rapport spécial, des résultats de sa vérification.

Dans l'intervalle de ses tournées, l'Inspecteur général prend part, sous l'autorité du Président, à la direction du service général. Il supplée le Président en cas d'absence ou d'empêchement.

TITRE II.—*Service des ports, stations quarantenaires, stations sanitaires.*

ART. 10.

La police sanitaire, maritime et quarantenaire, le long du littoral égyptien de la Méditerranée et de la Mer Rouge, aussi bien que sur les frontières de terre du côté du désert, est confiée aux directeurs des offices de santé, directeurs des stations sanitaires ou campements quarantenaires, chefs des agences sanitaires ou chefs des postes sanitaires et aux employés placés sous leurs ordres.

ART. 11.

Les directeurs des offices de santé ont la direction et la responsabilité du service, tant de l'office à la tête duquel ils sont placés que des postes sanitaires qui en dépendent.

Ils doivent veiller à la stricte exécution des règlements de police sanitaire, maritime et quarantenaire. Ils se conforment aux instructions qu'ils reçoivent de la Présidence du Conseil et donnent à tous les employés de leur office, aussi bien qu'aux employés des postes sanitaires qui y sont rattachés, les ordres et les instructions nécessaires.

Ils sont chargés de la reconnaissance et de l'arraisonnement des navires, de l'application des mesures quarantenaires, et ils procèdent, dans les cas prévus par les règlements, à la visite médicale, ainsi qu'aux enquêtes sur les contraventions quarantenaires.

Ils correspondent seuls pour les affaires administratives avec la Présidence, à laquelle ils transmettent tous les renseignements sanitaires qu'ils ont recueillis dans l'exercice de leurs fonctions.

ART. 12.

Les directeurs des offices de santé sont, au point de vue du traitement, divisés en deux classes :

Les offices de première classe, qui sont au nombre de quatre :

Alexandrie ;

Port-Saïd ;

Basin de Suez et campement aux Sources de Moïse ;

Tor.

Les offices de deuxième classe, qui sont au nombre de trois :

Damiette ;

Souakim ;

Kosseir.

ART. 13.

Les chefs des agences sanitaires ont les mêmes attributions, en ce qui concerne l'agence, que les directeurs en ce qui concerne leur office.

ART. 14.

Il y a une seule agence sanitaire à El Ariche.

ART. 15.

Les chefs de postes sanitaires ont sous leurs ordres les employés du poste qu'ils dirigent. Ils sont placés sous les ordres du directeur d'un des offices de santé.

Ils sont chargés de l'exécution des mesures sanitaires et quarantenaires indiquées par les règlements.

Ils ne peuvent délivrer aucune patente et ne sont autorisés à viser que les patentes des bâtiments partant en libre pratique.

Ils obligent les navires qui arrivent à leur échelle avec une patente brute ou dans des conditions irrégulières à se rendre dans un port où existe un office sanitaire.

Ils ne peuvent eux-mêmes procéder aux enquêtes sanitaires, mais ils doivent appeler à cet effet le directeur de l'office dont ils relèvent.

En dehors des cas d'urgence absolue, ils ne correspondent qu'avec ce directeur pour toutes les affaires administratives. Pour les affaires sanitaires et quarantenaires urgentes, telles que les mesures à prendre au sujet d'un navire arrivant, ou l'annotation à inscrire sur la patente d'un navire en partance, ils correspondent directement avec la Présidence du Conseil; mais ils doivent donner sans retard communication de cette correspondance au directeur dont ils dépendent.

Ils sont tenus d'aviser, par les voies les plus rapides, la Présidence du Conseil des naufrages dont ils auront connaissance.

ART. 16.

Les postes sanitaires sont au nombre de six énumérés ci-après :

Postes du Port-Neuf, d'Aboukir, Brullos et Rosette, relevant de l'office d'Alexandrie.

Postes de Kantara et du port intérieur d'Ismailia, relevant de l'office de Port-Saïd.

Le Conseil pourra, suivant les nécessités du service, et suivant ses ressources, créer de nouveaux postes sanitaires.

ART. 17.

Le service permanent ou provisoire des stations sanitaires et les campements quarantenaires est confié à des directeurs qui ont sous leurs ordres des employés sanitaires, des gardiens, des portefaix et des gens de service.

ART. 18.

Les directeurs sont chargés de faire subir la quarantaine aux personnes envoyées à la station sanitaire ou au campement. Ils veillent, de concert avec les médecins, à l'isolement des différentes catégories de quarantenaires et empêchent toute compromission. A l'expiration du délai fixé, ils donnent la libre pratique ou la suspendent conformément aux règlements, font pratiquer la désinfection des marchandises et des effets à usage, et appliquent la quarantaine aux gens employés à cette opération.

ART. 19.

Ils exercent surveillance constante sur l'exécution des mesures prescrites, ainsi que sur l'état de santé des quarantenaires et du personnel de l'établissement.

ART. 20.

Ils sont responsables de la marche du service et en rendent compte, dans un rapport journalier, à la Présidence du Conseil Sanitaire, Maritime et Quarantenaire.

ART. 21.

Les médecins attachés aux stations sanitaires et aux campements quarantenaires relèvent des directeurs de ces établissements. Ils ont sous leurs ordres le pharmacien et les infirmiers.

Ils surveillent l'état de santé des quarantenaires et du personnel, et dirigent l'infirmierie de la station sanitaire ou du campement.

La libre pratique ne peut être donnée aux personnes en quarantaine qu'après visite et rapport favorable du médecin.

ART. 22.

Dans chaque office sanitaire, station sanitaire ou campement quarantenaire, le directeur est aussi "agent comptable."

Il désigne, sous sa responsabilité personnelle effective, l'employé préposé à l'encaissement des droits sanitaires et quarantentaires.

Les chefs d'agences ou postes sanitaires sont également agents comptables; ils sont chargés personnellement d'effectuer la perception des droits.

Les agents chargés du recouvrement des droits doivent se conformer, pour les garanties à présenter, la tenue des écritures, l'époque des versements, et généralement tout ce qui concerne la partie financière de leur service, aux règlements émanant du Ministère des Finances.

ART. 23.

Les dépenses du Service Sanitaire, Maritime et Quarantenaire seront acquittées par les moyens propres du Conseil, ou d'accord avec le Ministère des Finances, par le service des caisses qu'il désignera.

Le Caire, le 19 juin 1893.

RIAZ.

[Voir art. 181.]

ANNEXE III.—RÉSOLUTIONS DE LA COMMISSION DES VOIES ET MOYENS DE LA CONFÉRENCE SANITAIRE DE PARIS RELATIVES À UN OFFICE INTERNATIONAL DE SANTÉ.

I.—Il est créé un Office international de Santé d'après les principes qui ont présidé à la formation et au fonctionnement du Bureau international des Poids et Mesures. Ce bureau aura son siège à Paris.

II.—L'Office international aura pour mission de recueillir les renseignements sur la marche des maladies infectieuses. Il recevra à cet effet les informations qui lui seront communiquées par les autorités supérieures d'hygiène des États participants.

III.—L'Office exposera périodiquement les résultats de ses travaux dans des rapports officiels qui seront communiqués aux Gouvernements contractants. Ces rapports devront être rendus publics.

IV.—L'Office sera alimenté par les contributions des Gouvernements contractants.

V.—Le Gouvernement, sur le territoire duquel sera établi l'Office international de Santé, sera chargé, dans un délai de trois mois après la signature des actes de la Conférence, de soumettre à l'approbation des États contractants un Règlement pour l'installation et le fonctionnement de cette institution.

CONFÉRENCE SANITAIRE INTERNATIONALE DE PARIS.

Procès-verbal de signature—Séance du jeudi 3 décembre 1903.

PRÉSIDENCE DE M. BARRÈRE.

Le jeudi trois décembre mil neuf cent trois, la Conférence Sanitaire Internationale s'est réunie en séance plénière à trois heures de l'après-midi en l'hôtel du Ministère des Affaires étrangères.

Etaient présents:

Pour l'Allemagne:

M. le Comte de Groeben, Conseiller de Légation et premier Secrétaire à l'Ambassade impériale d'Allemagne à Paris;

M. Bumm, Conseiller intime supérieur de Régence, Membre du Conseil sanitaire de l'Empire;

M. le Docteur Gaffky, Conseiller intime de Médecine Grand-ducal Hessois et Professeur à l'Université de Giessen, Membre du Conseil sanitaire de l'Empire;

M. le Docteur Nocht, Médecin du port de Hambourg, Membre du Conseil sanitaire de l'Empire.

Pour la République Argentine:

M. le Docteur Davél, Chef du service des Maladies infectieuses à la Casa de Expositos à Buenos-Ayres.

Pour l'Autriche-Hongrie:

Pour l'Autriche et pour la Hongrie: M. le Chevalier Alexandre de Suzzara, Chef de Section au Ministère Impérial et Royal des Affaires Étrangères;

- Pour l'Autriche:* M. Noël Ebner d'Ebenthall, Président de l'Administration maritime Impériale et Royale à Trieste;
- M. Joseph Daimer, Conseiller au Ministère Impérial et Royal de l'Intérieur;
- Pour la Hongrie:* M. Kornel Chyzer, Conseiller au Ministère Royal Hongrois de l'Intérieur;
- M. Ernest Roediger, Conseiller de Section.
- Pour la Belgique:*
- M. Beco, Secrétaire général du Ministère de l'Agriculture, chargé de la Direction générale du Service de Santé et de l'Hygiène publique.
- Pour le Brésil:*
- M. G. de Piza, Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République Française.
- Pour le Danemark:*
- M. le Comte de Reventlow, Ministre de Danemark près le Président de la République Française.
- Pour l'Espagne:*
- M. Fernand Jordan de Urries y Ruiz de Arana, Marquis de Novellas, Chambellan de Sa Majesté, Premier Secrétaire de l'Ambassade Royale d'Espagne à Paris.
- Pour les États-Unis:*
- M. le Docteur H. D. Geddings, Chirurgien général adjoint du Service de la Santé et de l'Hôpital de la Marine;
- M. Frank Anderson, Inspecteur médical de la Marine.
- Pour la France:*
- M. Camille Barrère, Ambassadeur de la République française près S. M. le Roi d'Italie;
- M. Georges Louis, Ministre plénipotentiaire de 1^{re} classe, Directeur des consulats et des affaires commerciales au Ministère des affaires étrangères;
- M. le Professeur Brouardel, Doyen honoraire de la Faculté de médecine de Paris, Président du Comité consultatif d'Hygiène publique de France, Membre de l'Institut et de l'Académie de médecine;
- M. Henri Monod, Conseiller d'Etat, Directeur de l'Assistance et de l'Hygiène publiques au Ministère de l'Intérieur, Membre de l'Académie de Médecine;
- M. le Docteur Émile Roux, Sous-Directeur de l'Institut Pasteur, Vice-Président du Comité consultatif d'Hygiène publique de France, Membre de l'Académie des sciences et de l'Académie de médecine;
- M. Jacques de Cazotte, Sous-Directeur des Affaires Consulaires au Ministère des Affaires Étrangères;
- M. le Docteur Legrand, Médecin sanitaire de France à Alexandrie.
- Pour la Grande-Bretagne:*
- M. Maurice William Ernest de Bunsen, Ministre Plénipotentiaire, faisant fonctions de Premier Secrétaire à l'Ambassade Royale britannique à Paris;
- M. le Docteur Théodore Thomson, du "Local Government Board;"
- M. le Docteur Frank Gerard Clemow, Délégué de la Grande-Bretagne au Conseil supérieur de santé de Constantinople;
- M. Arthur David Alban, Consul de Sa Majesté Britannique au Caire;
- M. John Richardson, Médecin en chef, membre du Comité sanitaire de l'Armée, Délégué pour l'Inde britannique.
- Pour la Grèce:*
- M. Delyanni, Envoyé Extraordinaire et Ministre Plénipotentiaire près le Président de la République Française;
- M. le Docteur S. Clado, Médecin de la Légation Royale Hellénique à Paris.
- Pour l'Italie:*
- M. le Commandeur Rocco Santoliquido, Directeur général de la Santé publique d'Italie;
- M. le Marquis Paulucci de' Calboli, Conseiller à l'Ambassade royale d'Italie à Paris;
- M. le Chevalier Adolphe Coffa, Chef du bureau des Affaires générales à la Direction générale de la Santé publique d'Italie.
- Pour le Grand-Duché de Luxembourg:*
- M. Vannerus, Chargé d'Affaires de Luxembourg à Paris.
- Pour le Monténégro:*
- M. le Chevalier Alexandre de Suzzara, Chef de section au Ministère Impérial et Royal des Affaires Étrangères d'Autriche-Hongrie.

Pour les Pays-Bas :

M. le Baron W. B. R. de Welderen Rengers, Conseiller de la Légation Royale des Pays-Bas à Paris ;

M. le Docteur W. P. Ruijsch, Inspecteur général du Service sanitaire dans la Hollande méridionale et la Zélande, Membre du Conseil supérieur d'hygiène ;

M. le Docteur C. Stékoulis, Délégué des Pays-Bas au Conseil supérieur de santé de Constantinople ;

M. A. Plate, Président de la Chambre de Commerce de Rotterdam, Membre extraordinaire du Conseil supérieur d'hygiène.

Pour la Perse :

M. le Général Nazare Aga Yémin-Es-Saltané Envoyé Extraordinaire et Ministre Plénipotentiaire près le Président de la République Française.

Pour le Portugal :

M. le Docteur José Joaquim Da Silva Amado, du Conseil de S. M. Très Fidèle, Professeur à l'Institut d'hygiène de Lisbonne, Vice-Président de l'Académie Royale des Sciences.

Pour la Roumanie :

M. Grégoire G. Ghika, Envoyé Extraordinaire et Ministre Plénipotentiaire près le Président de la République Française ;

M. le Docteur Jean Cantacuzène, Membre du Conseil sanitaire supérieur de Roumanie.

Pour la Russie :

M. Platon de Wexel, Conseiller d'État actuel.

Pour la Serbie :

M. le Docteur Michel Popovitch, Chargé d'Affaires à Paris.

Pour la Suède et la Norvège :

M. H. Akerman, Ministre de Suède près le Président de la République Française.

Pour la Suisse :

M. Charles Édouard Lardy, Envoyé Extraordinaire et Ministre Plénipotentiaire de la Confédération Suisse près le Président de la République Française ;

M. le Docteur F. Schmid, Directeur du Bureau sanitaire fédéral.

Pour l'Empire ottoman :

M. le Docteur Duca Pacha, Inspecteur général de l'Administration sanitaire de l'Empire ottoman ;

M. le Général Djellal Ismaïl Pacha, Professeur agrégé de clinique interne à l'École impériale de médecine.

Pour l'Égypte :

Mohamed Chérif Pacha, Sous-Secrétaire d'État au Ministère des Affaires étrangères ;

M. le Docteur M. A. Ruffer, Président du Conseil sanitaire, maritime et quarantenaire d'Égypte.

M. le Président présente à la Conférence le texte authentique du projet de Convention où sont consignés les résultats des travaux de la Conférence. Il invite les Délégués qui sont munis des pouvoirs nécessaires à signer cette Convention dont l'instrument diplomatique a été préparé en un seul exemplaire, suivant un usage déjà établi par plusieurs précédents.

Cet exemplaire restera déposé dans les archives du Gouvernement de la République et une copie certifiée conforme en sera remise par la voie diplomatique à chacune des Puissances signataires.

MM. les Délégués de Belgique, d'Espagne, de France, d'Italie, de Luxembourg, de Monténégro, de Russie, de Roumanie et de Suisse annoncent qu'ils sont prêts à signer la Convention.

M. le Docteur de Silva Amado, Délégué du Portugal, déclare, au nom de son Gouvernement, qu'il est autorisé à signer la Convention *ad referendum*.

M. Delyanni, Délégué de Grèce, fait la même déclaration.

M. le Docteur Duca Pacha, Délégué de l'Empire ottoman, donne lecture de la déclaration suivante :

“ MM. les Délégués ottomans, au nom de leur Gouvernement, déclarent qu'ils sont autorisés à accéder, *ad referendum*, sous le bénéfice des réserves qu'ils ont faites dans les protocoles et dans les procès-verbaux, ainsi qu'à l'occasion des votes, aux questions n^{os} un, deux, trois, quatre, cinq, sept et neuf du rapport de M. Proust, et maintiennent leurs protestations pour les questions n^o six, concernant la modification du Conseil supérieur de Santé de Constantinople ; n^o huit, concernant l'obligation, pour le Conseil supérieur de Santé de Constantinople d'exécuter les décisions de la Conférence ; n^o dix, concernant la création

d'un Bureau sanitaire international; questions que le Gouvernement impérial ottoman considère comme n'entrant point dans les prérogatives de la Conférence, et aux discussions desquelles MM. les Délégués ottomans se sont abstenus de prendre part.

“MM. les Délégués ottomans maintiennent également leurs protestations, faites en séance plénière du 16 novembre 1903, en ce qui concerne la déclaration de l'état sanitaire du pèlerinage et du Hedjaz, et déclarent protester contre tout envoi de médecins étrangers au Hedjaz pour accompagner les pèlerins de leur nationalité.”

M. Barrère, Président de la Conférence, constate que, dans ces conditions, MM. les Délégués ottomans ne pourront signer que le procès-verbal de signature.

M. Akerman, Délégué de Suède et Norvège, fait connaître qu'il n'est pas autorisé à procéder à la signature de la Convention, ni pour la Suède ni pour la Norvège. Il réserve d'ailleurs pour chacun des Royaumes-Unis le droit d'y accéder après examen.

M. le Général Nazare Aga, Délégué de Perse, déclare signer la Convention *ad referendum*.

M. le Comte de Reventlow, Délégué de Danemark, déclare qu'il n'est pas autorisé à signer la Convention, mais seulement les procès-verbaux constatant le résultat des travaux de la Conférence.

M. le Comte de Groeben, premier Délégué d'Allemagne, lit la déclaration suivante:

“Tout en autorisant les Délégués d'Allemagne à signer la Convention, le Gouvernement Impérial leur a donné l'instruction de faire la déclaration suivante:

1° Art. 15, 3°.—“Le Gouvernement allemand aime à espérer que dans la réglementation relative au tarif de *dératisation*, tous les Gouvernements seront d'accord pour éviter, dans leurs tarifs spéciaux, une surcharge des frais de *dératisation*, dans le cas où elle sera effectuée par une société ou par un particulier.

2° Art. 24, I, a.—“De ce que, dans l'article 24, I, § a, il est seulement question du terme “objets,” on ne doit pas conclure que, sur les autres navires (voir les articles 21, 22, 26 et 27), la désinfection des objets ne serait également pas admise.

“L'article 12, réglant la désinfection des objets, doit être considéré comme applicable à tous les navires.

3° Art. 181 et Annexe III.—“Le Gouvernement impérial renouvelle les réserves faites par sa Délégation dans la Commission des voies et moyens, à l'égard d'un tel établissement.”

La Conférence donne acte de cette déclaration.

Chérif Pacha, premier Délégué d'Égypte, indique que, tout en signant la Convention *ad referendum*, les Plénipotentiaires égyptiens ont le devoir de faire connaître que le Gouvernement khédivial n'est pas en mesure d'accepter les dispositions de l'article 163.

La Conférence donne acte de cette déclaration.

M. le Baron de Welden Rengers, premier Délégué des Pays-Bas, donne lecture de la communication ci-après:

“La Délégation néerlandaise est autorisée à signer la présente Convention en déclarant que son Gouvernement interprète l'article 169 de la Convention de telle façon qu'il aura le droit de nommer, pour le cas où son Délégué actuel ne sera plus en fonctions, comme Délégué au Conseil supérieur de santé de Constantinople, soit un médecin régulièrement diplômé néerlandais, soit un fonctionnaire consulaire du grade de Vice-Consul au moins, quel que soit le pays que ce dernier représente ou la nationalité à laquelle il appartient.”

La Conférence donne acte de cette déclaration.

M. de Bunsen, premier Délégué de la Grande-Bretagne, fait la déclaration suivante:

“Tout en autorisant les Délégués de la Grande-Bretagne à signer la Convention, le Gouvernement de Sa Majesté britannique leur a donné l'instruction de faire en son nom la déclaration suivante:

“En ce qui concerne la question d'un Office international de santé (art. 181 et annexe III de la Convention), le Gouvernement de Sa Majesté renouvelle les réserves faites par sa Délégation dans la Commission des voies et moyens, sur l'utilité d'un tel établissement.

“En ce qui concerne les articles 81, 82 et 180 (station sanitaire d'Ormuz), il renouvelle la déclaration faite par sa Délégation à la sixième séance plénière

de la Conférence, en y ajoutant les réserves suivantes, qu'il attache également à son acceptation des dits articles :

" Qu'il soit bien entendu : 1° que la Commission mixte pour la revision des tarifs sanitaires ne soit autorisée à statuer sur la provenance des fonds pour la construction de la dite station qu'avec l'assentiment de tous ses membres, et 2° qu'on ne procède à l'établissement de la dite station qu'après la réorganisation du Conseil supérieur de santé de Constantinople, conformément aux prescriptions de la présente Convention.

" Les Plénipotentiaires britanniques déclarent en outre que les stipulations de la présente Convention ne seront applicables à aucune des colonies, possessions ou protectorats de Sa Majesté britannique qu'après notification à cet effet adressée par le Représentant de Sa Majesté britannique à Paris au Ministre des Affaires étrangères de la République française, au nom de telle colonie, possession ou protectorat.

" Il est entendu par le Gouvernement britannique que le droit de dénonciation de la présente Convention, ainsi que le droit des Puissances de se concerter pour l'introduction de modifications dans le texte de la Convention, subsiste, ainsi qu'il résultait de la Convention de Venise de 1897.

" En ce qui concerne les frais de dératisation, lorsque cette mesure est exécutée par une société ou par un individu, la Délégation d'Angleterre s'associe au vœu que vient d'émettre la Délégation d'Allemagne.

La Conférence donne acte de cette déclaration.

M. de Piza, Délégué du Brésil, annonce qu'il signera la Convention *ad referendum*.

M. de Suzzara, Délégué d'Autriche-Hongrie, lit la déclaration ci-après, dont la Conférence lui donne acte :

" L'Autriche-Hongrie, tout en signant la Convention, ne croit pas pouvoir se départir des réserves faites par sa Délégation au cours des discussions de la Commission des voies et moyens à l'égard de l'établissement prévu par l'article 181 de la Convention."

MM. les Délégués des États-Unis d'Amérique se déclarent prêts à signer la Convention *ad referendum*, en faisant seulement des réserves quant à la substitution de la *surveillance à l'observation*, en raison de la législation particulière des différents États de l'Union.

La Conférence donne acte de cette déclaration.

M. Popovitch, Délégué de Serbie, fait connaître qu'il est en mesure de signer la Convention *ad referendum*.

Sous le bénéfice des déclarations qui précèdent, la Convention est signée par les Délégués munis des pleins pouvoirs nécessaires.

M. le Président donne ensuite lecture du vœu suivant, qui a été émis par la Conférence en ce qui concerne le pèlerinage marocain :

" La Conférence a exprimé le vœu que le pèlerinage marocain soit dûment réglementé et qu'une station sanitaire soit installée au Maroc dans un lieu facilement abordable, bien isolé et à proximité du siège du Conseil, à Malabata par exemple, de manière que le Conseil puisse surveiller l'exécution des mesures sanitaires."

En foi de quoi, les soussignés, Délégués à la Conférence sanitaire internationale de Paris, ont signé le présent Procès-verbal, auquel une copie authentique de la Convention sera annexée.

(Here follow signatures.)

[Translation.]

PROCÈS-VERBAL OF THE DEPOSIT OF THE RATIFICATIONS OF THE INTERNATIONAL SANITARY CONVENTION SIGNED AT PARIS DECEMBER 3, 1903. Procès-Verbal.

In execution of Article 184 of the International Sanitary Convention of December 3, 1903, the undersigned, representatives of the consignatory Powers, to wit: H. S. H. Prince Radolin, Ambassador of Germany; His Exc. Count de Khevenhüller-Metsch, Ambassador of Austria-Hungary; M. Leghait, Minister of Belgium; M. de Piza, Minister of Brazil; H. Exc. Mr. White, Ambassador of the United States of America; H. Exc. M. Pichon, Minister of Foreign Affairs of the French Republic; H. Exc. Sir Francis Bertie, Ambassador of his Britannic Majesty; H. Exc. Count Torielli, Ambassador of Italy; M. Vannerus, Chargé d'Affaires of Luxemburg; M. Brunet, Consul of Montenegro at Paris; M. le Chevalier de Stuers, Minister of the Netherlands; Samad Khan, Minister of Persia; M. Ghika, Minister of Roumania; H. Exc. M. de Nélidow, Ambassador of Russia; M. Lardy, Minister of Switzerland, met in the Ministry of Foreign Affairs at Paris in order to deposit the ratifications of the High Contracting Powers with the Government of the French Republic. Deposit of ratifications.

The Undersigned note that:

I. The Governments of Greece and Servia having given notice, by means of two communications delivered to the Legations of the French Republic at Athens and Belgrade on May 16 and July 14, 1904, that they did not adhere to the said Convention, it follows that Greece and Servia, whose delegates signed this act *ad referendum*, can not be considered as contracting parties. Greece and Servia.

II. The ratification of the President of the United States of America is deposited with the following declaration, to wit: "That it is necessary to substitute "observation" for "surveillance" in the United States in the cases contemplated by articles 21 *et seq.*, on account of the peculiar legislation of the different States of the Union." United States.

III. The ratification of H. M. the King of the United Kingdom of Great Britain and Ireland, Emperor of India, is deposited with the following declarations: Great Britain.

"1. That the establishment of a sanitary station on the Island of Ormuz by the Superior Board of Health of Constantinople shall not take place until the said Board shall have been reorganized in conformity with the provisions of the Convention of December 3, 1903, and until the Mixed Tariff Commission shall have placed funds at the disposal of the said Board for this purpose by a unanimous decision.

"2. That the stipulations of the said Convention shall not be applicable to the colonies, possessions, or protectorates of His Britannic Majesty until after notification to this effect shall have been sent by the Representative of His Britannic Majesty at Paris to the Minister of Foreign Affairs of the French Republic in the name of such colony, possession, or protectorate."

Persia.

IV. The ratification of H. M. the Shah of Persia is deposited with the following declaration, to wit: "That it shall be understood that the flag which is to fly over the sanitary station of Ormuz shall be the Persian flag and that the armed guards who may be necessary to insure the observance of the sanitary measures shall be furnished by the Persian Government."

Reservation
for special
agreements.

V. The signatory Powers have made the following double declaration, which is, moreover, in conformity with the stipulations contained in the Convention of Venice of March 19, 1897, viz: "That the Contracting Powers reserve the right to agree with one another with regard to the introduction of modifications in the text of the present Convention and that each of these Powers preserves the right to denounce the present Convention, which denunciation shall not have effect except with regard to it."

Deposit of
ratifications of
Egyptian Gov-
ernment.

VI. The deposit of the instrument of the ratifications of the Egyptian Government is made through the medium of the Government of the Republic in compliance with a request made in a letter of the Minister of Foreign Affairs of his Highness the Khedive under date of October 25, 1906.

Spain and
Portugal.

The Undersigned also declare that their Governments agree to grant to Spain and Portugal, whose Parliaments have not yet acted on the Convention of December 3, 1903, the privilege of depositing their ratifications later and within the shortest period possible.

Notice to
Powers.

The Government of the Republic shall take note of these ratifications and shall advise the other ratifying Powers of the deposit of the ratifications of the two Powers above mentioned.

Whereupon, all the ratifications having been presented and found, upon examination, to be in good and due form, they are confided to the Government of the Republic to be deposited in the Archives of the Department of Foreign Affairs of the French Republic.

Signatures.

In witness whereof the present Procès-Verbal has been drawn up and a certified copy thereof shall be transmitted, through the Government of the French Republic, to each of the Powers which ratified the Sanitary Convention of December 3, 1903.

Done at Paris, April 6, 1907.

(Here follow signatures.)

Convention between the United States and certain other powers for the exemption of hospital ships, in time of war, from the payment of all dues and taxes imposed for the benefit of the State. Signed at The Hague December 21, 1904; ratification advised by the Senate February 21, 1905; ratified by the President October 16, 1906; ratification deposited at The Hague March 26, 1907; proclaimed May 21, 1907.

Dec. 21, 1904.

35 Stat. L.,
pt. 2, p. 1854.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention providing for the exemption of Hospital Ships in time of war from the payment of all dues and taxes imposed for the benefit of the State was signed at The Hague on December 21, 1904, by the Plenipotentiaries of the United States of America, Germany, Austria-Hungary, Belgium, China, Korea, Denmark, Spain, Mexico, France, Greece, Italy, Japan, Luxemburg, Montenegro, The Netherlands, Peru, Persia, Portugal, Roumania, Russia, Servia, Siam, and Switzerland, the original of which Convention in the French language is word for word as follows:

Hospital
ships.
Preamble.

[Translation.]

CONVENTION REGARDING HOSPITAL SHIPS.

Contracting
parties.

His Majesty the Emperor of Germany, King of Prussia; His Majesty the Emperor of Austria, King of Bohemia, etc., etc., and Apostolical King of Hungary; His Majesty the King of the Belgians; His Majesty the Emperor of China; His Majesty the Emperor of Corea; His Majesty the King of Denmark; His Majesty the King of Spain; the President of the United States of America; the President of the United Mexican States; the President of the French Republic; His Majesty the King of the Hellenes; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; His Highness the Prince of Montenegro; Her Majesty the Queen of the Netherlands; the President of the Peruvian Republic; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc.; His Majesty the King of Roumania; His Majesty the Emperor of all the Russias; His Majesty the King of Servia; His Majesty the King of Siam, and the Swiss Federal Council.

Purposes of
convention.

Taking into consideration that the Convention concluded at The Hague on July 29, 1899 for the adaptation to Maritime Warfare of the Principles of the Geneva Convention of August 22, 1864, has sanctioned the principle of the intervention of the Red Cross in naval wars by provisions in favor of hospital ships;

Desirous of concluding a convention to the end of facilitating by additional provisions the mission of such ships;

Plenipoten-
taries.

Have appointed as their Plenipotentiaries, to wit:

His Majesty The Emperor of Germany, King of Prussia: M. de Schlözer, His envoy extraordinary and minister plenipotentiary to The Hague;

His Majesty the Emperor of Austria, King of Bohemia, etc., etc., and Apostolical King of Hungary: M. Alexander Okolicsanyi d'Okolicsna, His envoy extraordinary and minister plenipotentiary at The Hague;

His Majesty the King of the Belgians: M. Baron Guillaume, His envoy extraordinary and minister plenipotentiary at The Hague;

His Majesty the Emperor of China: Hoo Wei-Teh, His envoy extraordinary and minister plenipotentiary at St. Petersburg;

His Majesty the Emperor of Corea: Young Chan Min, His envoy extraordinary and minister plenipotentiary at Paris;

His Majesty the King of Denmark: M. W. de Grevenkop Castenskiold, chargé d'affaires of the Kingdom at The Hague;

His Majesty the King of Spain: M. Arthur de Bagger, His envoy extraordinary and minister plenipotentiary at The Hague;

The President of the United States of America: Mr. John W. Garrett, chargé d'affaires ad interim of the Republic at The Hague;

The President of the United Mexican States: M. Zenil, envoy extraordinary and minister plenipotentiary of the Republic at Vienna;

The President of the French Republic: M. de Monbel, envoy extraordinary and minister plenipotentiary of the Republic at The Hague;

His Majesty the King of the Hellenes: M. D. G. Metaxas, His envoy extraordinary and minister plenipotentiary at The Hague;

His Majesty the King of Italy: M. Tugini, His envoy extraordinary and minister plenipotentiary at The Hague;

His Majesty the Emperor of Japan: M. Nobukata Mitsuhashi, His envoy extraordinary and minister plenipotentiary at The Hague;

His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau: M. Count H. de Villers, chargé d'affaires of the Grand Duchy at Berlin;

His Highness the Prince of Montenegro: M. N. Tcharykow, envoy extraordinary and minister plenipotentiary of His Majesty the Emperor of All the Russias at The Hague;

Her Majesty the Queen of the Netherlands: M. Baron Melvil de Lynden, Her minister of foreign affairs, and M. T. M. C. Asser, Her minister of state, member of Her council of state;

The President of the Peruvian Republic: M. C. G. Candamo, envoy extraordinary and minister plenipotentiary of the Republic at Paris and at London;

His Imperial Majesty the Shah of Persia: Mirza Samad Khan, momtazos saltaneh, His envoy extraordinary and minister plenipotentiary at The Hague;

His Majesty the King of Portugal and of the Algarves, etc.: M. Count de Selir, His envoy extraordinary and minister plenipotentiary at the Hague;

His Majesty the King of Roumania: M. Jean N. Papiuiu, His envoy extraordinary and minister plenipotentiary at The Hague;

His Majesty the Emperor of All the Russias: M. Martens, His privy councilor, permanent member of the council of the imperial ministry of foreign affairs;

His Majesty the King of Servia: M. M. Vesnitch, His envoy extraordinary and minister plenipotentiary at Paris;

His Majesty the King of Siam: Phya Raja Nupraphandh, His envoy extraordinary and minister plenipotentiary at The Hague;

The Swiss Federal Council: M. G. Carlin, envoy extraordinary and minister plenipotentiary of the Confederation at The Hague; Who, after communication of their full powers, found to be in good and due form, have agreed on the following provisions:

ARTICLE FIRST.

Hospital ships, concerning which the conditions set forth in Articles 1, 2, & 3 of the Convention concluded at The Hague on July 29, 1899, for the adaptation to Maritime Warfare of the principles of the Geneva Convention of August 22, 1864, are fulfilled shall be exempted, in time of war, from all dues and taxes imposed on vessels for the benefit of the State, in the ports of the Contracting Parties.

Hospital ships exempt from taxes, etc.

ARTICLE 2.

The provisions of the foregoing article does not prevent the application, by means of visitation or other formalities of fiscal or other laws in force at said ports.

Application of fiscal laws, etc., not prevented.

ARTICLE 3.

Binds only
contracting
Powers. The rule laid down in article first is binding only on the Contracting Powers in case of war between two or more of them.

The said rule shall cease to be binding from the time when a non Contracting Power shall join one of the belligerents in a war between Contracting Powers.

ARTICLE 4.

Ratifications
deposited at
The Hague. The present convention which bearing the date of this day, may be signed until the first of October 1905 by the Powers expressing their desire to do so, shall be ratified as soon as possible.

Delivery of
certified copies. The ratifications shall be deposited at The Hague. A procès-verbal of the deposit of the ratifications shall be drawn up and a copy thereof, duly certified, shall be delivered through the diplomatic channel to all the Contracting Powers.

ARTICLE 5.

Adherence of
non-signatory
Powers. The non signatory Powers are permitted to adhere to the present Convention after October first 1905.

Notification. They shall, to that end, make their adhesion known to the Contracting Powers by means of a written notification addressed to the Government of the Netherlands and communicated by the latter to the other Contracting powers.

ARTICLE 6.

Denunciation. In the event of one of the High Contracting Powers denouncing the present Convention, such denunciation shall not take effect until one year after the notification made in writing to the Government of the Netherlands and immediately communicated by the latter to all the other Contracting Powers. This denunciation shall only affect the notifying Power.

In testimony whereof the Plenipotentiaries have signed the present Convention and affixed their seals thereto.

Deposit of
original. Done at The Hague the twenty-first of December one thousand nine hundred and four, in a single copy which shall remain filed in the archives of the Government of the Netherlands and copies of which, duly certified shall be delivered through the diplomatic channel to the Contracting Powers.

(Here follow signatures.)

Certified to as a true copy:

HANNEMA,

*Secretary General of the Ministry of Foreign
Affairs of the Netherlands.*

[Translation.]

FINAL ACT.

At the moment of proceeding to sign the Convention having for its object the exemption of hospital ships in time of war in the ports of the Contracting Parties from all dues and taxes imposed on vessels for the benefit of the State, the Plenipotentiaries signing the present Act express the wish that, in view of the highly humanitarian mission of these ships, the Contracting Governments may take the measures necessary in order to exempt these ships within a short time also from the payment of the dues and taxes collected in their ports for the benefit of others than the State, especially those collected for the benefit of municipalities or of private companies or persons.

Exemption of hospital ships from municipal, etc., taxes recommended.

In witness whereof the Plenipotentiaries have signed the present procès-verbal, which, bearing the date of this day, may be signed up to the first of October, 1905.

Signatures.

Done at The Hague, the twenty-first of December, nineteen hundred and four, in a single copy, which shall remain on file in the archives of the Government of the Netherlands, and of which certified copies shall be delivered through the diplomatic channel to the Powers signing the aforementioned Convention.

(Here follow signatures.)

And whereas, the said Convention was duly ratified by the Government of the United States of America, by and with the advice and consent of the Senate thereof, and by the governments of the other signatory powers, with the exception of Spain, Italy, Persia, and Servia;

Ratification.

And whereas, in pursuance of Article IV of the said Convention the ratifications thereof were deposited at The Hague on the 26th day of March, 1907, by the Plenipotentiaries of the United States of America, Germany, Austria-Hungary, Belgium, China, Denmark, Mexico, Greece, Japan, both for Japan and Korea, Luxemburg, Montenegro, The Netherlands, Peru, Portugal, Roumania, Russia, Siam, and Switzerland, and on the 10th day of April, 1907, by the Plenipotentiary of the Government of France;

And whereas, in pursuance of Article V of the said Convention, the Government of Guatemala, on March 24, 1906, and the Government of Norway, on January 8, 1907, made their adherence to the said Convention known to the Contracting Powers by means of written notifications addressed to the Government of the Netherlands;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

THEODORE ROOSEVELT

Done at the City of Washington, this twenty-first day of May, in the year of our Lord one thousand nine hundred and seven, and of the independence of the United States of America the one hundred and thirty-first.

By the President:

ELIHU ROOT

Secretary of State.

Mar. 1, 1905. *Treaty between the United States and Nicaragua for the extradition of criminals. Signed at Washington March 1, 1905; ratification advised by the Senate March 16, 1905; ratified by the President June 11, 1907; ratified by Nicaragua April 26, 1907; ratifications exchanged at Washington June 14, 1907; proclaimed June 15, 1907.*

35 Stat. L.,
pt. 2, p. 1869.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Nicaragua,
extradition.
Preamble.

Whereas a Convention between the United States of America and Nicaragua providing for the mutual extradition of fugitives from justice was concluded and signed by their respective Plenipotentiaries at Washington, on the first day of March, one thousand nine hundred and five, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Contracting
parties.

The United States of America and the Republic of Nicaragua, being desirous to confirm their friendly relations and to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice between the United States of America and the Republic of Nicaragua, and have appointed for that purpose the following Plenipotentiaries:

Plenipoten-
tiaries.

The President of the United States of America, John Hay, Secretary of State of the United States; and

The President of Nicaragua, Señor Don Luis F. Corea, Envoy Extraordinary and Minister Plenipotentiary of Nicaragua to the United States;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

The Government of the United States and the Government of Nicaragua mutually agree to deliver up persons who, having been charged, as principals or accessories, with or convicted of any of the crimes and offenses specified in the following article committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other: Provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial if the crime had been there committed.

Reciprocal delivery of persons charged with crimes.

ARTICLE II.

Persons shall be delivered up, according to the provisions of this convention, who shall have been charged with, or convicted of, any of the following crimes or offenses:

Extraditable crimes.

1. Murder, comprehending the crimes known as parricide, assassination, poisoning, and infanticide; assault with intent to commit murder; manslaughter, when voluntary.

Murder, etc.

2. Mayhem and any other wilful mutilation causing disability or death.

Mayhem, etc.

3. The malicious and unlawful destruction or attempted destruction of railways, trains, bridges, vehicles, vessels, and other means of travel, or of public edifices and private dwellings, when the act committed shall endanger human life.

Injuries to railroads, etc.

4. Rape.

Rape.

5. Bigamy.

Bigamy.

6. Arson.

Arson.

7. Crimes committed at sea:

Crimes committed at sea.

(a) Piracy, by statute or by the law of nations.

Piracy.

(b) Wrongfully sinking or destroying a vessel at sea, or attempting to do so.

Destroying vessels.

(c) Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.

Mutiny.

(d) Assaults on board a ship on the high seas with intent to do grievous bodily harm.

Assaults on shipboard.

8. Burglary, defined to be the act of breaking and entering into the house of another in the nighttime, with intent to commit a felony therein.

Burglary.

9. The act of breaking into and entering public offices, or the offices of banks, banking houses, savings banks, trust companies, or insurance companies, with intent to commit theft therein, and also the thefts resulting from such acts,

Attempt to rob public offices, etc.

- Robbery.** 10. Robbery, defined to be the felonious and forcible taking from the person of another of goods or money, by violence or by putting the person in fear.
- Forgery.** 11. Forgery, or the utterance of forged papers.
- Falsification of official acts, etc.** 12. The forgery, or falsification of the official acts of the Government or public authority, including courts of justice, or the utterance or fraudulent use of any of the same.
- Counterfeiting, etc.** 13. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, bank notes, or other instruments of public credit; of counterfeit seals, stamps, dies, and marks of State or public administration, and the utterance, circulation, or fraudulent use of any of the above mentioned objects.
- Importation of counterfeit instruments.** 14. The introduction of instruments for the fabrication of counterfeit coin or bank notes or other paper current as money.
- Embezzlement by public officers.** 15. Embezzlement or criminal malversation of public funds committed within the jurisdiction of either party by public officers or depositaries, where the amount of money embezzled is not less than two hundred dollars.
- Embezzlement of bank, etc., funds.** 16. Embezzlement of funds of a bank of deposit or savings bank, or trust company chartered under Federal or State laws, where the amount of money embezzled is not less than two hundred dollars.
- Embezzlement by private persons.** 17. Embezzlement by any person or persons hired or salaried to the detriment of their employers, when the crime is subject to punishment by the laws of the place where it was committed, and where the amount of money or the value of the property embezzled is not less than two hundred dollars.
- Kidnapping.** 18. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons in order to exact money from them or their families, or for any unlawful end.
- Obtaining money by false pretenses.** 19. Obtaining by threats of injury, or by false devices, money, valuables or other personal property, and the receiving of the same with the knowledge that they have been so obtained, when such crimes or offenses are punishable by imprisonment or other corporal punishment by the laws of both countries, and the amount of money or the value of the property so obtained is not less than two hundred dollars.
- Larceny, etc.** 20. Larceny, defined to be the theft of effects, personal property, horses, cattle, or live stock, or money, of the value of twenty-five dollars or more, or receiving stolen property, of that value, knowing it to be stolen.
- Breach of trust.** 21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, or other person acting in a fiduciary capacity, or director or member or officer of any company, when such act is made criminal by the laws of both countries and the amount of money or the value of the prop-

erty misappropriated is not less than two hundred dollars.

22. Perjury; violation of an affirmation or a promise to state the truth, when required by law; subornation to commit said crimes. Perjury.

23. Bribery, defined to be the giving, offering or receiving of a reward to influence one in the discharge of a legal duty. Bribery.

24. Extradition shall also be granted for the attempt to commit any of the crimes and offenses above enumerated, when such attempt is punishable as a felony by the laws of both contracting parties. Attempts to commit felonious crimes.

ARTICLE III.

A person surrendered under this convention shall not be tried or punished in the country to which his extradition has been granted, nor given up to a third power for a crime or offense, not provided for by the present convention and committed previously to his extradition, until he shall have been allowed one month to leave the country after having been discharged; and, if he shall have been tried and condemned to punishment, he shall be allowed one month after having suffered his penalty or having been pardoned. He shall moreover not be tried or punished for any crime or offense provided for by this convention committed previous to his extradition, other than that which gave rise to the extradition, without the consent of the Government which surrendered him, which may, if it think proper, require the production of one of the documents mentioned in Article XI of this convention. Trial for other offenses.

The consent of that Government shall likewise be required for the extradition of the accused to a third country; nevertheless, such consent shall not be necessary when the accused shall have asked of his own accord to be tried or to undergo his punishment, or when he shall not have left within the space of time above specified the territory of the country to which he has been surrendered. Crimes committed previous to extradition.

ARTICLE IV.

The provisions of this convention shall not be applicable to persons guilty of any political crime or offense or of one connected with such a crime or offense. A person who has been surrendered on account of one of the common crimes or offenses mentioned in Article II shall consequently in no case be prosecuted and punished in the State to which his extradition has been granted on account of a political crime or offense committed by him previously to his extradition, or on account of an act connected with such a political crime or offense, unless he has been at liberty to leave the country for one month. Delivery to a third country.

Political crimes committed prior to extradition.

after having been tried and, in case of condemnation, for one month after having suffered his punishment or having been pardoned.

ARTICLE V.

Neither party bound to deliver up its own citizens.

Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this convention, but the executive authority of each shall have the power to deliver them up, if, in its discretion, it be deemed proper to do so.

ARTICLE VI.

Persons under arrest in country where found.

If the person whose surrender may be claimed, pursuant to the stipulations of the present convention, shall have been accused or arrested for the commission of any offense in the country where he or she has sought asylum, or shall have been convicted thereof, his or her extradition may be deferred until he or she is entitled to be liberated on account of the offense charged, for any of the following reasons: acquittal; expiration of term of imprisonment; expiration of the period to which the sentence may have been commuted, or pardoned.

ARTICLE VII.

Persons claimed by other countries.

If a fugitive criminal claimed by one of the parties hereto shall be also claimed by one or more powers, pursuant to treaty provisions on account of crimes or offenses committed within their jurisdiction, such criminal shall be delivered up in preference in accordance with that demand which is the earliest in date, unless the State from which extradition is sought is bound to give preference otherwise.

ARTICLE VIII.

No delivery if trial barred by limitations.

Extradition shall not be granted, in pursuance of the provisions of this convention, if legal proceedings or the enforcement of the penalty for the act committed by the person claimed has become barred by limitation, according to the laws of the country to which the requisition is addressed.

ARTICLE IX.

Application for provisional arrest.

On being informed by telegraph or otherwise, through the diplomatic channel, that a warrant has been issued by competent authority for the arrest of a fugitive criminal charged with any of the crimes enumerated in the foregoing articles of this treaty, and on being assured from the same source that a requisition for the surrender of such criminal is about to be made, accompanied by such

warrant and duly authenticated depositions or copies thereof in support of the charge, each government shall endeavor to procure the provisional arrest of such criminal and to keep him in safe custody for such time as may be practicable, not exceeding sixty days, to await the production of the documents upon which the claim for extradition is founded.

ARTICLE X.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties, or, in the event of the absence of these from the country or its seat of government, they may be made by superior consular officers.

Requisitions.

If the person whose extradition may be asked for shall have been convicted of a crime or offense, a copy of the sentence of the court in which he has been convicted, authenticated under its seal, with attestation of the official character of the judge, by the proper executive authority, and of the latter by the minister or consul of the United States or of Nicaragua, respectively, shall accompany the requisition. When, however, the fugitive shall have been merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime has been committed, and of the depositions upon which such warrant has been issued, must accompany the requisition as aforesaid.

Papers required.

ARTICLE XI.

The expenses of the arrest, detention, examination and delivery of fugitives under this convention shall be borne by the State in whose name the extradition is sought; Provided, that the demanding government shall not be compelled to bear any expenses for the services of such officers of the government from which extradition is sought as receive a fixed salary; and provided that the charge for the services of such public officials as receive only fees shall not exceed the fees to which such officials are entitled under the laws of the country for services rendered in ordinary criminal proceedings.

Expenses.

ARTICLE XII.

All articles found in the possession of the accused party and obtained through the commission of the act with which he is charged, and that may be used as evidence of the crime for which his extradition is demanded, shall be seized if the competent authority shall so order and shall be surrendered with his person.

Disposal of articles seized with person.

The rights of third parties to the articles so found shall nevertheless be respected.

ARTICLE XIII.

Diligence in
extradition,
etc., required.

Each of the contracting parties shall exercise due diligence in procuring the extradition and prosecution of its citizens who may be charged with the commission of any of the crimes or offenses mentioned in Article II, exclusively committed in its territory against the government or any of the citizens of the other contracting party, when the person accused may have taken refuge or be found within the territory of the latter, provided the said crime or offense is one that is punishable, as such, in the territory of the demanding country.

ARTICLE XIV.

Effect.

The present convention shall take effect thirty days after the exchange of ratifications, and shall continue to have binding force for six months after a desire for its termination shall have been expressed in due form by one of the two governments to the other.

Exchange of
ratifications.

It shall be ratified and its ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the above articles both in the English and Spanish languages, and have hereunto affixed their seals.

Signatures.

Done, in duplicate, at the City of Washington, this first day of March, one thousand nine hundred and five.

JOHN HAY [SEAL.]
LUIS F. COREA [SEAL.]

Ratification.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the fourteenth day of June, one thousand nine hundred and seven:

Proclama-
tion.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this fifteenth day of June, in the year of our Lord one thousand
[SEAL.] nine hundred and seven, and of the Independence of the United States the one hundred and thirty-first.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

Convention between the United States and Guatemala for the reciprocal protection of patents. Signed at Guatemala City November 10, 1906; ratification advised by the Senate December 13, 1906; ratified by the President March 6, 1907; ratified by Guatemala May 29, 1907; ratifications exchanged at the city of Guatemala June 13, 1907; proclaimed July 9, 1907.

Nov. 10, 1906.

35 Stat. L.,
pt. 2, p. 1878.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Republic of Guatemala providing for the reciprocal protection of patents was concluded and signed by their respective Plenipotentiaries at Guatemala City, on the tenth day of November, one thousand nine hundred and six, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Patents in
Guatemala and
the United
States.
Preamble.

CONVENTION BETWEEN THE UNITED STATES AND GUATEMALA FOR THE RECIPROCAL PROTECTION OF PATENTS.

The United States of America and the Republic of Guatemala, desiring to secure for their respective citizens the reciprocal protection of their patents, have for that purpose resolved to conclude a Convention and to that end have appointed as their Plenipotentiaries, to-wit:

Contracting
parties.

The President of the United States of America, Mr. Philip M. Brown, Chargé d'Affaires ad interim of the United States to Guatemala, and

Plenipoten-
taries.

The President of Guatemala Mr. John Barrios M. Minister for Foreign Affairs;

Who, after exhibiting to each other their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

Citizens of each of the High Contracting Parties, shall in the territory of the other, enjoy the same rights as are enjoyed by native citizens in all matters pertaining to the protection of inventions by letters patent.

Reciprocal
rights to citi-
zens of each
country.

ARTICLE II.

In order to enjoy the protection of their inventions, the citizens of each country must fulfill the formalities required by the laws of the country in which the protection is asked.

Formalities.

ARTICLE III.

This Convention shall take effect upon its promulgation in both countries and shall remain in force until the expiration of one year after either of the high Contract-

Effect.

ing Parties shall have given notice to the other of its wish to terminate the same.

Exchange of ratifications. The ratifications of this Convention shall be exchanged at Guatemala city as soon as possible within one year from the date thereof.

Signatures. In witness whereof we, the respective Plenipotentiaries have signed the present Convention this tenth day of November nineteen hundred and six, and have hereunto affixed our seals.

[SEAL.]
[SEAL.]

PHILIP M. BROWN
JUAN BARRIOS M.

Ratification. And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Guatemala, on the thirteenth day of June, one thousand nine hundred and seven;

Proclamation. Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this ninth day of July, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States of America the one hundred and thirty-second.

[SEAL]

THEODORE ROOSEVELT

By the President:

ROBERT BACON

Acting Secretary of State.

Feb. 8, 1907. *Convention between the United States of America and the Dominican Republic providing for the assistance of the United States in the collection and application of the customs revenues of the Dominican Republic. Concluded February 8, 1907; ratification advised by Senate February 25, 1907; ratified by President June 22, 1907; ratified by President of the Dominican Republic June 18, 1907; ratifications exchanged at Washington July 8, 1907; proclaimed July 25, 1907.*

35 Stat. L.,
pt. 2, p. 1880.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,
A PROCLAMATION.

Dominican Republic customs revenue. Preamble. Whereas a convention between the United States of America and the Dominican Republic providing for the assistance of the United States in the collection and ap-

plication of the customs revenues of the Dominican Republic, was concluded and signed by their respective Plenipotentiaries at the City of Santo Domingo, on the eighth day of February, one thousand nine hundred and seven, the original of which convention, being in the English and Spanish languages, is word for word as follows:

Whereas during disturbed political conditions in the Dominican Republic debts and claims have been created, some by regular and some by revolutionary governments, many of doubtful validity in whole or in part, and amounting in all to over \$30,000,000, nominal or face value;

And Whereas the same conditions have prevented the peaceable and continuous collection and application of National revenues for payment of interest or principal of such debts or for liquidation and settlement of such claims; and the said debts and claims continually increase by accretion of interest and are a grievous burden upon the people of the Dominican Republic and a barrier to their improvement and prosperity;

And Whereas the Dominican Government has now effected a conditional adjustment and settlement of said debts and claims under which all its foreign creditors have agreed to accept about \$12,407,000 for debts and claims amounting to about \$21,184,000 of nominal or face value, and the holders of internal debts or claims of about \$2,028,258 nominal or face value have agreed to accept about \$645,827 therefor, and the remaining holders of internal debts or claims on the same basis as the assents already given will receive about \$2,400,000 therefor, which sum the Dominican Government has fixed and determined as the amount which it will pay to such remaining internal debt holders; making the total payments under such adjustment and settlement, including interest as adjusted and claims not yet liquidated, amount to not more than about \$17,000,000.

And Whereas a part of such plan of settlement is the issue and sale of bonds of the Dominican Republic to the amount of \$20,000,000 bearing five per cent interest payable in fifty years and redeemable after ten years at 102½ and requiring payment of at least one per cent per annum for amortization, the proceeds of said bonds, together with such funds as are now deposited for the benefit of creditors from customs revenues of the Dominican Republic heretofore received, after payment of the expenses of such adjustment, to be applied first to the payment of said debts and claims as adjusted and second out of the balance remaining to the retirement and extinction of certain concessions and harbor monopolies which are a burden and hindrance to the commerce of the country and third the entire balance still remaining to the construction of certain railroads and bridges and other public im-

provements necessary to the industrial development of the country;

And Whereas the whole of said plan is conditioned and dependent upon the assistance of the United States in the collection of customs revenues of the Dominican Republic and the application thereof so far as necessary to the interest upon and the amortization and redemption of said bonds, and the Dominican Republic has requested the United States to give and the United States is willing to give such assistance:

Agreement.

The Dominican Government, represented by its Minister of State for Foreign Relations, Emiliano Tejera, and its Minister of State for Finance and Commerce, Federico Velasquez H.,

and the United States Government, represented by Thomas C. Dawson, Minister Resident and Consul General of the United States to the Dominican Republic, have agreed:

Appointment
of General Re-
ceiver of Do-
minican Cus-
toms.

I. That the President of the United States shall appoint, a General Receiver of Dominican Customs, who, with such Assistant Receivers and other employees of the Receivership as shall be appointed by the President of the United States in his discretion, shall collect all the customs duties accruing at the several customs houses of the Dominican Republic until the payment or retirement of any and all bonds issued by the Dominican Government in accordance with the plan and under the limitations as to terms and amounts hereinbefore recited; and said General Receiver shall apply the sums so collected, as follows:

Use of moneys
collected.

First, to paying the expenses of the receivership; second, to the payment of interest upon said bonds; third, to the payment of the annual sums provided for amortization of said bonds including interest upon all bonds held in sinking fund; fourth, to the purchase and cancellation or the retirement and cancellation pursuant to the terms thereof of any of said bonds as may be directed by the Dominican Government; fifth, the remainder to be paid to the Dominican Government.

Distribution
of current col-
lections.

The method of distributing the current collections of revenue in order to accomplish the application thereof as hereinbefore provided shall be as follows:

The expenses of the receivership shall be paid by the Receiver as they arise. The allowances to the General Receiver and his assistants for the expenses of collecting the revenues shall not exceed five per cent unless by agreement between the two Governments.

Payments.

On the first day of each calendar month the sum of \$100,000 shall be paid over by the Receiver to the Fiscal Agent of the loan, and the remaining collection of the last preceding month shall be paid over to the Dominican Government, or applied to the sinking fund for the pur-

chase or redemption of bonds, as the Dominican Government shall direct.

Provided, that in case the customs revenues collected by the General Receiver shall in any year exceed the sum of \$3,000,000, one half of the surplus above such sum of \$3,000,000 shall be applied to the sinking fund for the redemption of bonds. *Proviso.*
Sinking fund.

II. The Dominican Government will provide by law for the payment of all customs duties to the General Receiver and his assistants, and will give to them all needful aid and assistance and full protection to the extent of its powers. The Government of the United States will give to the General Receiver and his assistants such protection as it may find to be requisite for the performance of their duties. All customs duties paid to General Receiver, etc.

III. Until the Dominican Republic has paid the whole amount of the bonds of the debt its public debt shall not be increased except by previous agreement between the Dominican Government and the United States. A like agreement shall be necessary to modify the import duties, it being an indispensable condition for the modification of such duties that the Dominican Executive demonstrate and that the President of the United States recognize that, on the basis of exportations and importations to the like amount and the like character during the two years preceding that in which it is desired to make such modification, the total net customs receipts would at such altered rates of duties have been for each of such two years in excess of the sum of \$2,000,000 United States gold. Increase of public debt restricted.
Modification of import duties.

IV. The accounts of the General Receiver shall be rendered monthly to the Contaduria General of the Dominican Republic and to the State Department of the United States and shall be subject to examination and verification by the appropriate officers of the Dominican and the United States Governments. Monthly accounts of General Receiver.

V. This agreement shall take effect after its approval by the Senate of the United States and the Congress of the Dominican Republic. Effect.

Done in four originals, two being in the English language, and two in the Spanish, and the representatives of the high contracting parties signing them in the City of Santo Domingo this 8th day of February, in the Year of our Lord 1907. Signatures.

THOMAS C DAWSON
EMILIANO TEJERA
FEDERICO VELAZQUEZ H.

And whereas the said convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the eighth day of July, one thousand nine hundred seven; Ratification.

Proclamation. Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this 25th day of July in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:

ROBERT BACON

Acting Secretary of State.

July 6, 1906. *Convention for the amelioration of the condition of the wounded of the armies in the field. Signed at Geneva July 6, 1906; ratification advised by the Senate December 19, 1906; ratified by the President of the United States January 2, 1907; ratification deposited with the Government of the Swiss Confederation February 9, 1907; proclaimed August 3, 1907.*

35 Stat. L.,
pt. 2, p. 1885.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Red Cross
Convention.
Preamble.

Whereas a Convention between the United States of America and Germany, the Argentine Republic, Austria-Hungary, Belgium, Bulgaria, Chile, China, the Congo Free State, Denmark, Spain, Brazil, Mexico, France, Great Britain, Greece, Guatemala, Honduras, Italy, Japan, Luxemburg, Montenegro, Norway, the Netherlands, Peru, Persia, Portugal, Roumania, Russia, Servia, Siam, Sweden, Switzerland, and Uruguay, for the amelioration of the condition of the wounded of armies in the field, was signed at Geneva, July 6, 1906, the original of which convention, being in the French language, is word for word as follows:

[Translation.]

CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED IN ARMIES IN THE FIELD.

Contracting
parties.

His Majesty the Emperor of Germany, King of Prussia; His Excellency the President of the Argentine Republic; His Majesty the Emperor of Austria, King of

Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; His Royal Highness the Prince of Bulgaria; His Excellency the President of the Republic of Chile; His Majesty the Emperor of China; His Majesty the King of the Belgians, Sovereign of the Congo Free State; His Majesty the Emperor of Corea; His Majesty the King of Denmark; His Majesty the King of Spain; the President of the United States of America; the President of the United States of Brazil; the President of the United Mexican States; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Honduras; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; His Highness the Prince of Montenegro; His Majesty the King of Norway; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc.; His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Oriental Republic of Uruguay,

Being equally animated by the desire to lessen the inherent evils of warfare as far as is within their power, and wishing for this purpose to improve and supplement the provisions agreed upon at Geneva on August 22, 1864, for the amelioration of the condition of the wounded in armies in the field,

Have decided to conclude a new convention to that effect, and have appointed as their plenipotentiaries, to wit:

His Majesty the Emperor of Germany, King of Prussia: His Excellency the Chamberlain and Actual Privy Councilor A. de Bülow, Envoy Extraordinary and Minister Plenipotentiary at Berne, General of Brigade Baron de Manteuffel, Medical Inspector and Surgeon-General Dr. Villaret (with rank of general of brigade), Dr. Zorn, Privy Councilor of Justice, ordinary professor of law at the University of Bonn, Solicitor of the Crown;

His Excellency the President of the Argentine Republic: His Excellency Mr. Enrique B. Moreno, Envoy Extraordinary and Minister Plenipotentiary at Berne, Mr. Molina Salas, Consul-General in Switzerland;

His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary: His Excellency Baron Heidler de Egeregg et Syrgenstein, Actual Privy Councilor, Envoy Extraordinary and Minister Plenipotentiary at Berne;

Scope of convention.

Plenipotentiaries.

His Majesty the King of the Belgians: Colonel of Staff Count de T'Serclaes, Chief of Staff of the Fourth Military District;

His Royal Highness the Prince of Bulgaria: Dr. Marin Rousseff, Chief Medical Officer, Captain of Staff Boris Sirmanoff;

His Excellency the President of the Republic of Chile: Mr. Augustin Edwards, Envoy Extraordinary and Minister Plenipotentiary;

His Majesty the Emperor of China: His Excellency Mr. Lou Tseng Tsiang, Envoy Extraordinary and Minister Plenipotentiary to The Hague;

His Majesty the King of the Belgians, Sovereign of the Congo Free State; Colonel of Staff Count de T'Serclaes, Chief of Staff of the Fourth Military District of Belgium;

His Majesty the Emperor of Corea: His Excellency Mr. Tsunetada Kato, Envoy Extraordinary and Minister Plenipotentiary of Japan to Brussels;

His Majesty the King of Denmark: Mr. Laub, Surgeon-General, Chief of the Medical Corps of the Army;

His Majesty the King of Spain: His Excellency Mr. Silverio de Baguer y Corsi, Count of Baguer, Minister Resident;

The President of the United States of America: Mr. William Cary Sanger, former Assistant Secretary of War of the United States of America, Vice-Admiral Charles S. Sperry, President of the Naval War College, Brigadier-General George B. Davis, Judge-Advocate-General of the Army, Brigadier-General Robert M. O'Reilly, Surgeon-General of the Army;

The President of the United States of Brazil: Dr. Carlos Lemgruber-Kropf, Chargé d'Affaires at Berne, Colonel of Engineers Roberto Trompowski, Leitao d'Almeida, Military Attaché to the Brazilian Legation at Berne;

The President of the United Mexican States: General of Brigade José Maria Perez;

The President of the French Republic: His Excellency Mr. Révoil, Ambassador to Berne, Mr. Louis Renault, Member of the Institute of France, Minister Plenipotentiary, Jurisconsult of the Ministry of Foreign Affairs, Professor in the Faculty of Law at Paris, Colonel Olivier of Reserve Artillery, Chief Surgeon Pauzat of the Second Class;

His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India: Major-General Sir John Charles Ardagh, K. C. M. G., K. C. L. E., C. B., Professor Thomas Erskine Holland, K. C., D. C. L., Sir John Furley, C. B., Lieutenant-Colonel William Grant Macpherson, C. M. G., R. A. M. C.;

His Majesty the King of the Hellenes: Mr. Michel Kebedgy, Professor of International Law at the University of Berne;

The President of the Republic of Guatemala: Mr. Manual Arroyo, Chargé d'Affaires at Paris, Mr. Henri Wiswald, Consul-General to Berne, residing at Geneva;

The President of the Republic of Honduras: Mr. Oscar Hœpfl, Consul-General to Berne;

His Majesty the King of Italy: Marquis Roger Maurigi di Castel Maurigi, Colonel in His Army, Grand Officer of His Royal Order of the SS. Maurice and Lazare, Major-General Giovanni Randone, Military Medical Inspector, Commander of His Royal Order of the Crown of Italy;

His Majesty the Emperor of Japan: His Excellency Mr. Tsunetada Kato, Envoy Extraordinary and Minister Plenipotentiary to Brussels;

His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau: Staff Colonel Count de T'Serclaes, Chief of Staff of the Fourth Military District of Belgium;

His Highness the Prince of Montenegro: Mr. E. Odier, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation in Russia, Colonel Mürset, Chief Surgeon of the Swiss Federal Army;

His Majesty the King of Norway: Captain Daae, of the Medical Corps of the Norwegian Army;

Her Majesty the Queen of the Netherlands: Lieutenant-General (retired) Jonkheer J. C. C. den Beer Poortugael, Member of the Council of State, Colonel A. A. J. Quanjer, Chief Medical Officer. First Class;

The President of the Republic of Peru: Mr. Gustavo de la Fuente, First Secretary of the Legation of Peru at Paris;

His Imperial Majesty the Shah of Persia: His Excellency Mr. Samad Khan Momtaz-os-Saltaneh, Envoy Extraordinary and Minister Plenipotentiary at Paris;

His Majesty the King of Portugal and of the Algarves, etc.: His Excellency Mr. Alberto d'Oliveira, Envoy Extraordinary and Minister Plenipotentiary at Berne, Mr. José Nicolau Raposo-Botelho, Colonel of Infantry, former Deputy, Superintendent of the Royal Military College at Lisbon;

His Majesty the King of Roumania: Dr. Sache Stephanesco, Colonel of Reserve;

His Majesty the Emperor of All the Russias: His Excellency Privy Councilor de Martens, Permanent Member of the Council of the Ministry of Foreign Affairs of Russia;

His Majesty the King of Servia: Mr. Milan St. Markovitch, Secretary-General of the Ministry of Justice, Colonel Dr. Sondermayer, Chief of the Medical Division of the War Ministry;

His Majesty the King of Siam: Prince Charoon, Chargé d'Affaires at Paris, Mr. Corragioni d'Orelli, Counselor of Legation at Paris;

His Majesty the King of Sweden: M. Sörensen, Chief Surgeon of the Second Division of the Army;

The Swiss Federal Council: Mr. E. Odier, Envoy Extraordinary and Minister Plenipotentiary in Russia, Colonel Mürset, Chief Surgeon of the Federal Army;

The President of the Oriental Republic of Uruguay: Mr. Alexandre Herosa, Chargé d'Affaires at Paris,

Who, after having communicated to each other their full powers, found in good and due form, have agreed on the following:

CHAPTER I.—*The sick and wounded.*

ARTICLE 1.

Treatment of wounded, etc., prisoners.

Officers, soldiers, and other persons officially attached to armies, who are sick or wounded, shall be respected and cared for, without distinction of nationality, by the belligerent in whose power they are.

Wounded left in the hands of an adversary.

A belligerent, however, when compelled to leave his wounded in the hands of his adversary, shall leave with them, so far as military conditions permit, a portion of the personnel and materiel of his sanitary service to assist in caring for them.

ART. 2.

To be considered prisoners of war.

Subject to the care that must be taken of them under the preceding article, the sick and wounded of an army who fall into the power of the other belligerent become prisoners of war, and the general rules of international law in respect to prisoners become applicable to them.

Belligerents may agree.

The belligerents remain free, however, to mutually agree upon such clauses, by way of exception or favor, in relation to the wounded or sick as they may deem proper. They shall especially have authority to agree:

To mutually return sick and wounded.

1. To mutually return the sick and wounded left on the field of battle after an engagement.

To send home those who have recovered.

2. To send back to their own country the sick and wounded who have recovered, or who are in a condition to be transported and whom they do not desire to retain as prisoners.

To send sick, etc., to neutral state.

3. To send the sick and wounded of the enemy to a neutral state, with the consent of the latter and on condition that it shall charge itself with their internment until the close of hostilities.

ART. 3.

Protection from robbery, etc.

After every engagement the belligerent who remains in possession of the field of battle shall take measures to search for the wounded and to protect the wounded and dead from robbery and ill treatment.

He will see that a careful examination is made of the bodies of the dead prior to their interment or incineration.

ART. 4.

As soon as possible each belligerent shall forward to the authorities of their country or army the marks or military papers of identification found upon the bodies of the dead, together with a list of names of the sick and wounded taken in charge by him. Disposal of identification papers, etc.

Belligerents will keep each other mutually advised of internments and transfers, together with admissions to hospitals and deaths which occur among the sick and wounded in their hands. They will collect all objects of personal use, valuables, letters, etc., which are found upon the field of battle, or have been left by the sick or wounded who have died in sanitary formations or other establishments, for transmission to persons in interest through the authorities of their own country. Notifications of internments, etc.

ART. 5.

Military authority may make an appeal to the charitable zeal of the inhabitants to receive and, under its supervision, to care for the sick and wounded of the armies, granting to persons responding to such appeals special protection and certain immunities. Appeal to charity of inhabitants.

CHAPTER II.—*Sanitary formations and establishments.*

ART. 6.

Mobile sanitary formations (*i. e.*, those which are intended to accompany armies in the field) and the fixed establishments belonging to the sanitary service shall be protected and respected by belligerents. Protection to sanitary establishments.

ART. 7.

The protection due to sanitary formations and establishments ceases if they are used to commit acts injurious to the enemy. Exceptions.

ART. 8.

A sanitary formation or establishment shall not be deprived of the protection accorded by article 6 by the fact: Rights to protection not affected.

1. That the personnel of a formation or establishment is armed and uses its arms in self-defense or in defense of its sick and wounded. Defense of wounded, etc., allowed.

2. That in the absence of armed hospital attendants, the formation is guarded by an armed detachment or by sentinels acting under competent orders. Armed guards permitted.

Undelivered arms, etc., of wounded.

3. That arms or cartridges, taken from the wounded and not yet turned over to the proper authorities, are found in the formation or establishment.

CHAPTER III.—*Personnel.*

ART. 9.

Protection to the personnel of sanitary formations.

The personnel charged exclusively with the removal, transportation, and treatment of the sick and wounded, as well as with the administration of sanitary formations and establishments, and the chaplains attached to armies, shall be respected and protected under all circumstances. If they fall into the hands of the enemy they shall not be considered as prisoners of war.

Guards included.

These provisions apply to the guards of sanitary formations and establishments in the case provided for in section 2 of article 8.

ART. 10.

Protection to the personnel of volunteer aid societies.

The personnel of volunteer aid societies, duly recognized and authorized by their own governments, who are employed in the sanitary formations and establishments of armies, are assimilated to the personnel contemplated in the preceding article, upon condition that the said personnel shall be subject to military laws and regulations.

Notification before actual employment.

Each state shall make known to the other, either in time of peace or at the opening, or during the progress of hostilities, and in any case before actual employment, the names of the societies which it has authorized to render assistance, under its responsibility, in the official sanitary service of its armies.

ART. 11.

Services of sanitary personnel of a neutral state restricted.

A recognized society of a neutral state can only lend the services of its sanitary personnel and formations to a belligerent with the prior consent of its own government and the authority of such belligerent. The belligerent who has accepted such assistance is required to notify the enemy before making any use thereof.

Notice to enemy.

ART. 12.

Continuance of service after capture.

Persons described in articles 9, 10, and 11 will continue in the exercise of their functions, under the direction of the enemy, after they have fallen into his power.

To be returned to their own country.

When their assistance is no longer indispensable they will be sent back to their army or country, within such period and by such route as may accord with military necessity. They will carry with them such effects, instruments, arms, and horses as are their private property.

ART. 13.

While they remain in his power, the enemy will secure to the personnel mentioned in article 9 the same pay and allowances to which persons of the same grade in his own army are entitled. Pay and allowance.

CHAPTER IV.—*Matériel.*

ART. 14.

If mobile sanitary formations fall into the power of the enemy, they shall retain their matériel, including the teams, whatever may be the means of transportation and the conducting personnel. Competent military authority, however, shall have the right to employ it in caring for the sick and wounded. The restitution of the matériel shall take place in accordance with the conditions prescribed for the sanitary personnel, and, as far as possible, at the same time. Use and restitution of captured matériel.

ART. 15.

Buildings and matériel pertaining to fixed establishments shall remain subject to the laws of war, but cannot be diverted from their use so long as they are necessary for the sick and wounded. Commanders of troops engaged in operations, however, may use them, in case of important military necessity, if, before such use, the sick and wounded who are in them have been provided for. Use of buildings, etc., of fixed establishments restricted.

ART. 16.

The matériel of aid societies admitted to the benefits of this convention, in conformity to the conditions therein established, is regarded as private property and, as such, will be respected under all circumstances, save that it is subject to the recognized right of requisition by belligerents in conformity to the laws and usages of war. Matériel of aid societies regarded as private property.

CHAPTER V.—*Convoys of evacuation.*

ART. 17.

Convoys of evacuation shall be treated as mobile sanitary formations subject to the following special provisions: Convoys of evacuation.

1. A belligerent intercepting a convoy may, if required by military necessity, break up such convoy, charging himself with the care of the sick and wounded whom it contains. Treatment of intercepted convoys.

2. In this case the obligation to return the sanitary personnel, as provided for in article 12, shall be extended to include the entire military personnel employed, under Return of military personnel employed.

competent orders, in the transportation and protection of the convoy.

Railway
trains, etc.

The obligation to return the sanitary matériel, as provided for in article 14, shall apply to railway trains and vessels intended for interior navigation which have been especially equipped for evacuation purposes, as well as to the ordinary vehicles, trains, and vessels which belong to the sanitary service.

Military ve-
hicles, etc.,
may be cap-
tured.

Military vehicles, with their teams, other than those belonging to the sanitary service, may be captured.

Civil person-
nel, etc.

The civil personnel and the various means of transportation obtained by requisition, including railway matériel and vessels utilized for convoys, are subject to the general rules of international law.

CHAPTER VI.—*Distinctive emblem.*

ART. 18.

Distinctive
emblem of san-
itary service.

Out of respect to Switzerland the heraldic emblem of the red cross on a white ground, formed by the reversal of the federal colors, is continued as the emblem and distinctive sign of the sanitary service of armies.

ART. 19.

Used by per-
mission of mili-
tary authority.

This emblem appears on flags and brassards as well as upon all matériel appertaining to the sanitary service, with the permission of the competent military authority.

ART. 20.

Use of the
brassard.

The personnel protected in virtue of the first paragraph of article 9, and articles 10 and 11, will wear attached to the left arm a brassard bearing a red cross on a white ground, which will be issued and stamped by competent military authority, and accompanied by a certificate of identity in the case of persons attached to the sanitary service of armies who do not have military uniform.

ART. 21.

Display of
red cross flag
restricted.

The distinctive flag of the convention can only be displayed over the sanitary formations and establishments which the convention provides shall be respected, and with the consent of the military authorities. It shall be accompanied by the national flag of the belligerent to whose service the formation or establishment is attached.

Sanitary formations which have fallen into the power of the enemy, however, shall fly no other flag than that of the Red Cross so long as they continue in that situation.

ART. 22.

The sanitary formations of neutral countries which, under the conditions set forth in article 11, have been authorized to render their services, shall fly, with the flag of the convention, the national flag of the belligerent to which they are attached. The provisions of the second paragraph of the preceding article are applicable to them.

Use of flag by sanitary formations of neutrals.

ART. 23.

The emblem of the red cross on a white ground and the words *Red Cross* or *Geneva Cross* may only be used, whether in time of peace or war, to protect or designate sanitary formations and establishments, the personnel and matériel protected by the convention.

Use of distinctive emblem in time of war and peace.

CHAPTER VII.—*Application and execution of the convention.*

ART. 24.

The provisions of the present convention are obligatory only on the contracting powers, in case of war between two or more of them. The said provisions shall cease to be obligatory if one of the belligerent powers should not be signatory to the convention.

Provisions obligatory only on contracting powers.

ART. 25.

It shall be the duty of the commanders in chief of the belligerent armies to provide for the details of execution of the foregoing articles, as well as for unforeseen cases, in accordance with the instructions of their respective governments, and conformably to the general principles of this convention.

Execution of details of convention.

ART. 26.

The signatory governments shall take the necessary steps to acquaint their troops, and particularly the protected personnel, with the provisions of this convention and to make them known to the people at large.

Notice to troops, etc.

CHAPTER VIII.—*Repression of abuses and infractions.*

ART. 27.

The signatory powers whose legislation may not now be adequate engage to take or recommend to their legislatures such measures as may be necessary to prevent the use, by private persons or by societies other than those upon which this convention confers the right thereto, of

Legislation to prevent improper use of emblem, etc.

the emblem or name of the Red Cross or Geneva Cross, particularly for commercial purposes by means of trade-marks or commercial labels.

Effect. The prohibition of the use of the emblem or name in question shall take effect from the time set in each act of legislation, and at the latest five years after this convention goes into effect. After such going into effect, it shall be unlawful to use a trade-mark or commercial label contrary to such prohibition.

ART. 28.

Repression, in time of war of robbery, etc. In the event of their military penal laws being insufficient, the signatory governments also engage to take, or to recommend to their legislatures, the necessary measures to repress, in time of war, individual acts of robbery and ill treatment of the sick and wounded of the armies, as well as to punish, as usurpations of military insignia, the wrongful use of the flag and brassard of the Red Cross by military persons or private individuals not protected by the present convention.

Notification of repressive measures. They will communicate to each other through the Swiss Federal Council the measures taken with a view to such repression, not later than five years from the ratification of the present convention.

General provisions.

ART 29.

Ratification and deposit of original. Certified copies. The present convention shall be ratified as soon as possible. The ratifications will be deposited at Berne. A record of the deposit of each act of ratification shall be prepared, of which a duly certified copy shall be sent, through diplomatic channels, to each of the contracting powers.

ART. 30.

Operative six months after date of deposit. The present convention shall become operative, as to each power, six months after the date of deposit of its ratification.

ART. 31.

Convention of Aug. 22, 1864, superseded. The present convention, when duly ratified, shall supersede the Convention of August 22, 1864, in the relations between the contracting states.

Exception. The Convention of 1864 remains in force in the relations between the parties who signed it but who may not also ratify the present convention.

ART. 32.

What powers may sign. The present convention may, until December 31, proximo, be signed by the powers represented at the conference

which opened at Geneva on June 11, 1906, as well as by the powers not represented at the conference who have signed the Convention of 1864.

Such of these powers as shall not have signed the present convention on or before December 31, 1906, will remain at liberty to accede to it after that date. They shall signify their adherence in a written notification addressed to the Swiss Federal Council, and communicated to all the contracting powers by the said Council. Extension of date for signatures.

Other powers may request to adhere in the same manner, but their request shall only be effective if, within the period of one year from its notification to the Federal Council, such Council has not been advised of any opposition on the part of any of the contracting powers. Adhesion of other powers.

ART. 33.

Each of the contracting parties shall have the right to denounce the present convention. This denunciation shall only become operative one year after a notification in writing shall have been made to the Swiss Federal Council, which shall forthwith communicate such notification to all the other contracting parties. Denunciation.

This denunciation shall only become operative in respect to the power which has given it.

In faith whereof the plenipotentiaries have signed the present convention and affixed their seals thereto.

Done at Geneva, the sixth day of July, one thousand nine hundred and six, in a single copy, which shall remain in the archives of the Swiss Confederation and certified copies of which shall be delivered to the contracting parties through diplomatic channels. Signatures.

(Here follow the signatures.)

[Translation.]

FINAL PROTOCOL OF THE CONFERENCE FOR THE REVISION OF THE GENEVA CONVENTION.

The Conference called by the Swiss Federal Council, with a view to revising the International Convention of August 22, 1864, for the Amelioration of the Condition of Soldiers wounded in Armies in the field, met at Geneva on June 11, 1906. The Powers hereinbelow enumerated took part in the Conference to which they had designated the delegates hereinbelow named. Final protocol.

(Names of Countries and Delegates follow.)

Countries and Delegates.

Protocol.

In a series of meetings held from the 11th of June to the 5th of July 1906, the Conference discussed and framed, for the signatures of the Plenipotentiaries, the Protocol.

text of a Convention which will bear the date of July 6, 1906.

Settlement of international disputes.

In addition, and conformably to Article 16 of the Convention for the peaceful settlement of international disputes, of July 29, 1899, which recognized arbitration as the most effective and at the same time, most equitable means of adjusting differences that have not been resolved through the diplomatic channel, the Conference uttered the following wish:

Interpretation of differences referred to permanent court of arbitration at The Hague.

The Conference expressed the wish that, in order to arrive at as exact as possible an interpretation and application of the Geneva Convention, the Contracting Powers will refer to the Permanent Court at The Hague, if permitted by the cases and circumstances, such differences as may arise among them, in time of peace, concerning the interpretation of the said Convention.

Adopting States.

This wish was adopted by the following States:

Germany, Argentine Republic, Austria-Hungary, Belgium, Bulgaria, Chile, China, Congo, Denmark, Spain (ad referendum), United States of America, United States of Brazil, France, Greece, Guatemala, Honduras, Italy, Luxemburg, Montenegro, Nicaragua, Norway, The Netherlands, Peru, Persia, Portugal, Roumania, Russia, Serbia, Siam, Sweden, Switzerland and Uruguay.

Rejecting States.

The wish was rejected by the following States:

Corea, Great Britain and Japan.

In witness whereof the Delegates have signed the present Protocol.

Signatures.

Done at Geneva, the sixth day of July, one thousand nine hundred and six, in a single copy which shall be deposited in the archives of the Swiss Confederation and certified copies of which shall be delivered to all the Powers represented at the Conference.

(Here follow signatures.)

Ratification.

And whereas it is provided by its Article 30 that the said convention shall become effective, as to each Power, six months after the date of the deposit of its ratifications;

And whereas the ratifications of the said Convention on the part of the United States was deposited with the Government of the Swiss Confederation on February 9, 1907;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this third day of August, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the [SEAL] United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:

ROBERT BACON

Acting Secretary of State.

Convention between the United States and other Powers for the creation of an International Institute of Agriculture. Signed at Rome, June 7, 1905; ratification advised by the Senate, June 27, 1906; ratified by the President, July 7, 1906; ratification deposited with the Government of Italy, August 31, 1906; proclaimed January 29, 1908.

June 7, 1905.
35 Stat. L.,
pt. 2, p. 1918.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and Italy, Montenegro, Russia, Argentine Republic, Roumania, Serbia, Belgium, Salvador, Portugal, the United Mexican States, Luxemburg, the Swiss Confederation, Persia, Japan, Ecuador, Bulgaria, Denmark, Spain, France, Sweden, the Netherlands, Greece, Uruguay, Germany, Cuba, Austria-Hungary, Norway, Egypt, Great Britain, Guatemala, Ethiopia, Nicaragua, Brazil, Costa Rica, Chile, Peru, China, Paraguay, and Turkey, providing for the creation of an International Institute of Agriculture was concluded and signed by their respective Plenipotentiaries at Rome on the seventh day of June, one thousand nine hundred and five, the original of which Convention, being in the French language, is word for word as follows:

International
Institute of
Agriculture.
Preamble.

[Translation.]

In a series of meetings held at Rome, from May 29 to June 6, 1905, the delegates of the Powers convened at the Conference for the creation of an International Institute of Agriculture, having agreed upon the text of a Convention to be dated June 7, 1905, and this text having been submitted for approval to the Governments which took part in the said conference, the undersigned, having been furnished with full powers found in good and due form, have agreed, in the names of their respective Governments, on what follows:

Conference
at Rome.

ARTICLE 1.

Permanent International Institute of Agriculture created. There is hereby created a permanent international institute of agriculture, having its seat at Rome.

ARTICLE 2.

Character. The international institute of agriculture is to be a government institution, in which each adhering power shall be represented by delegates of its choice.

Composition. The institute shall be composed of a general assembly and a permanent committee, the composition and duties of which are defined in the ensuing articles.

ARTICLE 3.

General assembly. The general assembly of the institute shall be composed of the representatives of the adhering governments. Each nation, whatever be the number of its delegates, shall be entitled to a number of votes in the assembly which shall be determined according to the group to which it belongs, and to which reference will be made in article 10.

Votes.

ARTICLE 4.

Election of officers. The general assembly shall elect for each session from among its members a president and two vice-presidents.

Sessions. The sessions shall take place on dates fixed by the last general assembly and according to a programme proposed by the permanent committee and adopted by the adhering governments.

ARTICLE 5.

Powers of general assembly. The general assembly shall exercise supreme control over the international institute of agriculture.

It shall approve the projects prepared by the permanent committee regarding the organization and internal workings of the institute. It shall fix the total amount of expenditures and audit and approve the accounts.

It shall submit to the approval of the adhering governments modifications of any nature involving an increase in expenditure or an enlargement of the functions of the institute. It shall set the date for holding the sessions. It shall prepare its regulations.

Quorum. The presence at the general assemblies of delegates representing two-thirds of the adhering nations shall be required in order to render the deliberations valid.

ARTICLE 6.

Permanent committee. The executive power of the institute is intrusted to the permanent committee, which, under the direction and con-

trol of the general assembly, shall carry out the decisions of the latter and prepare propositions to submit to it.

ARTICLE 7.

The permanent committee shall be composed of members designated by the respective governments. Each adhering nation shall be represented in the permanent committee by one member. However, the representation of one nation may be intrusted to a delegate of another adhering nation, provided that the actual number of members shall not be less than fifteen. Composition.

The conditions of voting in the permanent committee shall be the same as those indicated in article 3 for the general assemblies. Requirements for voting.

ARTICLE 8.

The permanent committee shall elect from among its members for a period of three years a president and a vice-president, who may be reelected. It shall prepare its internal regulations, vote the budget of the institute within the limits of the funds placed at its disposal by the general assembly, and appoint and remove the officials and employees of its office. Officers.

Duties.

The general secretary of the permanent committee shall act as secretary of the assembly. Secretary.

ARTICLE 9.

The institute, confining its operations within an international sphere, shall— Scope of Institute.

(a) Collect, study, and publish as promptly as possible statistical, technical, or economic information concerning farming, both vegetable and animal products, the commerce in agricultural products, and the prices prevailing in the various markets;

(b) Communicate to parties interested, also as promptly as possible, all the information just referred to;

(c) Indicate the wages paid for farm work;

(d) Make known the new diseases of vegetables which may appear in any part of the world, showing the territories infected, the progress of the disease, and, if possible, the remedies which are effective in combating them;

(e) Study questions concerning agricultural cooperation, insurance, and credit in all their aspects; collect and publish information which might be useful in the various countries in the organization of works connected with agricultural cooperation, insurance, and credit;

(f) Submit to the approval of the governments, if there is occasion for it, measures for the protection of the common interests of farmers and for the improvement of their condition, after having utilized all the necessary sources of information, such as the wishes expressed by

international or other agricultural congresses or congresses of sciences applied to agriculture, agricultural societies, academies, learned bodies, etc.

Restriction. All questions concerning the economic interests, the legislation, and the administration of a particular nation shall be excluded from the consideration of the institute.

ARTICLE 10.

Classification of adhering nations. The nations adhering to the institute shall be classed in five groups, according to the place which each of them thinks is ought to occupy.

Votes and units of assessment. The number of votes which each nation shall have and the number of units of assessment shall be established according to the following gradations:

Groups of nations.	Numbers of votes.	Units of assessment.
I.....	5	16
II.....	4	8
III.....	3	4
IV.....	2	2
V.....	1	1

In any event the contribution due per unit of assessment shall never exceed a maximum of 2,500 francs.

As a temporary provision the assessment for the first two years shall not exceed 1,500 francs per unit.

Admission of Colonies. Colonies may, at the request of the nations to which they belong, be admitted to form part of the institute on the same conditions as the independent nations.

ARTICLE 11.

Ratification, etc. The present Convention shall be ratified and the ratifications exchanged as soon as possible by depositing them with the Italian Government.

Signatures. In faith whereof the respective Plenipotentiaries have signed the present Convention and have hereunto affixed their seals.

Done at Rome the 7th of June one thousand nine hundred and five, in a single original, deposited with the Ministry of Foreign Affairs of Italy, of which certified copies shall be sent through the diplomatic channel to the contracting States.

(Here follow signatures.)

Powers ratifying. And whereas the said Convention has been duly ratified by the Government of the United States of America and by the Governments of the Argentine Republic, Belgium, Costa Rica, Cuba, Denmark, Egypt, Ecuador, Ethiopia, France, Japan, Great Britain, Italy, Luxemburg, the United Mexican States, Norway, Peru, Roumania, Spain, Sweden, Switzerland, China, Portugal,

Russia, and Salvador and the ratifications deposited with the Government of Italy at Rome;

And whereas the Dominion of Canada, Australia, New Zealand, India, and Mauritius have notified the Government of Italy of their adhesion to the said Convention;

Now, therefore, be it known that I, Theodore Roosevelt, ^{Proclamation.} President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this twenty-ninth day of January, in the year of our Lord one thousand nine hundred and eight, and of the Independence of [SEAL.] the United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:

ROBERT BACON

Acting Secretary of State.

Convention between the United States and other Powers on Literary and Artistic Copyrights. Signed at the City of Mexico, January 27, 1902; ratification advised by the Senate, January 31, 1908; ratified by the President, March 16, 1908; ratification deposited with the Government of Mexico, March 31, 1908; proclaimed April 9, 1908. Jan. 27, 1902.
35 Stat. L.,
pt. 2, p. 1934.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention on Literary and Artistic Copyrights between the United States of America and the Argentine Republic, Bolivia, Colombia, Costa Rica, Chile, the Dominican Republic, Ecuador, Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Paraguay, Peru, and Uruguay, was concluded and signed by their respective Plenipotentiaries at the City of Mexico on the twenty-seventh day of January, one thousand nine hundred and two, the original of which Convention being in the English, Spanish, and French languages is word for word as follows:

Convention on literary and artistic copyrights. Preamble.

Convention on Literary and Artistic Copyrights.

Their Excellencies the Presidents of the Argentine Republic, Bolivia, Colombia, Costa Rica, Chili, the Do- Contracting parties.

minican Republic, Ecuador, El Salvador, The United States of America, Guatemala, Haiti, Honduras, the Mexican United States, Nicaragua, Paraguay, Peru and Uruguay,

Desiring that their respective countries should be represented at the Second International American Conference, sent thereto duly authorized to approve the recommendations, resolutions, conventions and treaties that they might deem convenient for the interests of America, the following Delegates:

Plenipotentiaries.

For the Argentine Republic.—His Excellency Antonio Bermejo, His Excellency Martín García Mérou, His Excellency Lorenzo Anadón.

For Bolivia.—His Excellency Fernando E. Guachalla.

For Colombia.—His Excellency Carlos Martínez Silva, His Excellency General Rafael Reyes.

For Costa Rica.—His Excellency Joaquín Bernardo Calvo.

For Chili.—His Excellency Alberto Blest Gana, His Excellency Emilio Bello Codecido, His Excellency Joaquín Walker Martínez, His Excellency Augusto Matte.

For the Dominican Republic.—His Excellency Federico Henríquez y Carvajal, His Excellency Luis Felipe Carbo, His Excellency Quintín Gutiérrez.

For Ecuador.—His Excellency Luis Felipe Carbo.

For El Salvador.—His Excellency Francisco A. Reyes, His Excellency Baltasar Estupinian.

For the United States of America.—His Excellency Henry G. Davis, His Excellency William I. Buchanan, His Excellency Charles M. Pepper, His Excellency Volney W. Foster, His Excellency John Barrett.

For Guatemala.—His Excellency Antonio Lazo Ariaga, His Excellency Colonel Francisco Orla.

For Haiti.—His Excellency J. N. Léger.

For Honduras.—His Excellency José Leonard, His Excellency Fausto Dávila.

For Mexico.—His Excellency Genaro Raigosa, His Excellency Joaquin D. Casaus, His Excellency José López-Portillo y Rojas, His Excellency Emilio Pardo, Jr., His Excellency Pablo Macedo, His Excellency Alfredo Chavero, His Excellency Francisco L. de la Barra, His Excellency Manuel Sánchez Marmol, His Excellency Rosendo Pineda.

For Nicaragua.—His Excellency Luis F. Corea, His Excellency Fausto Dávila.

For Paraguay.—His Excellency Cecilio Baez.

For Peru.—His Excellency, Isaac Alzamora, His Excellency Alberto Elmore, His Excellency Manuel Alvarez Calderon.

For Uruguay.—His Excellency Juan Cuestas;

Who, after having communicated to each other their respective full powers and found them to be in due and proper form, excepting those presented by the repre-

sentatives of Their Excellencies the Presidents of the United States of America, Nicaragua and Paraguay, who act "ad referendum," have agreed to celebrate a Convention on literary and artistic copyrights, in the following terms:

ART. 1ST. The signatory States constitute themselves into a Union for the purpose of recognizing and protecting the rights of literary and artistic property, in conformity with the stipulations of the present Convention. Object of convention.

ART. 2ND. Under the term "Literary and Artistic works," are comprised books, manuscripts, pamphlets of all kinds, no matter on what subject they may treat of and what may be the number of their pages; dramatic or melodramatic works; choral music and musical compositions, with or without words, designs, drawings, paintings, sculpture, engravings, photographic works; astronomical and geographical globes; plans, sketches and plastic works relating to geography or geology, topography or architecture, or any other science; and finally, every production in the literary and artistic field, which may be published by any method of impression or reproduction. What comprise literary and artistic property.

ART. 3RD. The copyright to literary or artistic work, consists in the exclusive right to dispose of the same, to publish, sell and translate the same, or to authorize its translation, and to reproduce the same in any manner, either entirely or partially. Scope of copyrights.

The authors belonging to one of the signatory countries, or their assigns, shall enjoy in the other signatory countries, and for the time stipulated in art. 5th., the exclusive right to translate their works, or to authorize their translation. Translations.

ART. 4TH. In order to obtain the recognition of the copyright of a work, it is indispensable that the author or his assigns, or legitimate representative, shall address a petition to the official Department, which each government may designate, claiming the recognition of such right, which petition must be accompanied by two copies of his work, said copies to remain in the proper Department. Copyright petition.

If the author, or his assigns, should desire that his copyright be recognized in any other of the signatory countries, he shall attach to his petition a number of copies of his work, equal to that of the countries he may therein designate. The said Department shall distribute the copies mentioned among those countries, accompanied by a copy of the respective certificate, in order that the copyright of the author may be recognized by them. Distribution of copies to signatory powers.

Any omissions in which the said Department may incur in this respect, shall not give the author, or his assigns, any rights to present claims against the State. Claims against the State prohibited.

ART. 5TH. The authors who belong to one of the signatory countries, or their assigns, shall enjoy in the other Reciprocal rights.

Limit of time. countries the rights which their respective laws at present grant, or in the future may grant, to their own citizens, but such right shall not exceed the term of protection granted in the country of its origin.

Works in several volumes, etc. For the works composed of several volumes, which are not published at the same time, as well as for bulletins or instalments of publications of literary or scientific societies, or of private parties, the term of property shall commence to be counted from the date of the publication of each volume, bulletin or instalment.

Country of origin. ART. 6TH. The country in which a work is first published, shall be considered as the country of its origin, or, if such publication takes place simultaneously in several of the signatory countries, the one whose laws establish the shortest period of protection shall be considered as the country of its origin.

Protection to lawful translations. ART. 7TH. Lawful translations shall be protected in the same manner as original works. The translators of works, in regard to which there exists no guaranteed right of property, or the right of which may have become extinguished, may secure the right of property for their translations, as established in article 3rd., but they shall not prevent the publication of their translations of the same work.

Reproducing newspaper articles. ART. 8TH. Newspaper articles may be reproduced, but the publication from which they are taken must be mentioned, and the name of the author given, if it should appear in the same.

Persons protected. ART. 9TH. Copyright shall be recognized in favor of the persons, whose names, or acknowledged pseudonyms, are stated in the respective literary or artistic work, or in the petition to which Article 4th. of this Convention refers, excepting case of proof to the contrary.

Publication of public addresses not forbidden. ART. 10TH. Addresses delivered or read in deliberative assemblies, before the Courts of Justice and in public meetings, may be published in the newspaper press without any special authorization.

Lawful reproductions. ART. 11TH. The reproduction in publications devoted to public instruction or chrestomathy, of fragments of literary or artistic works, confers no right of property, and may therefore be freely made in all the signatory countries.

Unlawful reproductions. ART. 12TH. All unauthorized indirect use of a literary or artistic work, which does not present the character of an original work, shall be considered as an unlawful reproduction.

It shall be considered in the same manner unlawful to reproduce, in any form, an entire work, or the greater part of the same, accompanied by notes or commentaries, under the pretext of literary criticism, or of enlargement or complement of an original work.

Fraudulent works may be sequestered. ART. 13TH. All fraudulent works shall be liable to sequestration in the signatory countries in which the

original work may have the right of legal protection, without prejudice to the indemnities or punishments, to which the falsifiers may be liable according to the laws of the country, in which the fraud has been committed.

ART. 14TH. Each one of the Governments of the signatory countries shall remain at liberty to permit, exercise vigilance over, or prohibit, the circulation, representation and exposition of any work or production, in respect to which the competent authorities shall have power to exercise such right.

Government control.

ART. 15TH. The present Convention shall take effect between the signatory States that ratify it, three months from the day they communicate their ratification to the Mexican Government, and shall remain in force among all of them until one year from the date it is denounced by any of said States. The notification of such denouncement shall be addressed to the Mexican Government and shall only have effect in so far as regards the country which has given it.

Duration of convention.

ART. 16TH. The Governments of the signatory States, when approving the present Convention, shall declare whether they accept the adherence to the same by the nations who have had no representation in the Second International American Conference.

Adherence.

In testimony whereof the Plenipotentiaries and Delegates sign the present Convention and set thereto the Seal of the Second International American Conference.

Signatures.

Made in the City of Mexico, on the twenty-seventh day of January nineteen hundred and two, in three copies written in Spanish, English and French respectively, which shall be deposited at the Department of Foreign Relations of the Government of the Mexican United States, so that certified copies thereof may be made, in order to send them through the diplomatic channel to the signatory States.

[Here follow signatures.]

And whereas, it is provided by its Article XV that the said Convention "shall take effect between the signatory States that ratify it, three months from the day they communicate their ratifications to the Mexican Government; "

Ratification.

And whereas the said Convention has been ratified by Guatemala, Salvador, Costa Rica, Honduras, and Nicaragua, and their ratifications were deposited with the Government of Mexico respectively as follows: April 25, 1902; May 19, 1902; June 28, 1903; July 4, 1904; and August 13, 1904;

Deposit of ratifications.

And whereas the ratification of the said Convention by the United States was deposited with the Government of Mexico on March 31, 1908;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end

Proclamation.

that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this ninth day of April, in the year of our Lord one thousand [SEAL] nine hundred and eight, and of the Independence of the United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

June 15, 1904. *Treaty of extradition between the United States and Spain. Signed at Madrid, June 15, 1904; ratification with amendments advised by the Senate, January 20, 1907; protocol adopting amendments signed at San Sebastian, August 13, 1907; ratification of treaty with amending protocol advised by the Senate, January 16, 1908; ratified by the President, February 5, 1908; ratified by Spain, March 30, 1908; ratifications exchanged at Madrid, April 6, 1908; proclaimed, May 21, 1908.*

35 Stat. L.,
pt. 2, p. 1947.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble.

Whereas a Treaty between the United States of America and Spain providing for the mutual extradition of fugitives from justice was concluded and signed by their respective Plenipotentiaries at Madrid on the fifteenth day of June, one thousand nine hundred and four, the original of which Treaty, being in the English and Spanish^a languages is word for word as follows:

EXTRADITION TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND SPAIN.

ARTICLE I.

Reciprocal
delivery of per-
sons charged
with crimes.

It is agreed that the Government of the United States and the Government of Spain shall, upon mutual requisition duly made as herein provided deliver up to justice any person who may be charged with, or may have been convicted of any of the crimes specified in Article II of this Convention committed within the jurisdiction of one

^a Spanish text has been omitted.

of the Contracting Parties while said person was actually within such jurisdiction when the crime was committed, and who shall seek an asylum or shall be found within the territories of the other, provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offence had been there committed.

ARTICLE II.

Persons shall be delivered up according to the provisions of this Convention, who shall have been charged with or convicted of any of the following crimes:

1.—Murder, comprehending the crimes designated by the terms of parricide, assassination, manslaughter, when voluntary; poisoning or infanticide.

Extraditable crimes.

Murder, etc.

2.—The attempt to commit murder.

Attempt at murder.

3.—Rape, abortion, carnal knowledge of children under the age of twelve years.

Rape, etc.

4.—Bigamy.

Bigamy.

5.—Arson.

Arson.

6.—Wilful and unlawful destruction or obstruction of railroads, which endangers human life.

Injuries to railroads.

7.—Crimes committed at sea:

Crimes at sea.

(a) Piracy, as commonly known and defined by the law of Nations, or by Statute;

Piracy.

(b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;

Destroying, etc., vessel at sea.

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of such vessel;

Mutiny.

(d) Assault on board ships upon the high seas with intent to do bodily harm.

Assault on shipboard.

8.—Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein;

Burglary.

9.—The act of breaking into and entering into the offices of the Government and public authorities, or the offices of banks, banking houses, saving banks, trust companies, insurance companies, or other buildings not dwellings with intent to commit a felony therein.

Felonious entering offices, etc.

10.—Robbery, defined to be the act of feloniously and forcibly taking from the person of another, goods or money by violence or by putting him in fear.

Robbery.

11.—Forgery or the utterance of forged papers.

Forgery.

12.—The forgery or falsification of the official acts of the Government or public authority, including Courts of Justice, or the uttering or fraudulent use of any of the same,

Falsifying official acts, etc.

Counterfeiting, etc.

13.—The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, banknotes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.

Embezzlement of public moneys.

14.—Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds two hundred dollars (or Spanish equivalent.)

Embezzlement by employees.

15.—Embezzlement by any person or persons hired, salaried or employed, to the detriment of their employers or principals, when the crime or offence is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds two hundred dollars (or Spanish equivalent.)

Kidnapping.

16.—Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them or their families, or for any other unlawful end.

Larceny.

17.—Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more.

Obtaining money, etc., unlawfully.

18.—Obtaining money, valuable securities or other property by false pretences or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds two hundred dollars (or Spanish equivalent.)

Perjury.

19.—Perjury or subornation of perjury.

Breach of trust, etc.

20.—Fraud or breach of trust by a bailee, banker, agent, factor trustee, executor, administrator, guardian, director or officer of any Company or Corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars (or Spanish equivalent.)

Crimes against suppression of slave trade.

21.—Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

Accessory before or after the fact.

22.—The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both Contracting Parties.

ARTICLE III.

No surrender for political offenses.
[Superseded by Protocol.]

The provisions of this Convention shall not import claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences, except in so far as they shall constitute ordinary

crimes or offences punishable by the laws of the two Countries; and no person surrendered by or to either of the Contracting Parties in virtue of this convention shall be tried or punished for a political crime or offence, except they be ordinary crimes as above stated, nor for any act connected therewith, committed previously to the extradition. An attempt, whether consummated or not, against the life of the Sovereign or of the Head of any State, or against that of any member of his family, when such attempt comprises the act either of murder or assassination or of poisoning, shall not be considered a political offence, or an act connected with such an offence.

ARTICLE IV.

No person shall be tried for any crime or offence other than that for which he was surrendered unless such crime be one of those enumerated in Article II.

Trial to be only for offense for which extradited.
[Superseded by Protocol.]

ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

Limitation of time.

ARTICLE VI.

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution out on bail or in custody, for a crime or offence committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and, until he shall have been set at liberty in due course of law.

Persons under prosecution where found.

ARTICLE VII.

If a fugitive criminal claimed by one of the parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received.

Persons claimed by other countries.

ARTICLE VIII.

Under the stipulations of this Convention, neither of the Contracting Parties shall be bound to deliver up its own citizens or subjects.

Neither country bound to deliver its own citizens.

ARTICLE IX.

Expenses. The expense of the arrest, detention, examination and transportation of the accused shall be paid by the Government which has preferred the demand for extradition.

ARTICLE X.

Disposal of articles seized with person. Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offence, or which may be material as evidence in making proof of the crime, shall, so far as practicable, according to the laws of either of the Contracting Parties, be delivered up with his person at the time of the surrender. Nevertheless, the rights of a third party with regard to the articles aforesaid, shall be duly respected.

ARTICLE XI.

Territory affected. The stipulations of this Convention shall be applicable to all territory wherever situated, belonging to either of the contracting parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions. Requisitions for the surrender of fugitives from justice shall be made by the respective Diplomatic Agents of the Contracting Parties. In the event of the absence of such Agents from the country or its seat of Government, or where extradition is sought from a colonial possession of Spain or from territory, included in the preceding paragraph, other than the United States, requisition may be made by superior Consular officers.

Preliminary arrests. It shall be competent for such Diplomatic or superior Consular officers to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two Governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

Copies of sentence, etc., required. If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the Court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued,

shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII

If when a person accused shall have been arrested in virtue of the mandate or preliminary warrant of arrest, issued by the competent authority as provided in Article XI hereof, and been brought, before a judge or a magistrate to the end that the evidence of his or her guilt may be heard and examined as herein before provided, it shall appear that the mandate or preliminary warrant of arrest has been issued in pursuance of a request or declaration received by telegraph from the Government asking for the extradition, it shall be competent for the judge or magistrate at his discretion to hold the accused for a period not exceeding two months, so that the demanding Government may have opportunity to lay before such judge or magistrate legal evidence of the guilt of the accused, and if at the expiration of said period of two months, such legal evidence shall not have been produced before such judge or magistrate, the person arrested shall be released, provided that the examination of the charges preferred against such accused person shall not be actually going on.

Release if evidence is not produced, etc.

ARTICLE XIII.

In every case of a request made by either of the two Contracting Parties for the arrest, detention or extradition of fugitive criminals, the legal officers or fiscal Ministry of the country where the proceedings of extradition are had, shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every legal means within their or its power; and no claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition, provided however, that any officer or officers of the surrendering Government so giving assistance, who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

Legal assistance.

Compensation.

ARTICLE XIV.

This Convention shall take effect from the day of the exchange of the ratifications thereof; but either Contracting Party may at any time terminate the same on giving to the other six months notice of its intention to do so.

Effect.

Exchange of ratifications. The ratifications of the present Treaty shall be exchanged at Madrid as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the above articles, and have hereunto affixed their seals.

Signatures. Done in duplicate, at the city of Madrid, this fifteenth day of June one thousand nine hundred and four

[SEAL.]

ARTHUR S. HARDY.

And whereas a Protocol amending Articles III and IV of the said Treaty was signed by the respective Plenipotentiaries of the United States and Spain at San Sebastian on August 13, 1907, the original of which Protocol, being in the English and Spanish languages, is word for word as follows:

Protocol.

PROTOCOL.

Plenipotentiaries.

The Undersigned, His Excellency, William Miller Collier, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to His Catholic Majesty, and His Excellency Don Manuel Allendesalazar y Muñoz de Salazar, Minister of State of His Catholic Majesty, duly authorized for the purpose, have agreed upon the following:

Articles III and IV of the Treaty of extradition between the United States and Spain signed at Madrid on June 15th, 1904, are hereby amended so as to read as follows:

No surrender for political offenses.

“ARTICLE III. The provisions of this Convention shall not import claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences; and no person surrendered by or to either of the Contracting Parties in virtue of this convention shall be tried or punished for a political crime or offence. When the offence charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offence was committed or attempted against the life of the Sovereign or Head of a foreign State or against the life of any member of his family, shall not be deemed sufficient to sustain that such a crime or offence was of a political character, or was an act connected with crimes or offences of a political character.”

Attempts, etc., against sovereign, etc., not a political offense.

Trial to be only for offense for which extradited.

“ARTICLE IV. No person shall be tried for any crime or offence other than that for which he was surrendered.”

Exchange of ratifications.

The above mentioned treaty, as amended by this protocol, is to be submitted for approval in the manner required by the laws of the two nations and the ratifications shall be exchanged at Madrid as soon as possible.

Signatures.

In faith whereof this protocol is signed in two originals, each one in the two languages, in San Sebastian on the 13th of August 1907.

WM. MILLER COLLIER.

And whereas the said Treaty and the said Protocol were duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Madrid, on the sixth day of April, one thousand nine hundred and eight;

Ratification.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty, as amended by the said Protocol, to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this twenty-first day of May, in the year of our Lord one thousand nine hundred and eight, and of the Independence of

[SEAL.] the United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

Treaty between the United States and the Republic of San Marino for the mutual extradition of criminals. Signed at Rome, January 10, 1906; ratification advised by the Senate, April 17, 1908; ratified by the President, May 7, 1908; ratified by the Republic of San Marino, February 19, 1906; ratifications exchanged at Rome, June 8, 1908; proclaimed, June 12, 1908.

Jan. 10, 1906.

35 Stat. L.,
pt. 2, p. 1971.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Treaty between the United States of America and the Republic of San Marino, providing for the mutual extradition of fugitives from justice, was concluded and signed by their respective Plenipotentiaries at Rome, Italy, on the tenth day of January, one thousand nine hundred and six, the original of which Treaty, being in the English and Italian languages, is word for word as follows:

Extradition
treaty with San
Marino.
Preamble.

Treaty between the United States of America and the Republic of San Marino for the Mutual Extradition of Fugitive Criminals.

The United States of America and the Republic of San Marino having judged it expedient with a view to the

Contracting
parties.

better administration of justice and the prevention of crime within their respective territories and jurisdictions, that persons charged with or convicted of the crimes and offences hereinafter enumerated, and being fugitive from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a Convention for that purpose and have appointed as their Plenipotentiaries:

Plenipotentiaries.

The President of the United States of America, His Excellency, Henry White, Ambassador Extraordinary and Plenipotentiary to the Kingdom of Italy;

The Captains-Regent of the Republic of San Marino, His Excellency, Senator Cavaliere Gaspare Finali, Cavaliere of the Supreme Order of the S. S. Annunziata, etc. etc. Political Counsellor of the Republic of San Marino:

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

Reciprocal delivery of persons charged with crimes.

The Government of the United States and the Government of San Marino mutually agree to deliver up persons who, having been charged, as principals or accessories, with or convicted of any of the crimes and offences specified in the following article committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other: Provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial if the crime had been there committed.

ARTICLE II.

Extraditable crimes.

Persons shall be delivered up who shall have been convicted of or be charged, according to the provisions of this convention, with any of the following crimes:

- Murder, etc. 1. Murder, comprehending the crimes of parricide, assassination, poisoning and infanticide.
- 2. The attempt to commit murder.
- Rape, etc. 3. Rape, or attempt to commit rape. Bigamy. Abortion.
- Arson. 4. Arson.
- Piracy, etc. 5. Piracy, or mutiny on shipboard whenever the crew, or part thereof, shall have taken possession of the vessel by fraud or by violence against the commander.
- Burglary, etc. 6. Larceny; the crime of burglary, defined to be the act of breaking and entering by night into the house of another with the intent to commit felony; and the crime of robbery, defined to be the act of feloniously and forcibly taking from the person of another money and goods by violence or putting him in fear; and the corresponding

crimes punished by the penal code of San Marino under the description of thefts committed in an inhabited house by night, and by breaking in by climbing or forcibly, and thefts committed with violence or by means of threats.

7. The crime of forgery, by which is understood the utterance of forged papers, and also the counterfeiting of public, sovereign, or governmental acts. Forgery.

8. The fabrication or circulation of counterfeit money either coin or paper, or of counterfeit public bonds, coupons of the public debt, bank notes, obligations, or in general anything being a title or instrument of credit; the counterfeiting of seals and dies, impressions, stamps, and marks of State and public administrations, and the utterance thereof. Counterfeit-
ing.

9. The embezzlement of public moneys committed within the jurisdiction of either party by public officers or depositaries. Embezzle-
ment by public
officials.

10. Embezzlement by any person or persons hired or salaried to the detriment of their employers, when the crime is subject to punishment by the laws of the place where it was committed, and the amount of money or the value of the property embezzled is not less than two hundred dollars or one thousand francs. Embezzle-
ment by pri-
vate employ-
ees.

11. Wilful and unlawful destruction or obstruction of railroads which endangers human life. Injuries to
railroads.

12. Obtaining money, valuable securities or other property by false pretences, when such act is made criminal by the laws of both countries and the amount of money or the value of the property fraudulently obtained is not less than two hundred dollars or one thousand francs. Obtain-
ing
money, etc., by
false pretences.

13. Kidnaping of minors. Kidnaping.

14. Reception of articles obtained by means of one of the crimes or offences provided for by the present Convention. Receiving
stolen goods,
etc.

Extradition may also be granted for the attempt to commit any of the crimes above enumerated when such attempt is punishable by the laws of both contracting parties. Attempts to
commit crimes.

ARTICLE III.

A person surrendered under this Convention shall not be tried or punished in the country to which his extradition has been granted, nor given up to a third power for a crime or offence not provided for by the present Convention and committed previously to his extradition, until he shall have been allowed one month to leave the country after having been discharged; and, if he shall have been tried and condemned to punishment, he shall be allowed one month after having suffered his penalty or having been pardoned. Crimes com-
mitted previous
to extradition.

He shall moreover not be tried or punished for any crime or offence provided for by this Convention committed previous to his extradition, other than that which Trials only
for offenses for
which extradi-
ted.

gave rise to the extradition, without the consent of the government which surrendered him, which may, if it think proper, require the production of one of the documents mentioned in Article VII, of this convention.

Extradition
to third coun-
try.

The consent of that government shall likewise be required for the extradition of the accused to a third country; nevertheless, such consent shall not be necessary when the accused shall have asked of his own accord to be tried or to undergo his punishment, or when he shall not have left within the space of one month above specified the territory of the country to which he has been surrendered.

ARTICLE IV.

No surrender
for political of-
fenses.

The provisions of this convention shall not be applicable to persons guilty of any political crime or offence or of one connected with such a crime or offence. A person who has been surrendered on account of one of the common crimes or offences mentioned in Article II, shall consequently in no case be prosecuted and punished in the state to which his extradition has been granted on account of a political crime or offence committed by him previously to his extradition or on account of an act connected with such a political crime or offence, unless he has been at liberty to leave the country for one month after having been tried and, in case of condemnation, for one month after having suffered his punishment or having been pardoned.

ARTICLE V.

Neither coun-
try bound to
deliver up its
own citizens.

Neither of the contracting parties shall be bound to deliver up its own citizens or subjects under the stipulations of this convention.

ARTICLE VI.

Extradition
may be de-
ferred.

If the person whose surrender may be claimed pursuant to the stipulations of the present treaty shall have been arrested for the commission of offences in the country where he has sought an asylum, or shall have been convicted thereof, his extradition may be deferred until he shall have been acquitted or have served the term of imprisonment, to which he may have been sentenced.

ARTICLE VII.

Requisitions.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties, or, in the event of the absence of these, from the country or its seat of government, they may be made by superior consular officers.

Papers re-
quired.

If the person, whose extradition may be asked for, shall have been convicted of a crime or offence, a copy of

the sentence of the judicial authority, by whom he may have been convicted, authenticated under its seal, and attestation of the official character of the judge by the proper executive authority, and of the latter by the minister or consul of the United States or of San Marino respectively, shall accompany the requisition. When, however, the fugitive shall have been merely charged with crime, a duly authenticated copy of the warrant for his arrest in the country where the crime may have been committed, and of the depositions upon which such warrant may have been issued, must accompany the requisition as aforesaid.

It shall be lawful for any competent judicial authority of the United States, upon production of a certificate issued by the Secretary of State stating that a request has been made by the Government of San Marino for the provisional arrest of a person convicted or accused of the commission therein of a crime or offence extraditable under the provisions of this convention, and upon complaint duly made that such crime or offence has been so committed, to issue his warrant for the apprehension of such person. But if the demand for surrender, with the formal proofs hereinbefore mentioned, be not made as aforesaid by the diplomatic agent of the demanding government, or, in his absence, by the competent consular officer, within forty days from the date of the commitment of the fugitive, the prisoner shall be discharged from custody.

Provisional
arrest in
United States.

Discharge on
failure to make
formal requisition.

And the Government of San Marino will, upon request of the Government of the United States, transmitted through the diplomatic agent of the United States, or, in his absence, through the competent consular officer, secure in conformity with law the provisional arrest of persons convicted or accused of the commission therein of crimes or offences extraditable under this Convention. But if the demand for surrender, with the formal proofs hereinbefore mentioned, be not made as aforesaid by the diplomatic agent of the demanding government, or, in his absence, by the competent consular officer, within forty days from the date of the commitment of the fugitive, the prisoner shall be discharged from custody.

Provisional
arrest in San
Marino.

Discharge on
failure to make
formal requisition.

ARTICLE VIII.

The expenses of the arrest, detention, examination and delivery of fugitives under this convention shall be borne by the State, in whose name the extradition is sought; Provided, that the demanding Government shall not be compelled to bear any expense for the services of such officers of the government from which extradition is sought as receive a fixed salary; and provided that the charge for the services of such public officials as receive only fees shall not exceed the fees to which such officials

Expenses.

are entitled under the laws of the country for services rendered in ordinary criminal proceedings.

ARTICLE IX.

No delivery if trial barred by limitations.

Extradition shall not be granted, in pursuance of the provisions of this convention, if legal proceedings or the enforcement of the penalty for the act committed by the person claimed has become barred by limitation, according to the laws of the country to which the requisition is addressed.

ARTICLE X.

Disposal of articles seized with person.

All articles found in the possession of the accused party and obtained through the commission of the act with which he is charged, or that may be used as evidence of the crime for which his extradition is demanded, shall be seized if the competent authority shall so order, and shall be surrendered with his person.

Rights of third parties.

The rights of third parties to the articles so found shall nevertheless be respected.

ARTICLE XI.

Effect.

The present convention shall take effect thirty days after the exchange of ratifications and shall continue to have binding force for six months after a desire for its termination shall have been expressed in due form by one of the two governments to the other.

Exchange of ratification.

It shall be ratified and its ratification shall be exchanged at Rome as soon as possible.

Signatures.

In witness whereof, the respective plenipotentiaries have signed the above articles both in the English and Italian languages, and they have hereunto affixed their seals.

Done, in duplicate, at Rome, Italy, this 10th day of January, 1906.

[L. s.] HENRY WHITE
[L. s.] GASPARÉ FINALI

Ratification.

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Rome, on the eighth day of June, one thousand nine hundred and eight;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twelfth day of June in the year of our Lord one thousand nine hundred and eight, and of the Independence of the [SEAL] United States of America the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

Parcel-Post Convention between the United States of America and France. June 15, 1908.

35 Stat. L.,
pt. 2, p. 2015.

With the view to improve the postal relations between the United States of America and France, the undersigned, George v. L. Meyer, Postmaster General of the United States of America, and J. J. Jusserand, Ambassador of the French Republic to the United States, by virtue of the authority vested in them have agreed upon the following articles for the establishment of a parcel-post system of exchange between the two countries.

Parcel - post
convention
with France.
Preamble.

ARTICLE I.

The provisions of this Convention relate only to parcels of mail matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Convention, which will continue as heretofore; and all the provisions herein-after contained apply exclusively to mails exchanged under this Convention.

Scope of con-
vention.

ARTICLE II.

1. With the exception of the articles specifically prohibited by Article III, there shall be admitted to the parcel mails all articles which are admitted to the mails under any conditions in the domestic service of the country of origin and the country of destination. No parcel may, however, exceed 2 kilograms or 4 pounds 6 ounces in weight, nor the following dimensions: greatest length in any direction, three feet six inches (1 meter 5 centimeters); greatest length and girth combined, six feet (1 meter 80 centimeters).

Articles ad-
mitted to mails.

2. The right is reserved, however, to the Postal Administrations of the two countries to determine subsequently, by common agreement, if their respective regulations permit it, the application of rates and conditions for postal packages above 2 kilograms and not exceeding 5 kilograms.

Rates for
parcels above 2
kilograms, etc.

Address, etc. 3. Every parcel must bear the exact address of the addressee and must be packed in a manner adequate for the length of the journey and the protection of its contents. The packing must be of such a nature as to permit the contents to be easily examined by officers of the Post Office or the Customs.

ARTICLE III.

Articles prohibited.

1. It is forbidden to send by post—

Parcels containing letters, or communications of the nature of personal correspondence (it is permitted, however, to include in the parcel an open invoice or bill in its simplest form); live animals, except bees in properly constructed boxes; dead animals, except insects and reptiles when thoroughly dried; fruits and vegetables which easily decompose; publications which violate the copy right laws of the country of destination; poisons, and explosive or inflammable substances; liquids and substances which easily liquefy; lottery tickets, lottery advertisements, or lottery circulars; all obscene or immoral articles; or articles the admission of which is not authorized by the customs or other laws or regulations of either country; and, in general, articles the conveyance of which is reputed dangerous.

Parcels not conforming to stipulations, etc.

2. If a parcel contravening any of these prohibitions or not conforming to the stipulations of Article II be handed over by one Administration to the other, the latter shall proceed in the manner and with the formalities prescribed by its law or domestic regulations.

Non detention of merchandise.

3. All admissible articles of merchandise mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, except such as is required for collection of customs duties; and shall be forwarded by the most speedy means to their destination, being subject in their transmission to the laws and regulations of each country respectively.

Exception.

ARTICLE IV.

Address.

No parcel may contain packages intended for delivery at an address other than that borne by the parcel itself. If such inclosed packages be detected they must be sent forward singly, charged with new and distinct parcel-post rates.

ARTICLE V.

Postage rates to be prepaid.

1. The following rates of postage must in all cases be fully prepaid, viz:

In the United States.

2. In the United States for a parcel not exceeding one pound in weight, 12 cents; and for each additional pound or fraction of a pound, 12 cents.

3. In France for every parcel not exceeding two kilograms. 2 francs. In France.

4. The parcel shall be promptly delivered to addressees in accordance with the domestic regulations of the country of destination, free of charge for postage; but the country of destination may, at its option, levy and collect from the addressee, for domestic service and delivery, a charge, the amount of which is to be fixed according to its own regulations, but which shall in no case exceed in the United States five cents, and in France 25 centimes, for each parcel whatever its weight. Delivery of parcels, etc.

5. Every parcel shall be subject, in the country of destination, to all duties and all customs regulations in force in that country for the protection of its customs revenues; and the customs and other duties properly chargeable thereon shall be collected on delivery, in accordance with the customs regulations of the country of destination. Collection of duties.

ARTICLE VI.

The sender may, at the time of posting, obtain a certificate of posting on the form provided for the purpose; in conformity with or analogous to Form 1 annexed hereto. Certificate of mailing.

ARTICLE VII.

1. The sender of each parcel shall make a customs declaration, in duplicate, both copies to be pasted upon or attached to the package, upon a special form provided for the purpose (see Forms 2 and 2^{bis} annexed hereto) giving a general description of the parcel, an accurate statement of its contents, and value, date of mailing, and the sender's signature and place of residence, and the place of destination. Customs declaration.

2. The contracting Administrations decline any responsibility as to the correctness of the customs declarations. Nonresponsibility as to correctness of declarations.

ARTICLE VIII.

Each country shall retain to its own use the whole of the postages and delivery fees it collects on said parcels; consequently, this Convention will give rise to no separate accounts between the two countries. Retention of fees.

ARTICLE IX.

1. The parcels shall be considered as forming a distinct part of the mails exchanged *directly* between the United States and France, to be dispatched to the country of destination by the country of origin at its cost, and by such means as it provides. They must be forwarded, at the option of the dispatching office, either in boxes or Transportation.

baskets prepared expressly for the purpose, or in ordinary mail sacks, marked "Parcel-Post:" "Colis-Postaux," and securely sealed with wax, or otherwise, as may be mutually agreed upon.

Return of bags, etc. 2. Each country shall promptly return *empty* to the dispatching office by next mail all such receptacles; unless some other arrangement shall be mutually agreed to.

ARTICLE X.

Descriptive list. Each dispatch of a Parcel-Post mail must be accompanied by a descriptive list, in duplicate, of all the parcels sent, showing distinctly the number of each parcel, the office of origin, the name of the addressee with address of destination, and the declared contents and value. This list (see Form 3 annexed hereto) must be enclosed in one of the receptacles composing the mail.

ARTICLE XI.

Receipt of mail. 1. As soon as the mail shall have reached the office of destination, that office shall check the contents of the mail.

Parcel bill. 2. In the event of a parcel bill not having been received, a substitute should be at once prepared.

Errors. 3. Any errors in the entries on the parcel bill which may be discovered should, after verification by a second officer, be corrected and noted for report to the dispatching office on a form, "Bulletin of Verification," which should be sent in a special envelope.

Nonreceipt of parcel. 4. If a parcel advised on the bill be not received, after the nonreceipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.

Insufficient postage. 5. If a parcel be observed to be insufficiently prepaid, it must not be taxed with deficient postage, but the circumstances must be reported on the bulletin of verification form.

Damaged parcels. 6. Should a parcel be received in a damaged or imperfect condition, full particulars should be reported on the same form to the office which made up the mail.

Correct mails. 7. If no bulletin of verification or note of error be received, a parcel mail shall be considered as duly delivered, having been found on examination correct in all respects.

ARTICLE XII.

Missent packages. 1. Missent parcels shall be immediately returned to the dispatching office of exchange. Attention shall be called to the error by means of a bulletin of verification.

Failure to deliver. 2. If a parcel can not be delivered as addressed or is refused by the addressee, the sender shall be consulted (through the Administration of the country of origin)

as to its disposal. If within two months of the dispatch of the notice of nondelivery the office of destination shall not have received instructions from the sender, the parcel shall be returned to its origin.

3. Parcels redirected from one country to the other, or parcels returned at the sender's request, incur a supplementary charge on the basis of the rates fixed by Article V, which may be collected in advance or on delivery as convenient. Parcels forwarded from one address to another in the country of destination are subject to such additional charges as the domestic regulations of that country prescribe. Additional charges.

4. Articles which it has not been possible to deliver and which are liable to deterioration or corruption may, however, be sold immediately, without previous notice or legal formality, for the benefit of the person entitled thereto, the particulars of the sale being reported by one Administration to the other. The proceeds of the sale shall be devoted to paying the charges on the parcel; the remainder, if any, shall be sent to the office of origin to be paid to the sender. If for any reason a sale is impossible the spoilt or worthless articles are destroyed or handed over to the customs. Sale, etc., of perishable articles.

5. With the reservation that the formalities prescribed for Administrative reasons by the Administrations concerned be complied with, the customs duties on parcels which have to be sent back to the country of origin or redirected to a third country shall be canceled both in the United States and in France. Cancellation of duties, etc.

ARTICLE XIII.

Neither of the contracting Administrations will be responsible for the loss or damage of any parcel, consequently no indemnity can be claimed by the sender or addressee in either country. No responsibility for loss.

ARTICLE XIV.

1. The stipulations of the present Convention apply exclusively to the articles herein mentioned, mailed in or destined for Continental France on the one side and the United States and its island possessions on the other side, and dispatched on the one side to the Custom House at Cherbourg from the office of New York and such other offices in the United States as may be designated hereafter by the Postmaster General of the United States, and on the other side to the office of New York by the Maritime Agency of the Compagnie Générale Transatlantique at Havre or such other offices as may be subsequently designated by the assistant Secretary of State for Posts and Telegraphs of France. Application of the stipulations restricted.

2. The internal legislation of both the United States and France shall remain applicable as regards everything not provided for by the stipulations contained in the present Convention.

Correspondence concerning postal regulations, etc. 3. The Postal Administrations of the two contracting parties shall communicate to each other, from time to time, the provisions of their laws or regulations applicable to the conveyance of parcels by parcel post.

Regulations. 4. They shall regulate the mode of transmission of parcels, and fix all other measures of detail and order necessary for ensuring the performance of the present Agreement. They may also, by agreement, prescribe conditions for the admission to the mails of any of the articles prohibited by Article III of this Convention.

ARTICLE XV.

Rights reserved to France. 1. The right is reserved to the French Government to have the provisions of the present Convention carried into effect by the railway or navigation companies which are at its disposal. That Government may also restrict the service to parcels originating in, or destined for, localities where service is performed by those companies.

Agreement with transportation companies. 2. The Postal Administration of France will come to an agreement with the railway and the navigation companies in order to ensure the fulfillment by the latter of all the provisions of the Convention mentioned above, and the organization of the service for the dispatch to and the receipt at the frontier.

Intermediation. 3. The French Postal Administration will serve as an intermediary in their relations with the Post Office Department of the United States of America.

ARTICLE XVI.

Exchange of ratification. This Convention shall be ratified by the contracting countries in accordance with their respective laws, and the ratifications shall be exchanged in the city of Washington as soon as possible. On being ratified (and the ratifications exchanged), it shall take effect and operations thereunder shall begin on the 15th day of August 1908, and shall continue in force until terminated by mutual consent, but may be annulled at the desire of either Administration upon six months' previous notice given to the other.

Effect. Done in duplicate and signed at Washington the fifteenth day of June, one thousand nine hundred and eight.

Signatures. [SEAL.] G. v. L. MEYER,
Postmaster General of the United States of America.

[SEAL.] JUSSERAND,
Ambassadeur de la République française aux Etats-Unis.

The foregoing Parcel-Post Convention between the United States of America and France has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

Ratification.

In testimony whereof I have caused the seal of the [SEAL.] United States to be hereunto affixed.

THEODORE ROOSEVELT.

By the President:

ROBERT BACON,

Acting Secretary of State.

WASHINGTON, *July 3, 1908.*

FORM No. 1.

Form No. 1.

Parcel-post.

A parcel addressed as under has been posted here this day:	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Office stamp.</div>	<p>.....</p> <p>.....</p> <p>.....</p>
This certificate is given to inform the sender of the posting of a parcel.	

Form No. 2.

FORM NO. 2.

A.

Parcel-post between the United States and France.

Date Stamp.	FORM OF CUSTOMS DECLARATION.	Place to which the parcel is addressed.
----------------	-------------------------------------	---

Description of parcel. (State whether box, bag, basket, etc.)	Contents.	Value.	Per cent.	Total customs charges.
	Total.....			

Date of posting: 19...; signature and address of sender {
 {

For use of post-office only, and to be filled up at the office of exchange:

Parcel bill No.; No. of rates prepaid Entry No.

B.

[Country of origin.]

Parcel-post from.....

The import duty assessed by an officer of customs on contents of this parcel amounts to, which must be paid before the parcel is delivered.

Date
Stamp.

Customs Officer.

C.

[Country of origin.]

Parcel-post from.....

This parcel has been passed by an officer of customs and must be delivered **FREE OF CHARGE.**

Date
Stamp.

FORM NO. 2 BIS.

Postal packages between the United States and France.

<p>..... railroad.</p> <p>Details to be filled in at the railway station:</p> <p> Dispatching station.....</p> <p> Dispatching number.....</p> <p> Date of dispatch.....</p>	<p style="text-align: center;"><i>Declaration for the French and foreign customs.</i></p> <p>The undersigned, sender, residing at declares that he sends to Mr. at country the merchandise described in detail below, originating in country of origin: and asks that the customs formalities be completed at the stations of</p>
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NOTE.—No. 1. Exemption from customs dues, either for import or export, does not dispense with the declarations for the customs prescribed by law in accordance with the specifications and unities provided by the general tariff, under penalty of 100 francs fine for omission of the declaration or for a false declaration.—Article 19 of the law of May 16, 1863.

No. 2. The sender and the addressee are responsible for the results and the delays arising from declarations which are inaccurate, incomplete or false.

Containing.					Contents.				Remarks.	
Marks.	Nos.	No. of packages (in words).	Nature of packages.	Gross weight of packages.	Nature of merchandise.	Details of nature of merchandise.				
						Net weight.	Volume, contents, No., etc.	Value	ics. *	
										<p>In addition to the details provided for in these columns, the remitter must furnish below any other necessary details for the information of the customs office, and particularly must declare whether the merchandise is intended for consumption, transit or storage.</p> <p>These details being omitted, the railroad will act for the best at risk of the parties interested.</p> <p>A</p> <p>the.....</p> <p style="text-align: right;">Signature of sender.</p>

* In case the sender should express the value of the merchandise in foreign money, he must designate the denomination of that money in the column of Remarks, and strike out the words "francs and centimes."

Treaty between the United States and Uruguay for the extradition of criminals. Signed at Washington, March 11, 1905; ratification advised (with amendment) by the Senate March 18, 1905; ratified by the President, April 12, 1908; ratified by Uruguay, May 27, 1908; ratifications exchanged at Montevideo, June 4, 1908; proclaimed July 10, 1908.

Mar. 11, 1905.
35 Stat. L.,
pt. 2, p. 2028.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Oriental Republic of Uruguay providing for the mutual extradition of fugitives from justice, was concluded and signed by their respective Plenipotentiaries at Washington, on the eleventh day of March, one thousand nine hundred and five, the original of which Convention, being in the English and Spanish languages is, (as amended by the Senate of the United States) word for word as follows:

Extradition
with Uruguay.
Preamble.

The President of the United States of America and the President of the Oriental Republic of Uruguay, being animated by the desire to secure and promote the well-being and tranquillity of their respective countries by facilitating the just, prompt, and efficacious administration of justice, by preventing crimes and offenses, and by regulating the surrender of the authors thereof who may seek asylum within their respective territories, have agreed to conclude a treaty and for this purpose have appointed as their plenipotentiaries, to wit:

Contracting
parties.

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

The President of the Oriental Republic of Uruguay, Mr. Eduardo Acevedo Diaz, his Envoy Extraordinary and Minister Plenipotentiary accredited to the United States of America and to Mexico;

Plenipotentiaries.

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed on the following articles:

ARTICLE I.

The high contracting parties obligate themselves to deliver up mutually to each other, under the circumstances and conditions stipulated in the present treaty, all persons, except their own citizens, who, having been charged or sentenced for any of the crimes or offenses enumerated in Article II and committed within the territory of one of the parties, shall be found within the territory of the other.

Reciprocal delivery of persons charged with crime.

* Spanish text omitted.

ARTICLE II.

- Murder, etc.** 1. Murder, comprehending assassination, parricide, infanticide, poisoning, and manslaughter, when voluntary; or the attempt to commit any of these crimes.
- Abortion.** 2. Abortion.
- Arson.** 3. Arson.
- Piracy.** 4. Piracy, or mutiny on shipboard whenever the crew, or part thereof, shall have taken possession of the vessel by fraud or violence against the commander.
- Forgery.** 5. Forgery, or the utterance of forged papers; the forgery of official acts of government, of public authorities, or of courts of justice, or the utterance of the thing forged or falsified.
- Counterfeiting.** The counterfeiting or falsifying of money, whether coin or paper, or of instruments of debt created by national, State, provincial, or municipal governments, or of coupons thereof, or of bank notes, or the utterance or circulation of these; the counterfeiting, falsifying, or altering of seals of state.
- Embezzlement, larceny, etc.** 6. Embezzlement of public moneys by public functionaries or depositaries, embezzlement by persons hired or salaried, to the detriment of their employers or principals; larceny; where in either class of cases the amount embezzled or stolen exceeds the sum of two hundred dollars.
- Burglary.** 7. Burglary; housebreaking; shopbreaking.
- Robbery.** 8. Robbery, defined to be the act of feloniously and forcibly taking from the person of another money, or goods, by violence or putting him in fear.
- Rape.** 9. Rape.
- Bigamy.** 10. Bigamy.
- Kidnaping.** 11. Kidnapping; abduction.
- Perjury.** 12. Perjury and subornation of perjury.
- Bribery.** 13. Bribery, defined to be the giving, offering, or receiving of a reward to influence one in the discharge of a legal duty.
- Injuries to railroads.** 14. Willful and unlawful destruction or obstruction of railroads which endangers human life.
- Complicity.** Extradition is also to take place for participation in any of the crimes and offenses mentioned in this treaty, provided such participation may be punished in the United States as a felony, and in Uruguay by imprisonment at hard labor.

ARTICLE III.

- Political crimes excepted.** Political crimes and misdemeanors are expressly excepted from the present treaty.
- Political offenses prior to extradition.** A person whose surrender has been granted shall not in any case be either prosecuted or punished for any political crime or act connected therewith, committed previous to the extradition.

Neither shall he be prosecuted or punished for any crime committed previous to that on which the surrender is based, unless the nation of which the demand is made so grants.

Crimes committed previous to that on which surrender is based.

If any question shall arise as to whether a case comes within the provisions of this article, the decision of the authorities of the Government on which the demand for surrender is made, or which may have granted the extradition, shall be final.

Decisions final.

ARTICLE IV.

Where the arrest and detention of a fugitive are desired on telegraphic or other information in advance of the presentation of formal proofs, the proper course in the United States shall be for an agent of the Uruguayan Government to apply to a judge or other magistrate authorized to issue warrants of arrest in extradition cases, and present a complaint on oath as provided by the statutes of the United States.

Applications for provisional arrests in the United States.

When under the provisions of this article the arrest and detention of a fugitive are desired in Uruguay, the proper course shall be to apply to the Foreign office, which will immediately cause the necessary steps to be taken to secure the provisional arrest and detention of the fugitive.

In Uruguay.

The provisional detention of a fugitive shall cease and the prisoner be released if a formal requisition for his surrender, accompanied by the necessary evidence of his criminality, has not been produced under the stipulations of this treaty within a period of sixty days from the date of provisional arrest and detention.

Discharge on failure to make formal requisition in sixty days.

ARTICLE V.

Requisitions for extradition must be presented by the diplomatic agent of the country of which the request is made, or in case of his absence by the superior consular officer thereof, to the Ministry of Foreign Relations, and shall be accompanied, in the case of persons charged or under trial, by an authenticated copy of the warrant of arrest and of the evidence upon which it is based, as well as of the penal law applicable to the offense giving rise to the request, and, whenever possible, by a description of the person claimed.

Requisitions.

With regard to sentenced persons, duly authenticated evidence of the sentence convicting them should be pre-

Authenticated evidence of sentence required.

In the Oriental Republic of Uruguay the procedure

Procedure in Uruguay.

The Ministry of Foreign Relations shall transmit the above-mentioned documents to the Superior Court of Justice, which, in turn, if it deems that the request for extradition is sufficiently well founded, shall turn it over to the judge having jurisdiction of the crime for execution. The latter functionary shall have authority to

order the detention of the criminal, to take his deposition, consider his defense, and weigh the facts presented in accordance with the laws of the country; and if it turns out that the evidence presented is sufficient to warrant his imprisonment, the conditions required by the treaty having been fulfilled, he shall issue the order for his surrender, notifying the fact to the Executive, who thereupon dictates the measures necessary in order that the fugitive may be placed at the disposal of the demanding Government.

Expenses. The expenses incurred in the arrest, detention, examination, and delivery of fugitives under this treaty shall be borne by the State in whose name the extradition is sought.

ARTICLE VI.

Disposition of articles seized with person.

All articles at the time of apprehension in the possession of the person demanded, whether being the proceeds of the crime or offense charged, or being material as evidence in making proof of the crime or offense, shall, so far as practicable in conformity with the laws of the respective countries, be given up when the extradition takes place. Nevertheless, the rights of third parties with respect to such articles shall be duly respected.

ARTICLE VII.

No delivery if trial barred by limitations.

Extradition may be refused when the penalty or right of action for the crime imputed to the person claimed shall have become barred by limitation according to the laws of the country in which he is seeking refuge.

ARTICLE VIII.

Persons claimed by two or more countries.

If the accused or convicted party whose extradition is demanded by one of the high contracting parties in accordance with the present treaty should also be claimed by another or other governments as a result of crimes committed within their respective territories, he shall be delivered to the government of the country in which he shall have committed the gravest crime; provided that the government from which extradition is sought is not bound by treaty to give preference otherwise.

ARTICLE IX.

Extradition may be deferred.

If the person claimed should be under trial for a crime or offense committed in the country in which he is seeking refuge, his extradition shall be deferred until the trial he is undergoing is concluded, or until he suffers the penalty imposed upon him. The same shall happen if he is serving a previous sentence at the time his extradition is demanded.

ARTICLE X.

The obligation to grant extradition shall not in any case extend to the citizens of the two parties, but the executive authority of each shall have power to deliver them up, if, in its discretion, it is deemed proper to do so.

Neither country obliged to deliver its own citizens.

ARTICLE XI.

The Government of the United States and that of Uruguay agree to notify each other of the result of the trials of all persons surrendered under this treaty.

Notice of result of trials.

ARTICLE XII.

The provisions of the present treaty shall not apply to crimes or offenses committed prior to its date.

Crimes committed prior to treaty.

ARTICLE XIII.

The present treaty may be denounced by either of the high contracting parties by giving notice one year in advance.

Notice of denunciation.

ARTICLE XIV.

The present treaty shall be ratified and its ratifications exchanged at as early a day as possible.

Exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the above articles, both in the English and Spanish languages, and hereunto affixed their seals.

Signatures.

Done in duplicate, at the City of Washington this 11th day of March, one thousand nine hundred and five.

JOHN HAY [SEAL]
ED° ACEVEDO DÍAZ. [SEAL]

And whereas the said Convention, (as amended by the Senate of the United States) has been duly ratified and the ratifications of the two governments were exchanged in the City of Montevideo, on the fourth day of June, one thousand nine hundred and eight;

Ratification.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof, (as amended) may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this tenth day of July, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States of America the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

May 18, 1908. *Treaty between the United States and Great Britain concerning reciprocal rights for United States and Canada in the conveyance of prisoners and wrecking and salvage. Signed at Washington, May 18, 1908; ratification advised by the Senate, May 20, 1908; ratified by the President, June 19, 1908; ratified by Great Britain, June 3, 1908; ratifications exchanged at Washington, June 30, 1908; proclaimed July 10, 1908.*

35 Stat. L.,
pt. 2 p. 2035.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Conveyance
of prisoners and
wreckage and
salvage.
Preamble.

Whereas a Treaty between the United States of America and the United Kingdom of Great Britain and Ireland, providing for reciprocal rights for the United States and the Dominion of Canada in the matters of conveyance of prisoners and wrecking and salvage, was concluded and signed by their respective Plenipotentiaries at Washington on the eighteenth day of May, one thousand nine hundred and eight, the original of which Treaty is word for word as follows:

Contracting
powers.

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being desirous to make provision for the conveyance of persons in lawful custody for trial or punishment either in the United States or the Dominion of Canada through the territory of the other, and for reciprocal rights in wrecking and salvage in the waters contiguous to the boundary between the United States and the Dominion of Canada, have for that purpose resolved to conclude a treaty, and to that end have appointed as their plenipotentiaries:

Plenipoten-
taries.

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States; and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right Honorable James Bryce, O. M., His Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after communicating to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I.

CONVEYANCE OF PRISONERS.

Conveyance
of prisoners
through Cana-
da by United
States officers.

Any officer of the United States of America or of any state or territory thereof, having in his custody without the borders of Canada, by virtue of any warrant or any other lawful process issued by authority of the United

States or of any state or territory thereof, any person charged with or convicted of any of the criminal offences specified below, committed within the jurisdiction of the United States or of any state or territory thereof, may, in executing such warrant or process, convey such person through any part of Canada to a place in the United States, if such warrant or process is endorsed, or backed, by a judge, magistrate or justice of the peace in Canada, or if the authority of the Minister of Justice of Canada for such conveyance is first obtained.

During such conveyance of such person through Canada, such officer may keep such person in his custody, and in case of escape may recapture him. Custody and recapture permitted.

Any officer of the Dominion of Canada or of any province or territory thereof, having in his custody without the borders of the United States of America, by virtue of any warrant or any other lawful process issued by authority of the law of the Dominion or of any province or territory thereof, any person charged with or convicted of any of the criminal offences specified below, committed in Canada, may, in executing such warrant or process, convey such person through any part of the United States to a place in Canada, if such warrant or process is endorsed, or backed, by a judge, magistrate or justice of the peace in the United States, or if the authority of the Secretary of State of the United States for such conveyance is first obtained. Conveyance of prisoners through United States by Canadian officers.

During such conveyance of such person through the United States, such officer may keep such person in his custody, and in case of escape may recapture him. Custody and recapture allowed.

The foregoing provision shall apply only to persons charged with or convicted of offences of the following descriptions: Crimes affected.

1. Offences for which extradition is at the time authorized by a treaty in force between the United States and Great Britain. Extraditable offenses.

2. Assault with intent to commit grievous bodily harm. Assault, etc.

3. Assault upon an officer of the law in the execution of his duty. Assault upon officer of the law.

The United States and the Dominion of Canada may by concurrent legislation make further or other regulations for authenticating the warrant or process under which the person in custody is to be conveyed, as before provided. Further regulations.

ARTICLE II.

WRECKING AND SALVAGE.

The High Contracting Parties agree that vessels and wrecking appliances, either from the United States or from the Dominion of Canada, may salvage any property wrecked and may render aid and assistance to any vessels wrecked, disabled or in distress in the waters or on the Wrecking and salvage. Waters, etc., where reciprocal privileges are allowed.

shores of the other country in that portion of the St. Lawrence River through which the International Boundary line extends, and, in Lake Ontario, Lake Erie, Lake St. Clair, Lake Huron, and Lake Superior, and in the Rivers Niagara, Detroit, St. Clair, and Ste Marie, and the Canals of Sault Ste Marie, and on the shores and in the waters of the other country along the Atlantic and Pacific Coasts within a distance of thirty miles from the International Boundary on such Coasts.

Salving op-
erations not
restricted.

It is further agreed that such reciprocal wrecking and salvage privileges shall include all necessary towing incident thereto, and that nothing in the Customs, Coasting or other laws or regulations of either country shall restrict in any manner the salving operations of such vessels or wrecking appliances.

Report of
vessels.

Vessels from either country employed in salving in the waters of the other shall, as soon as practicable afterwards, make full report at the nearest custom house of the country in whose waters such salving takes place.

ARTICLE III.

Duration.

This Treaty shall remain in force for ten years after its date and thereafter until terminated by twelve months' written notice given by either High Contracting Party to the other.

ARTICLE IV.

Exchange of
ratifications.

This Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged in Washington as soon as possible.

Signatures.

In faith whereof the respective Plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at Washington the eighteenth day of May, in the year of our Lord one thousand nine hundred and eight.

ROBERT BACON [SEAL]
JAMES BRYCE [SEAL]

Ratification.

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirtieth day of June, one thousand nine hundred and eight;

Proclama-
tion.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this tenth day of July, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States of America, the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Naturalization convention between the United States and Salvador. Signed at San Salvador, March 14, 1908; ratification advised by the Senate, April 13, 1908; ratified by the President, May 26, 1908; ratified by Salvador, April 23, 1908; ratifications exchanged at San Salvador, July 20, 1908; proclaimed July 23, 1908.

Mar. 14, 1908.

35 Stat. L.,
pt. 2, p. 2038.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Naturalization Convention between the United States of America and the Republic of Salvador, was concluded and signed by their respective Plenipotentiaries at San Salvador on the fourteenth day of March, one thousand nine hundred and eight, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Naturaliza-
tion with Sal-
vador.
Preamble.

Convention to fix the condition of naturalized citizens who renew their residence in the country of their origin.

The President of the United States of America and the President of the Republic of Salvador, desiring to regulate the citizenship of those persons who emigrate from the United States of America to Salvador, and from Salvador to the United States of America, have resolved to conclude a convention on this subject and for that purpose have appointed their plenipotentiaries to conclude a convention, that is to say: the President of the United States of America, John Hanaford Gregory, Jr., Chargé d'Affaires *ad interim* of the United States at Salvador; and the President of Salvador, señor doctor don Salvador Rodríguez González, Minister for Foreign Affairs, who have agreed to and sign the following Articles:

Contracting
parties.

Plenipoten-
taries.

ARTICLE I.

Recognition of naturalization by the United States. Citizens of the United States who may or shall have been naturalized in Salvador, upon their own application or by their own consent, will be considered by the United States as citizens of the Republic of Salvador.

By Salvador. Reciprocally, Salvadoreans who may or shall have been naturalized in the United States upon their own application or with their own consent, will be considered by the Republic of Salvador as citizens of the United States.

ARTICLE II.

Renunciation of naturalization. If a Salvadorean, naturalized in the United States of America, renews his residence in Salvador, without intent to return to the United States, he may be held to have renounced his naturalization in the United States. Reciprocally, if a citizen of the United States, naturalized in Salvador, renews his residence in the United States, without intent to return to Salvador, he may be presumed to have renounced his naturalization in Salvador.

Intent not to return. The intent not to return may be held to exist when the person naturalized in the one country, resides more than two years in the other country, but this presumption may be destroyed by evidence to the contrary.

ARTICLE III.

Definition of word "citizen." It is mutually agreed that the definition of the word "citizen," as used in this convention, shall be held to mean a person to whom nationality of the United States or Salvador attaches.

ARTICLE IV.

Offenses committed before emigration. A recognized citizen of the one party, returning to the territory of the other, remains liable to trial and legal punishment for an action punishable by the laws of his original country and committed before his emigration; but not for the emigration itself, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

ARTICLE V.

Effect of declaration of intention. The declaration of intention to become a citizen of the one or the other country has not for either party the effect of naturalization.

ARTICLE VI.

Effect. The present convention shall go into effect immediately on the exchange of ratifications, and in the event of either

party giving the other notice of its intention to terminate the convention it shall continue to be in effect for one year more, to count from the date of such notice.

The present convention shall be submitted to the approval and ratification of the respective appropriate authorities of each of the contracting parties, and the ratifications shall be exchanged at San Salvador or Washington within twenty-four months of the date hereof.

Exchange of ratifications.

Signed at the city of San Salvador, on the fourteenth day of March, one thousand nine hundred and eight.

Signatures.

JOHN HANAFORD GREGORY JR. [SEAL.]
SALVADOR RODRÍGUEZ G [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of San Salvador, on the twentieth day of July, one thousand nine hundred and eight;

Ratification.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be hereunto affixed.

Done at the City of Washington this twenty-third day of July, in the year of our Lord one thousand nine hundred and eight, and of the Independence [SEAL] of the United States of America, the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Convention between the United States and Japan for protection of patents, etc., in Korea. Signed at Washington, May 19, 1908; ratification advised by the Senate, May 20, 1908; ratified by the President, June 2, 1908; ratified by Japan, August 3, 1908; ratifications exchanged at Tokyo, August 6, 1908; proclaimed August 11, 1908.

May 19, 1908.
35 Stat. L.,
pt. 2, p. 2041.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Empire of Japan providing for reciprocal protection in Korea for the inventions, designs,

Protection of inventions, etc., in Korea.
Preamble.

trade marks and copyrights of their respective citizens and subjects, was concluded and signed by their respective Plenipotentiaries at Washington on the nineteenth day of May, one thousand nine hundred and eight, the original of which Convention is word for word as follows:

Contracting powers. The President of the United States of America and His Majesty the Emperor of Japan being desirous to secure in Korea due protection for the inventions, designs, trade marks and copyrights of their respective citizens and subjects have resolved to conclude a convention for that purpose and have named as their Plenipotentiaries, that is to say:

Plenipotentiaries. The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States; and

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:—

ARTICLE I.

Enforcement in Korea of Japanese patent, etc., laws. The Japanese Government shall cause to be enforced in Korea simultaneously with the operation of this convention, laws and regulations relative to inventions, designs, trade marks and copyrights similar to those which now exist in Japan.

Laws, etc., to apply to American citizens. These laws and regulations are to be applicable to American citizens in Korea equally as to Japanese and Korean subjects. In case the existing laws and regulations of Japan referred to in the preceding paragraph shall hereafter be modified, those laws and regulations enforced in Korea shall also be modified according to the principle of such new legislation.

ARTICLE II.

Infringements. The Government of the United States of America engages that in case of the infringement by American citizens of inventions, designs, trade marks or copyrights entitled to protection in Korea, such citizens shall in these respects be under the exclusive jurisdiction of the Japanese courts in Korea, the extraterritorial jurisdiction of the United States being waived in these particulars.

ARTICLE III.

Rights of citizens residing in possessions of United States. Citizens of possessions belonging to the United States shall have in respect to the application of the present convention the same treatment as citizens of the United States.

ARTICLE IV.

Korean subjects shall enjoy in the United States the same protection as native citizens in regard to inventions, designs, trade marks and copyrights upon the fulfillment of the formalities prescribed by the laws and regulations of the United States. Rights of Koreans in United States.

ARTICLE V.

Inventions, designs, trade marks and copyrights duly patented or registered in Japan by citizens of the United States prior to the enforcement of the laws and regulations mentioned in Article I hereof shall without further procedure be entitled under the present convention to the same protection in Korea as is or may hereafter be there accorded to the same industrial and literary properties similarly patented or registered by Japanese or Korean subjects. Reciprocal rights guaranteed.

Inventions, designs, trade marks and copyrights duly patented or registered in the United States by citizens or subjects of either High Contracting Party or by Korean subjects prior to the operation of the present convention shall similarly be entitled to patent or registration in Korea without the payment of any fees, provided that said inventions, designs, trade marks and copyrights are of such a character as to permit of their patent or registration under the laws and regulations above-mentioned and provided further that such patent or registration is effected within a period of one year after this convention comes into force.

ARTICLE VI.

The Japanese Government engages to extend to American citizens the same treatment in Korea in the matter of protection of their commercial names as they enjoy in the dominions and possessions of Japan under the convention for the protection of industrial property signed at Paris March 20, 1883. Commercial names.

“Hong” marks shall be considered to be commercial names for the purpose of this convention. “Hong” marks.

ARTICLE VII.

The present convention shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible. It shall come into force ten days after such exchange of ratifications. Exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals. Signatures.

Done at the City of Washington the 19th day of May in the nineteen hundred and eighth year of the Christian era corresponding to the 19th day of the 5th month of the 41st year of Meiji.

ROBERT BACON [SEAL.]
K. TAKAHIRA [SEAL.]

Ratification. And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Tokyo, on the sixth day of August, one thousand nine hundred and eight;

Proclamation.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington this eleventh day of August in the year of our Lord one thousand nine hundred and eight, and of the Independence of [SEAL.] the United States of America, the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

May 19, 1908. *Convention between the United States and Japan for the protection of patents, etc., in China. Signed at Washington, May 19, 1908; ratification advised by the Senate, May 20, 1908; ratified by the President, June 2, 1908; ratified by Japan, August 3, 1908; ratifications exchanged at Tokyo, August 6, 1908; proclaimed August, 11, 1908.*

35 Stat. L.,
pt. 2, p. 2044.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Protection of
inventions, etc.,
in China.
Preamble.

Whereas a Convention between the United States of America and the Empire of Japan providing for reciprocal protection in China for the inventions, designs, trade marks and copyrights of their respective citizens and subjects, was concluded and signed by their respective Plenipotentiaries at Washington on the nineteenth day of May, one thousand nine hundred and eight, the original of which Convention is word for word as follows:

Contracting
powers.

The President of the United States of America and His Majesty the Emperor of Japan being desirous to

secure in China reciprocal protection for the inventions, designs, trade marks and copyrights of their respective citizens and subjects have resolved to conclude a convention for that purpose and have named as their Plenipotentiaries, that is to say:

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States; and Plenipotentiaries.

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

Inventions, designs and trade marks duly patented or registered by citizens or subjects of one High Contracting Party in the appropriate office of the other Contracting Party shall have in all parts of China the same protection against infringement by citizens or subjects of such other Contracting Party as in the dominions and possessions of such other Contracting Party. Infringements.

ARTICLE II.

The citizens or subjects of each of the two High Contracting Parties shall enjoy in China the protection of copyright for their works of literature and art as well as photographs to the same extent as they are protected in the dominions and possessions of the other party. Copyrights.

ARTICLE III.

In case of infringement in China by a citizen or subject of one of the two High Contracting Parties of any invention, design, trade mark or copyright entitled to protection in virtue of this convention the aggrieved party shall have in the competent territorial or consular courts of such Contracting Party the same rights and remedies as citizens or subjects of such Contracting Party. Reciprocal rights in consular, etc., courts.

ARTICLE IV.

Each High Contracting Party engages to extend to the citizens or subjects of the other Contracting Party the same treatment in China in the matter of protection of their commercial names as they enjoy in the dominions and possessions of such Contracting Party under the convention for the protection of industrial property signed at Paris March 20, 1883. "Hong" marks shall be considered to be commercial names for the purpose of this convention. Commercial names.
"Hong" marks.

ARTICLE V.

Rights of Koreans and citizens of United States possessions. Citizens of possessions belonging to the United States and subjects of Korea shall have in China the same treatment under the present convention as citizens of the United States and subjects of Japan respectively.

ARTICLE VI.

Enforcement in certain other countries. It is mutually agreed between the High Contracting Parties that the present convention shall be enforced so far as applicable in any other country in which either Contracting Party may exercise extraterritorial jurisdiction.

All rights growing out of the present convention shall be recognized in the insular and other possessions and leased territories of the High Contracting Parties and all legal remedies provided for the protection of such rights shall be duly enforced by the competent courts.

ARTICLE VII.

Imitation trade-marks to be canceled, etc. Any person amenable to the provisions of this convention who possesses at the time the present convention comes into force merchandise bearing an imitation of a trade mark owned by another person and entitled to protection under said convention shall remove or cancel such false trade mark or withdraw such merchandise from market in China within six months from the date of the enforcement of this convention.

ARTICLE VIII.

Withdrawal of unauthorized reproductions. Unauthorized reproductions by the citizens or subjects of one High Contracting Party prior to the operation of this convention of the works of literature and art as well as photographs of the citizens or subjects of the other Contracting Party published after the 10th day of May, 1906, and entitled to protection in virtue of this convention shall be withdrawn from sale or circulation in China within one year from the date of the enforcement of this convention.

ARTICLE IX.

Exchange of ratifications. The present convention shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible. It shall come into force together with the convention relative to the protection of inventions, designs, trade marks and copyrights in Korea, ten days after such exchange of ratifications.

Signatures. In witness whereof, the respective Plenipotentiaries have signed the present convention in duplicate and have thereunto affixed their seals.

Done at the City of Washington the 19th day of May in the nineteen hundred and eighth year of the Christian era corresponding to the 19th day of the 5th month of the 41st year of Meiji.

ROBERT BACON [SEAL.]
K. TAKAHIRA [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Tokyo, on the sixth day of August, one thousand nine hundred and eight; Ratification.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this eleventh day of August, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States of America, the
[SEAL.] one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Arrangement between the United States and other powers for the establishment of the international office of public health. Signed at Rome December 9, 1907; ratification advised by the Senate February 10, 1908; ratified by the President February 15, 1908; ratification of the United States deposited with the Government of Italy August 1, 1908; proclaimed November 17, 1908. Dec. 9, 1909.
35 Stat. L.,
pt. 2, p. 2061.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an Arrangement between the United States of America and Belgium, Brazil, Spain, the French Republic, Great Britain, Italy, the Netherlands, Portugal, Russia, Switzerland, and Egypt, providing for the establishment of the international office of public health mentioned in Article 181 of the International Sanitary Convention, signed at Paris, December 3, 1903, was concluded and signed by their respective Plenipotentiaries at Rome on the ninth day of December, one thousand nine hundred International
office of public
health.
Preamble.

and seven, the original of which Arrangement, being in the French language, is word for word as follows:

(French text omitted.)

Preamble. And whereas the said Arrangement has been duly ratified by the Governments of the United States, Belgium, Brazil, Spain, the French Republic, Great Britain, Italy, Russia, and Switzerland, and their instruments of ratification deposited with the Government of Italy;

Proclamation. Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Arrangement to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this seventeenth day of November, one thousand nine hundred and eight, and of the Independence of the United States of America the one hundred and thirty-third.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

Translation.

[Translation.]

ARRANGEMENT.

International Office of Public Health.

Contracting Powers.

The Governments of Belgium, Brazil, Spain, the United States, the French Republic, Great Britain and Ireland, Italy, the Netherlands, Portugal, Russia, Switzerland, and the Government of His Highness the Khedive of Egypt, deeming it expedient to organize the International Office of Public Hygiene, referred to in the Paris Sanitary Convention of December 3, 1903, have resolved to conclude an arrangement to that effect and agreed upon the following:

ARTICLE I.

Headquarters established at Paris.

The High Contracting Parties engage to found and maintain an International Office of Public Hygiene with headquarters at Paris.

ARTICLE II.

Supervising committee, etc.

The Office will perform its functions under the authority and supervision of a Committee composed of delegates of the contracting Governments. The membership and rights and duties of the Committee, as well as the organization and powers of the said Office are determined

by the organic by-laws which are annexed to the present arrangement and are considered as forming an integral part thereof.

ARTICLE III.

The costs of installation, as well as the annual expenses for the conduct and maintenance of the Office shall be covered by the quotas of the contracting States determined in accordance with the provisions of the by-laws referred to in Article II. Cost and expenses.

ARTICLE IV.

The sums representing the quotas of the several contracting States shall be deposited by the said States through the Ministry of Foreign Affairs of the French Republic, at the beginning of every year in the "Caisse des dépôts et consignations" at Paris, from which they shall be drawn as needed against warrants of the Director of the Office. Depositing of funds.

ARTICLE V.

The High Contracting Parties reserve the right to make, by joint agreement, in the present arrangement any change of which the usefulness shall have been demonstrated by experience. Changes.

ARTICLE VI.

Governments that have not signed the present arrangement are, on their request, admitted to adhere thereto. Their adhesion shall be notified, through the diplomatic channel, to the Royal Government of Italy, and, by the latter, to the other Contracting Governments; it will imply a pledge to contribute to the payment of the expenses of the Office in the manner referred to in Article III. Adherence of non-signatory powers.
Supra.

ARTICLE VII.

The present arrangement shall be ratified and the ratifications shall be deposited at Rome as soon as possible; it shall be put into operation from the date on which the deposit of ratifications shall have been effected. Ratification deposited at Rome.

ARTICLE VIII.

The present arrangement is concluded for a term of seven years. At the expiration of that period, it shall continue in force for new periods of seven years between the States that shall not have notified, one year before the expiration of each period, their intention to terminate the effects so far as they are concerned. Duration of arrangement.

In faith whereof the undersigned, duly empowered thereto, have drawn up the present arrangement to which they have affixed their seals.

Done at Rome, the ninth of December one thousand nine hundred and seven, in one copy which shall remain deposited in the archives of the Royal Government of Italy and duly certified copies thereof shall be delivered, through the diplomatic channel, to the contracting Parties.

Signatures. (Here follow signatures.)

Annex. ANNEX.

Organic laws. by-ORGANIC BY-LAWS OF THE INTERNATIONAL OFFICE OF PUBLIC HYGIENE.

ARTICLE I.

Office at Paris. There is established in Paris an International Office of Public Hygiene under the States which accept participation in its operation.

ARTICLE II.

Functions of. The Office cannot in any way meddle in the administration of the several States.

It is independent of the authorities of the country in which it is placed.

It corresponds directly with the higher health authorities of the several countries and with the Boards of Health.^a

ARTICLE III.

To be recognized as institution of public utility. *Infra.* The Government of the French Republic shall, on the application of the International Committee referred to in Article VI, take such steps as may be requisite to have the Office recognized as an institution of public utility.

ARTICLE IV.

Purposes. The main object of the Office is to collect and bring to the knowledge of the participating States facts and documents of a general character concerning public health and especially regarding infectious diseases, notably the cholera, plague and yellow fever, as well as the measures taken to check these diseases.

ARTICLE V.

Enforcement of international sanitary conventions. The Government shall inform the Office of the measures taken by them towards the enforcement of the international sanitary conventions.

^a It is understood that the phrase "Boards of Health" applies to the Sanitary Councils of Alexandria, Constantinople, Tangier, Teheran and to any other Councils that may be charged with the duty of enforcing International Sanitary Conventions.

ARTICLE VI.

The Office is placed under the authority and supervision of an International Committee consisting of technical representatives designated by the participating States in the proportion of one representative for each State. Representa-
tion of States.

Each State is allowed a number of votes inversely proportioned to the number of the class to which it belongs as regards its participation in the expenses of the Office. Votes.
Post, p. 435.
(See Article XI.)

ARTICLE VII.

The Committee of the Office meets periodically at least once a year; the length of its sessions is unlimited. Meetings.

The members of the Committee elect, by secret ballot, a chairman whose term of office shall be three years. Election of
chairman.

ARTICLE VIII.

The business of the office is conducted by a salaried staff including: Officers, etc.

A Director;

A Secretary General,

such force as may be necessary to perform the work of the Office.

The personnel of the Office shall not be permitted to fill any other salaried office.

The Director and Secretary General shall be appointed by the Committee.

The Director shall attend the meetings of the Committee in an advisory capacity.

The appointment and dismissal of employés of all classes appertain to the Director and shall be reported by him to the Committee.

ARTICLE IX.

The information collected by the Office shall be brought to the knowledge of the participant States by means of a Bulletin or of special communications addressed to them either in regular course or at their request. Distribution
of information
by Bulletin.

In addition, the Office shall show periodically the results of its labors in official reports to be communicated to the participating Governments. Reports.

ARTICLE X.

The Bulletin, which shall be issued at least once a month, shall include especially: Contents, etc.,
of Bulletin.

1. The laws and general or local regulations promulgated in the several countries in regard to contagious diseases;

2. Information concerning the progress of infectious diseases;

3. Information concerning the work done or measures taken toward the sanitation of localities.

4. Statistics concerning public health.

5. Notices of publications.

Official language.

The official language of the Office and Bulletin shall be the French language. The Committee may order parts of the Bulletin to be published in other languages.

ARTICLE XI.

Expenses.

The expenses necessary for the performance of the duties of the Office, estimated at 150,000 francs per annum, shall be defrayed by the States signatory to the Convention, their quotas being determined according to the following classes:

First class: Brazil, Spain, the United States, France, Great Britain, British India, Italy, Russia, at the rate of 25 units;

Second class, at the rate of 20 units;

Third class, Belgium, Egypt, the Netherlands, at the rate of 15 units;

Fourth class, Switzerland, at the rate of 10 units;

Fifth class, at the rate of 5 units;

Sixth class, at the rate of 3 units;

This sum of 150,000 francs cannot be exceeded except by consent of the signatory Powers.

Every State is at liberty to have itself entered into a higher class at some future time.

The States that may hereafter adhere to the Convention shall select the class in which they wish to be entered.

ARTICLE XII.

Reserve fund.

A sum intended to form a reserve fund shall be taken from the annual resources. The total sum of said reserve, which cannot exceed the amount of the annual budget, shall be invested in first class State securities.

ARTICLE XIII.

Traveling, etc., expenses.

The members of the Committee shall receive, out of the working funds of the Office, an allowance for traveling and other expenses. They shall also receive an attendance counter for each meeting which they attend.

ARTICLE XIV.

Pensions.

The Committee shall fix the amount to be set aside annually from its budget for a fund intended to secure a retirement pension for the Office force.

ARTICLE XV.

The Committee shall draw up its annual estimates and shall approve the account of expenditures. It shall make the organic regulations governing the personnel, as well as all the arrangements necessary for the performance of the duties of the office.

Annual estimates, etc.

The regulations as well as the arrangements shall be reported by the Committee to the participant States and cannot be modified without their assent.

Regulations.

ARTICLE XVI.

A statement of the financial management of the Office shall be submitted annually to the participant States at the close of the fiscal year.

Annual financial statement.

(Here follow signatures.)

Convention between the United States and Portugal for the mutual extradition of criminals. Signed at Washington May 7, 1908; ratifications advised by the Senate May 22, 1908; ratified by the President October 26, 1908; ratified by Portugal September 21, 1908; ratifications exchanged at Washington November 14, 1908; proclaimed December 14, 1908.

May 7, 1908.

35 Stat. L.,
pt. 2, p. 2071.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of Portugal, providing for the mutual extradition of fugitives from justice, was concluded and signed by their respective Plenipotentiaries at Washington, on the seventh day of May, one thousand nine hundred and eight, the original of which Convention, being in the English and Portuguese languages, is word for word as follows:

Extradition with Portugal.
Preamble.

The United States of America and His Most Faithful Majesty the King of Portugal and of the Algarves, having judged it expedient, with a view to the better administration of justice and to the prevention of crimes within their respective territories and jurisdictions, that persons convicted of or charged with the crimes hereinafter specified, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a convention for that purpose, and have appointed as their Plenipotentiaries:

Contracting Powers.

The President of the United States of America, Elihu Root, Secretary of State; and

Plenipotentiaries.

His Most Faithful Majesty the King of Portugal and of the Algarves, Viscount de Alte, His Envoy Extra-

ordinary and Minister Plenipotentiary near the Government of the United States of America;

Who, after reciprocal communication of their full powers, found in good and due form, have agreed upon the following articles, to wit:

ARTICLE I.

Reciprocal
delivery of per-
sons charged
with crimes.

It is agreed that the Government of the United States of America and the Government of His Most Faithful Majesty the King of Portugal and of the Algarves shall, upon mutual requisition duly made as herein provided, deliver up to justice any person who may be charged with or may have been convicted of any of the crimes specified in Article II of this Convention committed within the jurisdiction of one of the Contracting Parties while said person was actually within such jurisdiction when the crime was committed, and who shall seek an asylum or shall be found within the territories of the other, provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offence had been there committed.

Infra.

ARTICLE II.

Extraditable
crimes.

Persons shall be delivered up according to the provisions of this Convention, who shall have been charged with or convicted of any of the following crimes:

Murder, etc.

1. Murder, comprehending the crimes designated by the terms of parricide, assassination, manslaughter, when voluntary; poisoning or infanticide.

Attempt to
commit mur-
der.

2. The attempt to commit murder.

Rape, etc.

3. Rape, abortion, carnal knowledge of children under the age of twelve years.

Bigamy.

4. Bigamy.

Arson.

5. Arson.

Injuries to
railroads.

6. Willful and unlawful destruction or obstruction of railroads, which endangers human life.

Crimes at
sea.

7. Crimes committed at sea:

Piracy.

(a) Piracy, as commonly known and defined by the law of Nations, or by Statute.

Destroying,
etc., vessels at
sea.

(b) Wrongfully sinking or destroying a vessel at sea or attempting to do so.

Mutiny.

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud or violence taking possession of such vessel.

Assaults on
ship board.

(d) Assault on board ships upon the high seas with intent to do bodily harm.

8. Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein. **Burglary.**
9. The act of breaking into and entering the offices of the Government and public authorities, or the offices of banks, banking houses, saving banks, trust companies, insurance companies, or other buildings not dwellings with intent to commit a felony therein. **Felonious entering offices, etc.**
10. Robbery, defined to be the act of feloniously and forcibly taking from the person of another, goods or money by violence or by putting him in fear. **Robbery.**
11. Forgery or the utterance of forged papers. **Forgery.**
12. The forging or falsification of the official acts of the Government or public authority, including Courts of Justice, or the uttering or fraudulent use of any of the same. **Falsifying official acts, etc.**
13. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, banknotes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects. **Counterfeiting, etc.**
14. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds two hundred dollars or the equivalent in Portuguese currency. **Embezzlement of public money.**
15. Embezzlement by any person or persons hired, salaried or employed, to the detriment of their employers or principals, when the crime or offence is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds two hundred dollars or the equivalent in Portuguese currency. **Embezzlement by employees.**
16. Kidnaping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them or their families, or for any other unlawful end. **Kidnaping.**
17. Larceny, defined to be the theft of effects, personal property, or money, of the value of twenty-five dollars or more, or the equivalent in Portuguese currency. **Larceny.**
18. Obtaining money, valuable securities or other property by false pretences or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds two hundred dollars or the equivalent in Portuguese currency. **Obtaining money, etc., unlawfully.**
19. Perjury or subornation of perjury. **Perjury.**
20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director **Breach of trust, etc.**

or officer of any company or corporation, or by anyone in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars or the equivalent in Portuguese currency.

Crimes against suppression of slave trade.

21. Crimes and offences against the laws of both countries for the suppression of slavery and slave trading.

Accessory before and after the fact.

22. The extradition is also to take place for the participation in any of the aforesaid crimes as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both Contracting Parties.

ARTICLE III.

No surrender for political offenses.

The provisions of this Convention shall not import claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences; and no person surrendered by or to either of the Contracting Parties in virtue of this Convention shall be tried or punished for a political crime or offence. When the offence charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offence was committed or attempted against the life of the Sovereign or Head of a foreign State or against the life of any member of his family, shall not be deemed sufficient to sustain that such a crime or offence was of a political character, or was an act connected with crimes or offences of a political character.

Attempts, etc., against head of State not political crimes.

ARTICLE IV.

Trial to be only for offense for which extradited.

No person shall be tried for any crime or offence other than that for which he was surrendered.

ARTICLE V.

Limitation of time.

A fugitive, accused or criminal, shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, the criminal is exempt from prosecution or punishment for the offence for which the surrender is asked.

ARTICLE VI.

Persons under prosecution in country where found.

If a fugitive, accused or criminal, whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution, out on bail or in custody, for a crime or offence committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and until he shall have been set at liberty in due course of law.

ARTICLE VII.

If a fugitive, accused or criminal, claimed by one of the parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of crimes committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received.

Persons
claimed by oth-
er countries.

ARTICLE VIII.

Under the stipulations of this Convention, neither of the Contracting Parties shall be bound to deliver up its own citizens or subjects.

Neither coun-
try bound to
deliver its own
citizens.

ARTICLE IX.

The expense of the arrest, detention, examination and transportation of the accused or criminal shall be paid by the Government which has preferred the demand for extradition.

Expenses.

ARTICLE X.

Everything found in the possession of the fugitive, accused or criminal, at the time of his arrest, whether being the proceeds of the crime or offence, or which may be material as evidence in making proof of the crime, shall so far as practicable, according to the laws of either of the Contracting Parties, be delivered up with his person at the time of the surrender. Nevertheless, the rights of a third party with regard to the articles aforesaid shall be duly respected.

Disposal of
articles seized
with person.

ARTICLE XI.

The stipulations of this Convention shall be applicable to all territory wherever situated, belonging to either of the Contracting Parties or in the occupancy and under the control of either of them, during such occupancy or control.

Territory af-
fected.

Requisitions for the surrender of fugitives from justice shall be made by the respective Diplomatic Agents of the Contracting Parties. In the event of the absence of such Agents from the country or its seat of Government, or where extradition is sought from a colonial possession of Portugal or from territory, included in the preceding paragraph, other than the United States, requisition may be made by superior Consular officers.

Requisitions.

It shall be competent for such Diplomatic or superior Consular officers to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two Governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for

Preliminary
arrests.

the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

Copy of sentence, etc., required.

If the fugitive criminal shall have been convicted of the crime for which his surrender is asked, a copy of the sentence of the Court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII.

Release if evidence is not produced, etc.

Supra.

If when a person accused shall have been arrested in virtue of the mandate or preliminary warrant of arrest, issued by the competent authority as provided in Article XI hereof, and been brought before a judge or a magistrate to the end that the evidence of his or her guilt may be heard and examined as hereinbefore provided, it shall appear that the mandate or preliminary warrant of arrest has been issued in pursuance of a request or declaration received by telegraph from the Government asking for the extradition, it shall be competent for the judge or magistrate at his discretion to hold the accused for a period not exceeding two months, so that the demanding Government may have opportunity to lay before such judge or magistrate legal evidence of the guilt of the accused, and if at the expiration of the said period of two months such legal evidence shall not have been produced before such judge or magistrate, the person arrested shall be released, provided that the examination of the charges preferred against such accused person shall not be actually going on.

ARTICLE XIII.

Legal assistance.

Compensation.

In every case of a request made by either of the two Contracting Parties for the arrest, detention or extradition of fugitives, criminal or accused, the legal officers or fiscal ministry of the country where the proceedings of extradition are had shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every legal means within their or its power; and no claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition, pro-

vided, however, that any officer or officers of the surrendering Government so giving assistance, who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XIV.

This Convention shall take effect from the day of the exchange of the ratification thereof; but either Contracting Party may at any time terminate the same on giving to the other six months' notice of its intention to do so. Effect.

The ratification of the present Convention shall be exchanged at Washington as soon as possible. Exchange of ratifications.

In witness whereof the respective Plenipotentiaries have signed the above articles, and have hereunto affixed their seals.

Done in duplicate at the city of Washington, this 7th day of May, one thousand nine hundred and eight. Signatures.

ELIHU ROOT. [L. S.]
ALTE. [L. S.]

And whereas, the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged at Washington on the fourteenth day of November, one thousand nine hundred and eight; Ratification.

And whereas, in giving their advice and consent to the ratification of the said Convention, and as a part of the act of ratification, the Senate of the United States did, in a resolution adopted on May 22, 1908, state their understanding "that it is agreed by the United States that no person charged with crime shall be extraditable from Portugal upon whom the death penalty can be inflicted for the offence charged by the laws of the jurisdiction in which the charge is pending, and that this agreement on the part of the United States will be mentioned in the ratifications of the treaty and will, in effect, form part of the treaty."

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the understanding stated in the said resolution of the Senate. Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this fourteenth day of December in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States of America, the one hundred and thirty-third.

By the President:

ELIHU ROOT

Secretary of State.

THEODORE ROOSEVELT

Notes concerning the death penalty.

NOTES CONCERNING THE DEATH PENALTY, EXCHANGED BETWEEN THE PORTUGUESE MINISTER AND THE SECRETARY OF STATE AT THE TIME OF SIGNATURE OF THE EXTRADITION CONVENTION BETWEEN THE UNITED STATES AND PORTUGAL.

[Translation.]

The undersigned Envoy Extraordinary and Minister Plenipotentiary of His Most Faithful Majesty the King of Portugal and the Algarves has the honor to inform the Secretary of State of the United States that he has been instructed by His Excellency the Minister for Foreign Affairs of Portugal to place on record on behalf of the Portuguese Government, with reference to the Extradition Treaty which the Secretary of State and the undersigned have just signed, its understanding that the Government of the United States assures that the death penalty will not be enforced against criminals delivered by Portugal to the United States for any of the crimes enumerated in the said treaty, and that such assurance is, in effect, to form part of the treaty and will be so mentioned in the ratifications of the treaty.

Washington, May 7, 1908.

VISCONDE D' ALTE.

His Excellency ELIHU ROOT,

Secretary of State of the United States of America, etc., etc., etc.

DEPARTMENT OF STATE,

Washington, May 7, 1908.

In signing to-day with the Envoy Extraordinary and Minister Plenipotentiary of His Most Faithful Majesty the King of Portugal and of the Algarves the extradition treaty which was negotiated between the Government of the United States and that of Portugal, the undersigned Secretary of State has the honor to acknowledge and to take cognizance of the Minister's note of this day's date stating that he has been instructed by His Excellency the Minister for Foreign Affairs of Portugal to place on record, on behalf of the Portuguese Government, its under-

standing that the Government of the United States assures that the death penalty will not be enforced against criminals delivered by Portugal to the United States for any of the crimes enumerated in the said treaty, and that such assurance is, in effect, to form part of the treaty and will be so mentioned in the ratifications of the treaty.

In order to make this assurance in the most effective manner possible, it is agreed by the United States that no person charged with crime shall be extraditable from Portugal upon whom the death penalty can be inflicted for the offense charged by the laws of the jurisdiction in which the charge is pending.

This agreement on the part of the United States will be mentioned in the ratifications of the treaty and will in effect form part of the treaty.

ELIHU ROOT.

VISCONDE DE ALTE,
Minister of Portugal.

Naturalization convention between the United States and Portugal. Signed at Washington, May 7, 1908; ratification advised by the Senate, May 14, 1908; ratified by the President, November 6, 1908; ratified by Portugal, September 21, 1908; ratifications exchanged at Washington, November 14, 1908; proclaimed, December 14, 1908.

May 7, 1908.
35 Stat. L.,
pt. 2, p. 2082.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of Portugal, regulating the citizenship of those persons who emigrate from the one country to the other, was concluded and signed by their respective Plenipotentiaries at Washington on the seventh day of May one thousand nine hundred and eight, the original of which Convention, being in the English and Portuguese ^a languages, is word for word as follows:

The President of the United States of America and His Most Faithful Majesty the King of Portugal and of the Algarves, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to the territories of Portugal, and from the territories of Portugal to the United States of America, have resolved to treat on this subject, and have for that purpose appointed Plenipotentiaries to conclude a Convention, that is to say:

Naturaliza-
tion with Por-
tugal.
Preamble.

Contracting
Powers.

^a Portuguese text omitted.

Plenipotentiaries.

The President of the United States of America, Elihu Root, Secretary of State; and

His Most Faithful Majesty the King of Portugal and of the Algarves, Viscount de Alte, His Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America;

Who have agreed to and signed the following articles:

ARTICLE I.

Recognition of naturalization.

By Portugal.
By United States.

Subjects of Portugal who become naturalized citizens of the United States of America and shall have resided uninterruptedly within the United States five years shall be held by Portugal to be American citizens and shall be treated as such. Reciprocally, citizens of the United States of America who become naturalized subjects of Portugal and shall have resided uninterruptedly within Portuguese territory five years shall be held by the United States to be Portuguese subjects and shall be treated as such.

ARTICLE II.

Offenses committed before emigration.

Violation of emigration laws, etc.

A recognized citizen of the one party on returning to the territory of the other remains liable to trial and punishment for an action punishable by the laws of his original country, and committed before his emigration, but not for the emigration itself, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

The infraction of the legal provisions which in the country of origin regulate emigration shall not be held, for the purposes of this article, as pertaining to the emigration itself and, therefore, the transgressors of those provisions who return to the country of their origin are there liable to trial on account of any and whatever responsibility they may have incurred through such infraction.

ARTICLE III.

Renunciation of naturalization.

Intent not to return.

If a Portuguese subject naturalized in America, renews his residence in Portugal, without intent to return to America, he shall be held to have renounced his naturalization in the United States. Reciprocally, if an American naturalized in Portugal renews his residence in the United States, without intent to return to Portugal, he shall be held to have renounced his naturalization in Portugal.

The intent not to return may be held to exist when the person naturalized in one country resides more than two years in the other country.

ARTICLE IV.

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications, but if neither party shall have given to the other six months previous notice of its intention to terminate the same, it shall continue in force till six months after one of the contracting parties shall have notified the other of its intention to do so.

The ratifications of the present Convention shall be exchanged at Washington, as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the above articles and have hereunto affixed their seals.

Done in duplicate at Washington this seventh day of May one thousand nine hundred and eight.

ELIHU ROOT [SEAL]
ALTE [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the fourteenth day of November one thousand nine hundred and eight;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this fourteenth day of December, in the year of our Lord one thousand nine hundred and eight, and of the Independence [SEAL.] of the United States of America, the one hundred and thirty-third.

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

Secretary of State.

Oct. 14, 1905. *Sanitary Convention between the United States and other powers. Signed at Washington October 14, 1905; ratification advised by the Senate February 22, 1906; ratified by the President May 9, 1906; proclaimed March 1, 1909.*

35 Stat. L.,
pt. 2, p. 2094.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Sanitary convention between the United States and other American Republics.
Preamble.

Whereas a Convention between the United States of America, Chile, Costa Rica, Cuba, the Dominican Republic, Ecuador, Guatemala, Mexico, Nicaragua, Peru and Venezuela, providing measures to guard the public health against the invasion and propagation of yellow fever, plague and cholera, was concluded and signed by their respective Plenipotentiaries at the City of Washington on the 14th day of October, 1905, the original of which Convention, being in the English and Spanish ^a languages, is word for word as follows:

CONVENTION.

Contracting Powers.

The Presidents of the Republics of Chile, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Mexico, Nicaragua, Peru, United States of America, and Venezuela:

Scope of convention.

Having found that it is useful and convenient to codify all the measures destined to guard the public health against the invasion and propagation of yellow fever, plague and cholera, have designated as their Delegates, to wit:

Plenipotentiaries.

Republic of Chile, Sr. Dr. D. Eduardo Moore, Professor of the Medical Faculty, Hospital Physician;

Republic of Costa Rica, Sr. Dr. D. Juan J. Ulloa, ex-Vice-President, ex-Minister of the Interior of Costa Rica, ex-President of the Medical Faculty of Costa Rica;

Republic of Cuba, Sr. Dr. D. Juan Guiteras, Member of the Superior Board of Health of Cuba, Director of the "Las Animas" Hospital, Professor of General Pathology and Tropical Medicine of the University of Havana, and Sr. Dr. D. Enrique B. Barnet, Executive Chief of the Health Department of Havana, Member and Secretary of the Superior Board of Health of Cuba;

Republic of Ecuador, Sr. Dr. D. Serafin S. Wither, Chargé d'Affaires and Consul-General of Ecuador in New York, and Sr. Dr. D. Miguel H. Alcívar, Member of the Superior Board of Health of Guayaquil, Professor of the Medical Faculty and Surgeon of the General Hospital of Guayaquil;

^a Spanish text omitted.

Republic of the United States of America, Dr. Walter Wyman, Surgeon General of the Public Health and Marine Hospital Service of the United States; Dr. H. D. Geddings, Assistant Surgeon General of the Public Health and Marine Hospital Service of the United States, and representative of the United States at the Sanitary Convention of Paris; Dr. J. F. Kennedy, secretary of the board of health of the State of Iowa; Dr. John S. Fulton, secretary of the board of health of the State of Maryland; Dr. Walter D. McCaw, major, surgeon in the United States Army; Dr. J. D. Gatewood, surgeon in the United States Navy; Dr. H. L. E. Johnson, member of the American Medical Association, (member of the board of trustees);

Republic of Guatemala, Sr. Dr. D. Joaquín Yela, consul-general of Guatemala in New York;

Republic of Mexico, Sr. Dr. D. Eduardo Licéaga, president of the superior council of health of Mexico, director and professor of the National School of Medicine, member of the Academy of Medicine;

Republic of Nicaragua, Sr. Dr. D. J. L. Medina, member of the second Pan-American Medical Congress of the city of Havana in 1901;

Republic of Peru, Sr. Dr. D. Daniel Eduardo Lavería, professor of the medical faculty, member of the National Academy of Medicine, physician of the "Dos de Mayo" Hospital, chief of the division of hygiene of the ministry of fomento;

Dominican Republic, Sr. D. Emilio C. Joubert, minister resident in Washington; and

Republic of Venezuela, Sr. D. Nicolás Velozgoiticoa, chargé d'affaires of Venezuela,

Who, having made an interchange of their powers, and found them good, have agreed to adopt, ad referendum, the following propositions:

CHAPTER I.—*Regulations to be observed by the powers signatory to the convention as soon as plague, cholera or yellow fever may appear in their territory.* Regulations.

SECTION I.—*Notification and subsequent communications to other countries.*

ARTICLE I. Each government should immediately notify other governments of the first appearance in its territory of authentic cases of plague, cholera or yellow fever. Notification.

ARTICLE II. This notification is to be accompanied, or very promptly followed, by the following additional information: Additional information.

- (1) The neighborhood where the disease has appeared.
- (2) The date of its appearance, its origin, and its form.
- (3) The number of established cases, and the number of deaths.

(4) For plague: The existence among rats or mice of plague, or of an unusual mortality; for yellow fever: The existence of *stegomyia fasciata* in the locality.

(5) The measures taken immediately after the first appearance.

To whom sent.

ARTICLE III. The notification and the information prescribed in Articles I and II are to be addressed to diplomatic and consular agents in the capital of the infected country; but this is to be construed as not preventing direct communication between officials charged with the public health of the several countries.

For countries which are not thus represented, they are to be transmitted directly by telegraph to the governments of such countries.

Further communications.

ARTICLE IV. The notification and the information prescribed in Articles I and II are to be followed by further communications dispatched in a regular manner in order to keep the governments informed of the progress of the epidemic.

These communications, which are to be made at least once a week, and which are to be as complete as possible, should indicate in detail the precautions taken to prevent the extension of the disease.

They should set forth: First, the prophylactic measures taken relative to sanitary or medical inspection, to isolation and disinfection: Second, the measures taken relative to departing vessels to prevent the exportation of the disease, and, especially under the circumstances mentioned in paragraph 4 of Article II of this section, the measures taken against rats and mosquitoes.

Prompt notifications required.

ARTICLE V. The prompt and faithful execution of the preceding provisions is of the very first importance.

The notifications only have a real value if each government is warned in time of cases of plague, cholera or yellow fever and of suspicious cases of those diseases supervening in its territory. It cannot then be too strongly recommended to the various governments to make obligatory the declaration of cases of plague, cholera or yellow fever, and of giving information of all unusual mortality of rats and mice especially in ports.

Special arrangements for direct information.

ARTICLE VI. It is understood that neighboring countries reserve to themselves the right to make special arrangements with a view of organizing a service of direct information between the chiefs of administration upon the frontiers.

SECTION II.—*Conditions showing a given territorial area to be infected, or to have been freed from infection.*

Conditions affecting certain territorial area.

ARTICLE VII. Information of a first case of plague, cholera or yellow fever does not justify against a territorial area where it may appear, the application of the measures prescribed in Chapter II as hereinafter indicated.

Upon the occurrence of several non-imported cases of plague, or a non-imported case of yellow fever or when cases of cholera form a focus, the area is to be declared infected.

ARTICLE VIII. To limit the measures to the affected regions alone, governments should only apply them to persons and articles proceeding from the contaminated or infected areas. Limiting measures to affected regions.

By the word "area" is understood a well determined portion of territory described in the information which accompanies or follows notification, thus, a province, a state, "a government," a district, a department, a canton, an island, a commune, a city, a quarter of a city, a village, a port, a "polder," a hamlet, etc., whatever may be the extent and population of these portions of territory. Meaning of word "area."

But this restriction, limited to the infected area, should only be accepted upon the formal condition that the government of the infected country shall take the necessary measures; 1, to prevent, unless previously disinfected, the exportation of articles named in 1 and 2 of Article XII, coming from the contaminated area; and 2, measures to prevent the extension of the epidemic; and provided further that there be no doubt that the sanitary authorities of the infected country have faithfully complied with Article I of this Convention. Preventive measures by country affected.

When an area is infected, no restrictive measure is to be taken against departures from this area if these departures have occurred five days, at least, before the beginning of the epidemic.

ARTICLE IX. That an area should no longer be considered as infected, official proof must be furnished: Official proof of noninfection.

First, That there has been neither a death nor a new case of plague or cholera for five days after isolation,^a death, or cure of the last plague or cholera case. In the case of yellow fever the period shall be eighteen days, but each government may reserve the right to extend this period.

Second, That all the measures of disinfection have been applied; in the case of plague, that the precautions against rats have been observed, and in the case of yellow fever that the measures against mosquitoes have been executed.

CHAPTER II.—*Measures of defense by other countries against territories declared to be infected.* Measures against infected territories.

SECTION I.—*Publication of prescribed measures.*

ARTICLE X. The government of each country is obliged to immediately publish the measures which it believes Prescribed measures to be published.

^a The word "isolation" signifies isolation of the patient, of the persons who care for him and the forbidding of visits of all other persons, the physician excepted. By isolation in the case of yellow fever is understood the isolation of the patient in an apartment so screened as to prevent the access of mosquitoes.

necessary to take against departures either from a country or from an infected territorial area.

The said government is to communicate at once this publication to the diplomatic or consular agent of the infected country residing in its capital as well as to the International Sanitary Bureau.

Notice of revocation, etc.

The government shall be equally obliged to make known through the same channels the revocation of these measures or modifications which may be made in them.

In default of a diplomatic or consular agency in the capital, communications are made directly to the government of the country interested.

Merchandise and baggage.

SECTION II.—*Merchandise—Disinfection—Importation and Transit—Baggage.*

Treatment of.

ARTICLE XI. There exists no merchandise which is of itself capable of transmitting plague, cholera or yellow fever. It only becomes dangerous in case it is soiled by pestous or choleraic products, or, in the case of yellow fever, when such merchandise may harbor mosquitoes.

Fumigating transportation vehicles.

ARTICLE XII. No merchandise or objects shall be subjected to disinfection on account of yellow fever, but in cases covered by the previous article the vehicle of transportation may be subjected to fumigation to destroy mosquitoes. In the case of cholera and plague disinfection should only be applied to merchandise and objects which the local sanitary authority considers as infected.

Disinfecting, etc., merchandise.

Nevertheless, merchandise, or objects enumerated hereafter, may be subjected to disinfection, or prohibited entry, independently of all proof that they may or may not be infected:

Body linen, etc.

1. Body linen, wearing apparel in use, clothing which has been worn, bedding already used.

Household furniture.

When these objects are transported as baggage, or in the course of a change of residence (household furniture), they should not be prohibited, and are to be subjected to the regulations prescribed by Article XIX.

Soldiers' and sailors' baggage.

Baggage left by soldiers and sailors, and returned to their country after death, are considered as objects comprised in the first paragraph of No. 1 of this article.

Rags.

2. Rags, and rags for making paper, with the exception, as to cholera, of rags which are transported as merchandise in large quantities compressed in bales held together by hoops.

Shoddy, etc.

New clippings coming directly from spinning mills, weaving mills, manufactories or bleacheries, shoddy, and clippings of new paper, should not be forbidden.

Transit of merchandise through infected districts, etc.

ARTICLE XIII. In the case of cholera and plague there is no reason to forbid the transit through an infected district of merchandise, and the objects specified in Nos. 1 and 2 of the preceding article if they are so packed that they cannot have been exposed to infection in transit.

In like manner, when merchandise or objects are so transported that, in transit, they cannot come in contact with soiled objects, their transit across an infected territorial area should not be an obstacle to their entry into the country of destination.

ARTICLE XIV. The entry of merchandise and objects specified in Nos. 1 and 2 of Article XII should not be prohibited, if it can be shown to the authorities of the country of destination that they were shipped at least five days before the beginning of the epidemic. Articles not prohibited.

ARTICLE XV. The method and place of disinfection, as well as the measures to be employed for the destruction of rats, and mosquitoes, are to be fixed by authority of the country of destination, upon arrival at said destination. These operations should be performed in such a manner as to cause the least possible injury to the merchandise. Destruction of rats and mosquitoes.

It devolves upon each country to determine questions relative to the payment of damages resulting from disinfection, or from the destruction of rats or mosquitoes. Damages.

If taxes are levied by a sanitary authority, either directly or through the agency of any company or agent, to insure measures for the destruction of rats and mosquitoes on board ships, the amount of these taxes ought to be fixed by a tariff published in advance, and the result of these measures should not be a source of profit for either state or sanitary authorities. Taxes levied by sanitary authority.

ARTICLE XVI. Letters and correspondence, printed matter, books, newspapers, business papers, etc. (postal parcels not included), are not to be submitted to any restriction or disinfection. In case of yellow fever postal parcels are not to be subjected to any restrictions or disinfection. Letters, etc., not subject to restrictions, etc.

ARTICLE XVII. Merchandise, arriving by land or by sea, should not be detained permanently at frontiers or in ports. Merchandise at frontier ports.

Measures which it is permissible to prescribe with respect to them are specified in Article XII.

Nevertheless, when merchandise, arriving by sea in bulk (vrac) or in defective packages, is contaminated by pest-stricken rats during the passage, and is incapable of being disinfected, the destruction of the germs may be assured by putting said merchandise in a warehouse for a period to be decided by the sanitary authorities of the port of arrival. Merchandise contaminated during transit.

It is to be understood that the application of this last measure should not entail delay upon any vessel nor extraordinary expenses resulting from the want of warehouses in ports.

ARTICLE XVIII. When merchandise has been disinfected by the application of the measures prescribed in Article XII, or put temporarily in warehouses in accordance with the third paragraph of Article XVII, the Certificate to owner.

owner, or his representative, has the right to demand from the sanitary authority which has ordered such disinfection, or storage, a certificate setting forth the measures taken.

Baggage.

ARTICLE XIX. Baggage. In the case of soiled linen, bed clothing, clothing and objects forming a part of baggage or furniture coming from a territorial area declared contaminated, disinfection is only to be practiced in cases where the sanitary authority considers them as contaminated. There shall be no disinfection of baggage on account of yellow fever.

Measures in ports, etc.

SECTION III.—*Measures in ports and at maritime frontiers.*

Classification of vessels.

ARTICLE XX. Classification of ships. A ship is considered as infected which has plague, cholera or yellow fever on board, or which has presented one or more cases of plague or cholera within seven days, or a case of yellow fever at any time during the voyage.

A ship is considered as suspected on board of which there have been a case or cases of plague or cholera at the time of departure or during the voyage, but no new case within seven days; also such ships as have lain in such proximity to the infected shore as to render them liable to the access of mosquitoes.

The ship is considered *indemne*, which, although coming from an infected port, has had neither death nor case of plague, cholera or yellow fever on board, either before departure, during the voyage, or at the time of arrival, and which in the case of yellow fever has not lain in such proximity to the shore, as to render it liable, in the opinion of the sanitary authorities, to the access of mosquitoes.

Plague-infected ships.

ARTICLE XXI. Ships infected with plague are to be subjected to the following regulations:

1. Medical visit (Inspection).
2. The sick are to be immediately disembarked and isolated.
3. Other persons should also be disembarked, if possible, and subjected to an observation,^a which should not exceed five days dating from the day of arrival.
4. Soiled linen, personal effects in use, the belongings of crew^b and passengers which, in the opinion of the sanitary authorities are considered as infected should be disinfected.

5. The parts of the ship which have been inhabited by those stricken with plague, and such others as, in the

^a The word "observation" signifies isolation of the passengers, either on board ship or at a sanitary station before being given free pratique.

^b The term "crew" is applied to persons who may make, or, who have made, a part of the personnel of the vessel and of the administration thereof, including stewards, waiters, "cafedji," etc. The word is to be construed in this sense wherever employed in the present Convention.

opinion of the sanitary authorities are considered as infected, should be disinfected.

6. The destruction of rats on shipboard should be effected before or after the discharge of cargo, as rapidly as possible, and in all cases with a maximum delay of forty-eight hours, care being taken to avoid damage of merchandise, the vessel and its machinery.

For ships in ballast, this operation should be performed immediately before taking on cargo.

ARTICLE XXII. Ships suspected of plague, are to be subjected to the measures which are indicated in Nos. 1, 4 and 5 of Article XXI. ^{Suspected ships.}

Further, the crew and passengers may be subjected to observation, which should not exceed five days, dating from the arrival of the ship. During the same time, the disembarkment of the crew may be forbidden, except for reasons of duty.

The destruction of rats on shipboard is recommended. This destruction is to be effected before or after the discharge of cargo, as quickly as possible, and in all cases with a maximum delay of forty-eight hours, taking care to avoid damage to merchandise, ships, and their machinery.

For ships in ballast, this operation should be done, if done at all, as early as possible, and in all cases before taking on cargo.

ARTICLE XXIII. Ships *indemne* from plague are to be admitted to free pratique immediately, whatever may be the nature of their bill of health. ^{Non infected ships.}

The only regulation which the sanitary authorities at a port of arrival may prescribe for them consists of the following measures: ^{Measures at ports of arrival.}

1. Medical visit (inspection).
2. Disinfection of soiled linen, articles of wearing apparel, and the other personal effects of the crew and passengers, but only in exceptional cases when the sanitary authorities have special reason to believe them infected.
3. Without demanding it as a general rule, the sanitary authorities may subject ships coming from an infected port to a process for the destruction of the rats on board before or after the discharge of cargo. This operation should be done as soon as possible, and in all cases should not last more than twenty-four hours, care being taken to avoid damaging merchandise, ships, and their machinery, and without interfering with the passing of passengers and crew between the ship and the shore. For ships in ballast, this procedure, if practiced, should be put in operation as soon as possible, and in all cases before taking on cargo.

When a ship coming from an infected port has been subjected to a process for the destruction of rats, this process should only be repeated if the ship has touched

meanwhile at an infected port, and has been alongside a quay in such port, or if the presence of sick or dead rats on board is proven.

The crew and passengers may be subjected to a surveillance, which should not exceed five days, to be computed from the date when the ship sailed from the infected port. The landing of the crew may also, during the same time, be forbidden except for reasons of duty.

Competent authority at the port of arrival may always demand, under oath, a certificate of the ship's physician, or in default of a physician, of the captain, setting forth that there has not been a case of plague on board since departure, and that no marked mortality among the rats has been observed.

Ship with
plague-stricken
rats.

ARTICLE XXIV. When upon an *indemne* ship rats have been recognized as pest-stricken as a result of bacteriological examination, or when a marked mortality has been established among these rodents, the following measures should be applied:

1. Ships with plague-stricken rats:

(a) Medical visit (Inspection).

(b) Rats should be destroyed before or after the discharge of cargo, as rapidly as possible, and in all cases with a delay not to exceed forty-eight hours; the deterioration of merchandise, vessels and machinery to be avoided. Upon ships in ballast, this operation should be performed as soon as possible, and in all cases before taking on cargo.

(c) Such parts of the ship and such articles as the local sanitary authority regards as infected, shall be disinfected.

(d) Passengers and crew may be submitted to observation, the duration of which should not exceed five days, dating from the day of arrival, except in special cases where the sanitary authority may prolong the observation to a maximum of ten days.

Ships where
marked mortal-
ity among rats
exists.

2. Ships where a marked mortality among rats is observed:

(a) Medical visit (Inspection).

(b) An examination of rats, with a view to determining the existence of plague, should be made as quickly as possible.

(c) If the destruction of rats is judged necessary, it shall be accomplished under the conditions indicated above in the case of ships with plague-stricken rats.

(d) Until all suspicion may be eliminated, the passengers and crew may be submitted to observation the duration of which should not exceed five days, counting from the date of arrival, except in special cases, when the sanitary authority may prolong the observation to a maximum of ten days.

Certificate to
captain, etc.,
of ship.

ARTICLE XXV. The sanitary authorities of the port must deliver to the captain, the owner, or his agent, whenever a demand for it is made, a certificate setting forth

that the measures for the destruction of rats have been efficacious and indicating the reasons why these measures have been applied.

ARTICLE XXVI. Ships infected with cholera are to be subjected to the following regulations: Cholera-infected ships.

1. Medical visit (Inspection).

2. The sick are to be immediately disembarked and isolated.

3. Other persons ought also to be disembarked, if possible, and subjected, dating from the arrival of the ship, to an observation, the duration of which shall not exceed five days.

4. Soiled linen, wearing apparel, and personal effects of crew and passengers which, in the opinion of the sanitary authority of the port, are considered as infected, are to be disinfected.

5. The parts of the ship which have been inhabited by persons sick with cholera, or which are considered by the sanitary authority as infected are to be disinfected.

6. The bilge-water is to be discharged after disinfection.

The sanitary authority may order the substitution of good potable water for that which is contained in the tanks on board.

The discharge or throwing overboard into the water of a port, of dejecta, shall be forbidden unless they have been previously disinfected.

ARTICLE XXVII. Ships suspected of cholera are to be subjected to measures prescribed under Nos. 1, 4, 5 and 6 of Article XXVI. Cholera-suspected ships.

The crew and passengers may be subjected to an observation which should not exceed five days, to date from the arrival of the ship. It is recommended during the same time to prevent the debarkation of the crew except for reasons of duty.

ARTICLE XXVIII. Ships *indemne* of cholera are to be admitted to free pratique immediately, whatever may be the nature of their bill of health. Ships not suspected of cholera.

The only regulations which the sanitary authorities of a port may prescribe in their case are the measures provided in Nos. 1, 4 and 6 of Article XXVI. Regulations.

The crews and passengers may be submitted, in order to show their state of health, to an observation, which should not exceed five days to be computed from the date when the ship sailed from the infected port.

It is recommended that during the same time the debarkation of the crew be forbidden except for reasons of duty.

Competent authority at the port of arrival may always demand, under oath, a certificate from the ship's surgeon, or, in the absence of a surgeon, from the captain, setting forth that there has not been a case of cholera upon the ship since sailing.

Physician,
etc., on board.

ARTICLE XXIX. Competent authority will take account, in order to apply the measures indicated in Articles XXI to XXVIII, of the presence of a physician on board and a disinfecting apparatus in ships of the three categories mentioned above.

In regard to plague, it will equally take account of the installation on board of apparatus for the destruction of rats.

Sanitary authorities of such countries, where it may be convenient to make such regulations, may dispense with the medical visit and other measures toward *indemne* ships which have on board a physician specially commissioned by their country.

Emigrant,
etc., ships.

ARTICLE XXX. Special measures may be prescribed in regard to crowded ships, notably emigrant ships, or any other ship presenting bad hygienic conditions.

Ships object-
ing to enforce-
ment of regu-
lations.

ARTICLE XXXI. Any ship not desiring to be subjected to the obligations imposed by the authority of the port in virtue of the stipulations of the present Convention is free to proceed to sea.

It may be authorized to disembark its cargo after the necessary precautions shall have been taken; namely, First, isolation of the ship, its crew and passengers; Second, in regard to plague, demand for information relative to the existence of an unusual mortality among rats; Third, in regard to cholera, the discharge of the bilgewater after disinfection and the substitution of a good potable water for that which is provided on board the ship.

Authority may also be granted to disembark such passengers as may demand it, upon condition that these submit themselves to all measures prescribed by the local authorities.

Disinfected
vessels arriv-
ing from infect-
ed ports.

ARTICLE XXXII. Ships coming from a contaminated port, which have been disinfected and which may have been subjected to sanitary measures applied in an efficient manner, shall not undergo a second time the same measures upon their arrival at a new port, provided that no new case shall have appeared since the disinfection was practiced, and that the ships have not touched in the meantime at an infected port.

When a ship only disembarks passengers and their baggage, or the mails, without having been in communication with terra firma it is not to be considered as having touched at a port, provided that in the case of yellow fever it has not approached sufficiently near the shore to permit the access of mosquitoes.

Certificates to
passengers of
infected ships.

ARTICLE XXXIII. Passengers arriving on an infected ship have the right to demand of the sanitary authority of the port a certificate showing the date of their arrival and the measures to which they and their baggage have been subjected.

ARTICLE XXXIV. Packet boats shall be subjected to special regulations, to be established by mutual agreement between the countries in interest. Packet boats subject to special regulations.

ARTICLE XXXV. Without prejudice to the right which governments possess to agree upon the organization of common sanitary stations, each country should provide at least one port upon each of its seaboard, with an organization and equipment sufficient to receive a vessel, whatever may be its sanitary condition. Sanitary equipments for certain ports.

When an *indemne* vessel, coming from an infected port, arrives in a large mercantile port, it is recommended that she be not sent to another port for the execution of the prescribed sanitary measures. Indemne vessels from infected ports.

In every country, ports liable to the arrival of vessels from ports infected with plague, cholera or yellow fever, should be equipped in such a manner that *indemne* vessels may there undergo, immediately upon their arrival the prescribed measures, and not be sent for this purpose to another port.

Governments should make declaration of the ports which are open in their territories to arrivals from ports infected with plague, cholera or yellow fever. Declaration concerning open ports.

ARTICLE XXXVI. It is recommended that in large seaports there be established: Medical service, etc., in large seaports.

(a) A regular medical service and a permanent medical supervision of the sanitary conditions of crews, and the inhabitants of the port.

(b) Places set apart for the isolation of the sick and the observation of suspected persons. In the stegomyia belt there must be a building or part of a building screened against mosquitoes, and a launch and ambulance similarly screened.

(c) The necessary installation for efficient disinfection and bacteriological laboratories.

(d) A supply of potable water above suspicion, for the use of the port, and the installation of a system of sewerage and drainage, adequate for the removal of refuse.

SECTION IV.—*Measures upon land frontiers—Travelers—Railroads—Frontier Zones—River Routes.*

Measures for frontier zones, etc.

ARTICLE XXXVII. Land quarantines should no longer be established, but the governments reserve the right to establish camps of observation if they should be thought necessary for the temporary detention of suspects. Temporary detention of suspects.

This principle does not exclude the right for each country to close a part of its frontier in case of necessity.

ARTICLE XXXVIII. It is important that travelers should be submitted to a surveillance on the part of the personnel of railroads, to determine their condition of health. Surveillance of railroad passengers.

ARTICLE XXXIX. Medical intervention is limited to a visit (inspection) with the taking of temperature of Limitations on medical intervention.

travelers, and the succor to be given to those actually sick. If this visit is made, it should be combined as much as possible with the customhouse inspection to the end that travelers may be detained as short a time as possible. Only persons evidently sick should be subjected to a searching medical examination.

Surveillance of persons from infected districts.

ARTICLE XL. As soon as travelers, coming from an infected locality, shall have arrived at their destination, it would be of the greatest utility to submit them to a surveillance which should not exceed ten or five days, counting from the date of departure, the time depending upon whether it is a question of plague or cholera. In case of yellow fever the period should be six days.

Emigrants, etc.

ARTICLE XLI. Governments may reserve to themselves the right to take particular measures in regard to certain classes of persons, notably vagabonds, emigrants and persons traveling or passing the frontier in bands.

Passenger and mail cars not to be retained, etc.

ARTICLE XLII. Coaches intended for the transportation of passengers and mails should not be retained at frontiers.

In order to avoid this retention a system of relays ought to be established at frontiers, with transfer of passengers, baggage and mails. If one of these carriages be infected or shall have been occupied by a person suffering from plague, cholera or yellow fever, it shall be detached from the train for disinfection at the earliest possible moment.

Railroad and post-office personnel.

ARTICLE XLIII. Measures concerning the passing of frontiers by the personnel of railroads and of the Post Office are a matter for agreement of the sanitary authorities concerned. These measures should be so arranged as not to hinder the service.

Regulation of frontier traffic, etc.

ARTICLE XLIV. The regulation of frontier traffic, as well as the adoption of exceptional measures of surveillance should be left to special arrangement between contiguous countries.

River routes.

ARTICLE XLV. The power rests with governments of countries bordering upon rivers to regulate by special arrangement the sanitary regime of river routes.

Yellow-fever regulations.

ARTICLES RELATING TO YELLOW FEVER.

Infected ships.

ARTICLE XLVI. Ships infected with yellow fever are to be subjected to the following regulations:

1. Medical visit (Inspection).
2. The sick are to be immediately disembarked, protected by netting against the access of mosquitoes and transferred to the place of isolation in an ambulance or a litter similarly screened.
3. Other persons should also be disembarked if possible, and subjected to an observation of six days, dating from the day of arrival.
4. In the place set apart for observation, there shall be screened apartments or cages where anyone presenting

an elevation of temperature above 37.6 degrees Centigrade shall be screened until he may be carried in the manner indicated above to the place of isolation.

5. The ship shall be moored at least two hundred metres from the inhabited shore.

6. The ship shall be fumigated for the destruction of mosquitoes before the discharge of cargo, if possible. If a fumigation be not possible before the discharge of the cargo, the health authorities shall order, either

(a) The employment of immune persons for discharging the cargo, or

(b) If non-immunes be employed they shall be kept under observation during the discharging of cargo and for six days, to date from the last day of exposure on board.

ARTICLE XLVII. Ships suspected of yellow fever are to be subjected to the measures which are indicated in Nos. 1, 3 and 5 of the preceding article; and, if not fumigated, the cargo shall be discharged as directed under subparagraph (a) or (b) of the same article. Suspected ships.

ARTICLE XLVIII. Ships *indemne* from yellow fever, coming from an infected port, after the medical visit (inspection), shall be admitted to free pratique, provided the duration of the trip has exceeded six days. Ships indemne.

If the trip be shorter, the ship shall be considered as suspected until the completion of a period of six days, dating from the day of departure.

If a case of yellow fever develop during the period of observation, the ship shall be considered as infected.

ARTICLE XLIX. All persons who can prove their immunity to yellow fever, to the satisfaction of the health authorities shall be permitted to land at once. Immunes.

ARTICLE L. It is agreed that in the event of a difference of interpretation of the English and Spanish texts, the interpretation of the English text shall prevail. English text.

TRANSITORY DISPOSITION.

The governments which may not have signed the present Convention are to be admitted to adherence thereto upon demand; notice of this adherence to be given through diplomatic channels to the government of the United States of America and by the latter to the other signatory governments. Adherence.

Made and signed in the City of Washington on the 14th day of the month of October, nineteen hundred and five, in two copies, in English and Spanish respectively, which shall be deposited in the State Department of the Government of the United States of America, in order that certified copies thereof, in both English and Spanish, may be made to transmit them through diplomatic channels to each one of the signatory countries. Signatures.

[Here signatures follow.]

Ratification. And whereas the said Convention has been duly ratified by the United States of America, Costa Rica, Cuba, Ecuador, Guatemala, Mexico, Nicaragua, Peru, and Venezuela;

Notice of adherence. And whereas as provided for in the said Convention notice of adherence to the said Convention has been given through diplomatic channels to the Government of the United States of America by the Governments of Brazil, Colombia, Honduras and Salvador;

Proclamation. Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Given under my hand at the City of Washington this first day of March, in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ROBERT BACON

Secretary of State.

PROCLAMATIONS BY THE PRESIDENT.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. July 20, 1907.

35 Stat. L.,
pt. 2, p. 2148.

A PROCLAMATION.

WHEREAS, it appears that the public good would be promoted by excluding certain lands from the Alexander Archipelago National Forest, in the Territory of Alaska, established by proclamation issued August twentieth, nineteen hundred and two;

Alexander
Archipelago
National For-
est, Alaska,
Preamble.

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," do proclaim that the area of the said National Forest is hereby changed, and that it now contains Chichagof Island and the adjacent islands to the seaward thereof, Kupreanof Island, Kuiu Island, Zarembo Island, and Prince of Wales Island and the adjacent islands to the seaward thereof, in Alaska, excepting all that portion of Kasaan Peninsula, forming a part of Prince of Wales Island, which lies southeast of a line beginning at a point on Kasaan Bay due west of the United States Location Monument Number 5, and running thence, north 44° 42' east, 6,996 feet (approximately) to the most southwesterly point on the bay known as Lyman Anchorage: Provided, that this proclamation shall not be so construed as to deprive any person of any valid right possessed under the Treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the thirtieth day of March, eighteen hundred and sixty-seven, or acquired under any act of Congress relating to the Territory of Alaska;

Boundaries
modified.

Proviso.
Valid rights
not affected.

Excepting from the force and effect of this proclamation all lands which are at this date embraced in any legal entry or covered by any lawful filing or selection duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, if the statutory period within which to make entry or filing of record has not expired; and also

Lands ex-
cepted.

excepting all lands which at this date are embraced within any withdrawal or reservation for any use or purpose with which this reservation for forest uses is inconsistent: Provided, that these exceptions shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, or settlement was made, or unless the reservation or withdrawal with which this reservation is inconsistent continues in force; not excepting from the force and effect of this proclamation, however, any part of the aforesaid National Forest which may have been withdrawn to protect the coal therein, but this proclamation does not vacate any such coal land withdrawal; and provided that these exceptions shall not apply to any land embraced in any selection, entry, or filing, which may have been permitted to remain of record subject to the creation of a permanent reservation.

Coal lands.

Lands restored to public domain.

The lands hereby excluded from the aforesaid National Forest which are not embraced in any other withdrawal, reservation, or appropriation, shall be restored to the public domain and become subject to settlement, appropriation, and disposition under the provisions, conditions, and restrictions applicable to such lands on such date and after such notice by publication as the Secretary of the Interior may prescribe, and no person will be permitted to gain or exercise any right whatever under any settlement or occupation begun prior to such date and all such settlements and occupations are hereby forbidden.

Reserved from settlement.

Warning is hereby given to all persons not to make settlement upon any of the lands reserved by this proclamation, unless and until they are listed by the Secretary of Agriculture and opened to homestead settlement or entry by the Secretary of the Interior under the Act of Congress, approved June eleventh, nineteen hundred and six, entitled, "An Act To provide for the entry of Agricultural lands within forest reserves:" Provided, That lands heretofore restored to settlement or entry under the provisions of the foregoing act shall be excepted from the force and effect of this proclamation.

Lands excepted.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 20th day of July, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-second.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. July 23, 1907.

35 Stat. L.,
pt. 2, p. 2149.

A PROCLAMATION.

Whereas, the public lands in the Territory of Alaska, which are hereinafter indicated, are in part covered with timber, and it appears that the public good would be promoted by utilizing said lands as a National Forest;

Chugach National Forest, Alaska.
Preamble.

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," do proclaim that there are hereby reserved from settlement, entry, or sale, and set apart as a public reservation, for the use and benefit of the people, all the tracts of land, in the Territory of Alaska, shown as the Chugach National Forest on the diagram forming a part hereof, and further described as follows: All of the public land lying within a line beginning at the southern extremity of Cape Puget, Alaska, on the east coast of Kenai Peninsular; thence in a general northerly direction, following the coast line, to the western extremity of Portage Bay; thence northwesterly to the divide between Turnagain Arm and Portage Bay; thence in a general northerly direction along the divide between Knik Arm and Port Welles and in a general easterly direction along the main divide of the Chugach Mountains, continuing thence to a point on left bank of Copper River opposite the northern extremity of Cottonwood Island; thence southerly, down left bank of said Copper River, to its southern extremity; thence in a southwesterly direction to the southern extremity of Cape Cleare; thence in a northwesterly direction to the southern extremity of Cape Puget, the place of beginning, and embracing all islands within said described line;

National forest, Alaska.

Description.

Excepting from the force and effect of this proclamation the several areas contained within boundaries formed by circles described with a radius of a mile, each, from the centers of the following named towns and settlements, to wit: Eyak, Orca, Tahtelahk, Ellamar, Valdez, Fort Liscum, Einiklik, Chenaga, Nutchek and Latouche:

Lands excepted.

Provided, that this proclamation shall not be so construed as to deprive any person of any valid right possessed under the Treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the thirtieth day of March, eighteen hundred and sixty-seven, or acquired under any act of Congress relating to the Territory of Alaska;

Proviso. Valid rights not affected.

And further accepting from the force and effect of this proclamation all lands which are at this date embraced in any legal entry or covered by any lawful filing or selection duly of record in the proper United States Land

Lands excepted.

Office, or upon which any valid settlement has been made pursuant to law, if the statutory period within which to make entry or filing of record has not expired; and also excepting all lands which at this date are embraced within any withdrawal or reservation for any use or purpose with which this reservation for forest uses is inconsistent: Provided, that these exceptions shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, or settlement was made, or unless the reservation or withdrawal with which this reservation is inconsistent continues in force; not excepting from the force and effect of this proclamation, however, any part of the National Forest hereby established which may have been withdrawn to protect the coal therein, but this proclamation does not vacate any such coal land withdrawal; and provided that these exceptions shall not apply to any land embraced in any selection, entry, or filing, which may have been permitted to remain of record subject to the creation of a permanent reservation.

Coal lands.

Reserved from settlement.

Warning is hereby given to all persons not to make settlement upon any of the lands reserved by this proclamation, unless and until they are listed by the Secretary of Agriculture and opened to homestead settlement or entry by the Secretary of the Interior under the Act of Congress, approved June eleventh, nineteen hundred and six, entitled, "An Act To provide for the entry of Agricultural lands within forest reserves."

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 23d day of July, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-second.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ROBERT BACON

Acting Secretary of State.

Sept. 10, 1907. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

35 Stat. L.,
pt. 2, p. 2152.

A PROCLAMATION.

Tongass National Forest, Alaska.

Preamble.

National forest, Alaska.

Whereas, the public lands in the Territory of Alaska, which are hereinafter indicated, are in part covered with timber, and it appears that the public good would be promoted by utilizing said lands as a National Forest;

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me

CHUGACH NATIONAL FOREST ALASKA

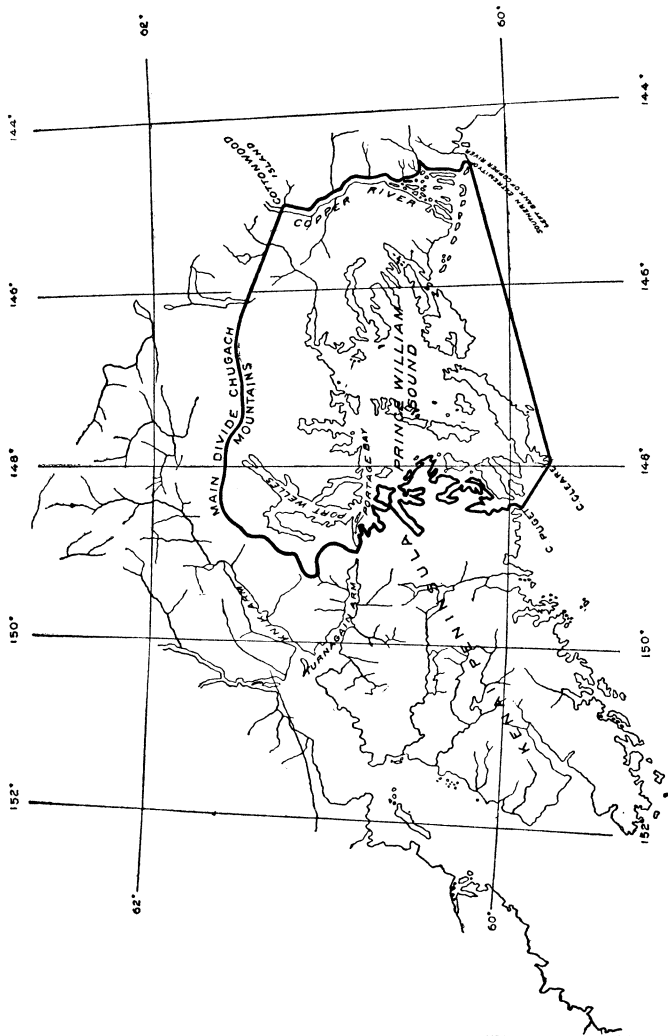
FOREST SERVICE U.S. DEPT. OF AGRICULTURE
1933

— NATIONAL FOREST BOUNDARY

LONGITUDE WEST FROM GREENWICH

COASTLINE FORMING A PART OF PROCLAMATION

DATED JULY 23, 1907.3



vested by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," do proclaim that there are hereby reserved from settlement, entry, or sale, and set apart as a public reservation, for the use and benefit of the people, all the tracts of land in the Territory of Alaska, shown as the Tongass National Forest on the diagram forming a part hereof:

Provided, that this proclamation shall not be so construed as to deprive any person of any valid right possessed under the Treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the thirtieth day of March, eighteen hundred and sixty-seven, or acquired under any act of Congress relating to the Territory of Alaska;

Provido.
Valid rights
not affected.

Excepting from the force and effect of this proclamation all lands which are at this date embraced in any legal entry or covered by any lawful filing or selection duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, if the statutory period within which to make entry or filing of record has not expired; and also excepting all lands which at this date are embraced within any withdrawal or reservation for any use or purpose with which this reservation for forest uses is inconsistent: *Provided*, that these exceptions shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, or settlement was made, or unless the reservation or withdrawal with which this reservation is inconsistent continues in force; not excepting from the force and effect of this proclamation, however, any part of the National Forest hereby established which may have been withdrawn to protect the coal therein, but this proclamation does not vacate any such coal land withdrawal; and provided that these exceptions shall not apply to any land embraced in any selection, entry, or filing, which may have been permitted to remain of record subject to the creation of a permanent reservation.

Lands ex-
cepted.

Coal lands.

Warning is hereby given to all persons not to make settlement upon any of the lands reserved by this proclamation, unless and until they are listed by the Secretary of Agriculture and opened to homestead settlement or entry by the Secretary of the Interior under the Act of Congress, approved June eleventh, nineteen hundred and six, entitled, "An Act To provide for the entry of Agricultural lands within forest reserves:" *Provided*, That lands heretofore restored to settlement or entry under the provisions of the foregoing act shall be excepted from the force and effect of this proclamation.

Reserved
from settle-
ment.

Lands ex-
cepted.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 10th day of September, in the year of our Lord one thousand nine hundred and seven, and of the Independence of [SEAL.] the United States the one hundred and thirty-second.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Sept. 18, 1907. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

35 Stat. L.,
pt. 2, p. 2153.

A PROCLAMATION.

Chugach National Forest,
Alaska.
Preamble.

Whereas, it appears that the public good would be promoted by excluding certain lands from the Chugach National Forest, in the Territory of Alaska, established by proclamation issued July twenty-third, nineteen hundred and seven;

Boundaries
modified.

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," do proclaim that the area of the said National

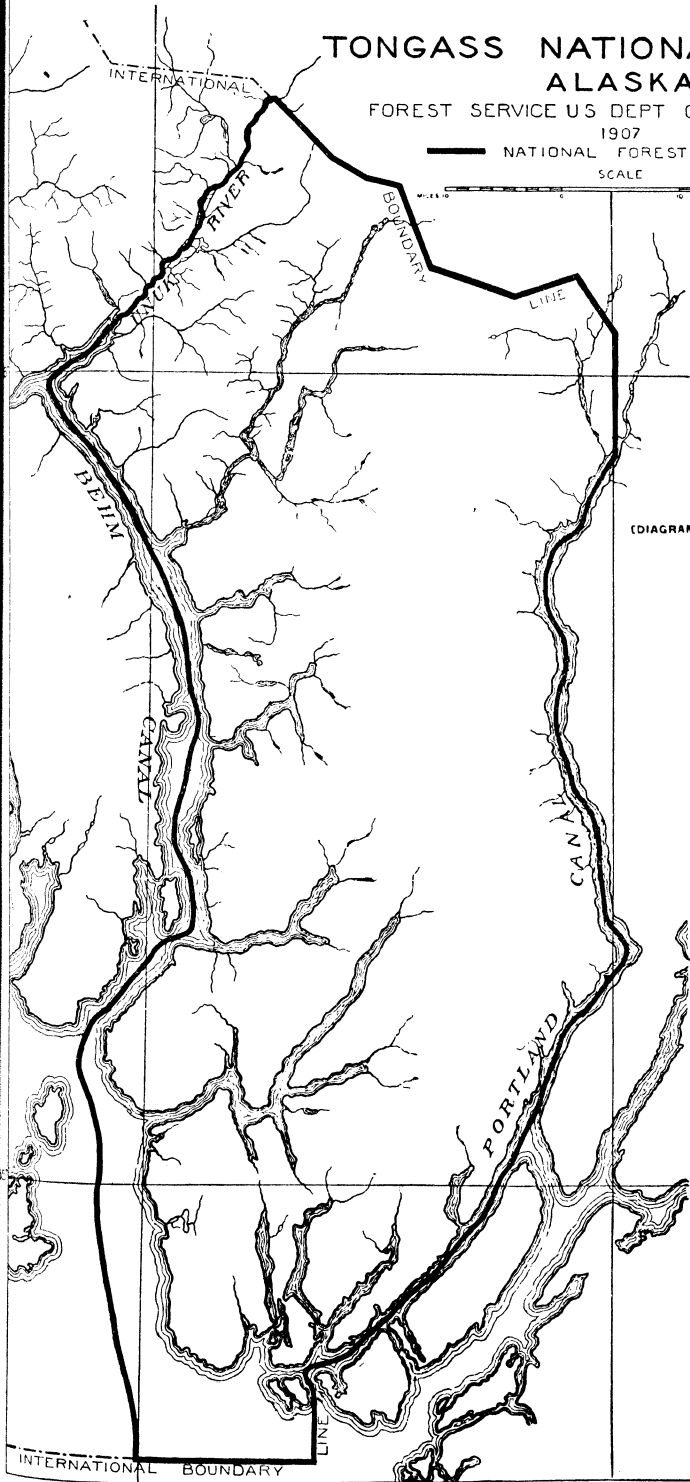
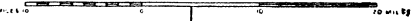
Description.

Forest is hereby changed to exclude therefrom a tract of land extending one mile back from the tide line, on both sides of the bay known as Valdez Arm, following the tide line from its intersection with the line of $146^{\circ} 30'$ longitude west from Greenwich, easterly around the head of the Valdez Arm; and that the aforesaid National Forest now contains, with the exception of the lands hereby excluded, all of the tracts of land, in the Territory of Alaska, shown as the Chugach National Forest on the diagram forming a part hereof; and further described as follows: All of the public land lying within a line beginning at the southern extremity of Cape Puget, Alaska, on the east coast of Kenai Peninsula; thence in a general northerly direction, following the coast line, to the western extremity of Portage Bay; thence northwesterly to the divide between Turnagain Arm and Portage Bay; thence in a general northerly direction along the divide between Knik Arm and Port Welles and in a general easterly direction along the main divide of the Chugach Mountains, continuing thence to a point on left bank of Copper River opposite the northern extremity of Cottonwood Island; thence southerly, down left bank of said Copper River, to its southern extremity; thence in a southwesterly direction to the southern extremity of Cape Cleare; thence in a

TONGASS NATIONAL FOREST ALASKA

FOREST SERVICE US DEPT OF AGRICULTURE
1907

— NATIONAL FOREST BOUNDARY
SCALE



(DIAGRAM FORMING A PART OF PROCLAMATION
DATED SEPTEMBER 10, 1907.)

INTERNATIONAL BOUNDARY

131°

130° West from Greenwich

northwesterly direction to the southern extremity of Cape Puget, the place of beginning, and embracing all islands within said described line; excepting from the force and effect of this proclamation the several areas contained within boundaries formed by circles described with a radius of a mile, each, from the centers of the following named towns and settlements, to wit: Eyak, Orca, Tahtetlahk, Ellamar, Valdez, Fort Liscum, Einiklik, Chenaga, Nutchek and Latouche;

Provided, that this proclamation shall not be construed so as to deprive any person of any valid right possessed under the Treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the thirtieth day of March, eighteen hundred and sixty-seven, or acquired under any act of Congress relating to the Territory of Alaska;

Proviso.
Valid rights
not affected.

And further excepting from the force and effect of this proclamation all lands which are at this date embraced in any legal entry or covered by any lawful filing or selection duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, if the statutory period within which to make entry or filing of record has not expired; and also excepting all lands which at this date are embraced within any withdrawal or reservation for any use or purpose with which this reservation for forest uses is inconsistent: *Provided*, that these exceptions shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, or settlement was made, or unless the reservation or withdrawal with which this reservation is inconsistent continues in force; not excepting from the force and effect of this proclamation, however, any part of the aforesaid National Forest which may have been withdrawn to protect the coal therein, but this proclamation does not vacate any such coal land withdrawal; and provided that these exceptions shall not apply to any land embraced in any selection, entry, or filing, which may have been permitted to remain of record subject to the creation of a permanent reservation.

Lands ex-
cepted.

Coal lands.

The lands hereby excluded from the aforesaid National Forest which are not embraced in any other withdrawal, reservation, or appropriation, shall be restored to the public domain and become subject to settlement, appropriation, and disposition under the provisions, conditions, and restrictions applicable to such lands on such date and after such notice by publication as the Secretary of the Interior may prescribe, and no person will be permitted to gain or exercise any right whatever under any settlement or occupation begun prior to such date and all such settlements and occupations are hereby forbidden.

Lands re-
stored to pub-
lic domain.

Warning is hereby given to all persons not to make settlement upon any of the lands reserved by this procla-

Reserved
from settle-
ment.

Lands ex-
cepted.

mation, unless and until they are listed by the Secretary of Agriculture and opened to homestead settlement or entry by the Secretary of the Interior under the Act of Congress, approved June eleventh, nineteen hundred and six, entitled, "An Act To provide for the entry of Agricultural lands within forest reserves:" Provided, that lands heretofore restored to settlement or entry under the provisions of the foregoing act shall be excepted from the force and effect of this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 18th day of September, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-second.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Jan. 28, 1908.

35 Stat. L.,
pt. 2, p. 2178.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Reciprocity
with France.
Preamble.

Whereas the Government of the United States of America and the Government of the French Republic have entered into an additional Commercial Agreement, signed on the 28th day of January, 1908, by which the application of the minimum rate under the third section of the Tariff Act of the United States, approved July 24, 1897, to champagne and all other sparkling wines is provided for in return for certain specified concessions in favor of products of the United States, including Porto Rico, which concessions, in the judgment of the President, are reciprocal and equivalent:

Reduced du-
ties on French
products.

Therefore, be it known that I, Theodore Roosevelt, President of the United States of America, acting under the authority conferred by said Act of Congress, do hereby conditionally suspend, from the first day of February, 1908, and during the time and in accordance with the terms of the aforesaid Additional Agreement, signed January 28th, 1908, the imposition and collection of the duties imposed by the first section of said Act upon the articles hereinafter specified, being the products of the soil and industry of France; and do declare in place thereof the rates of duty provided in the third section of said Act to be in force, as follows:

Articles af-
fected.

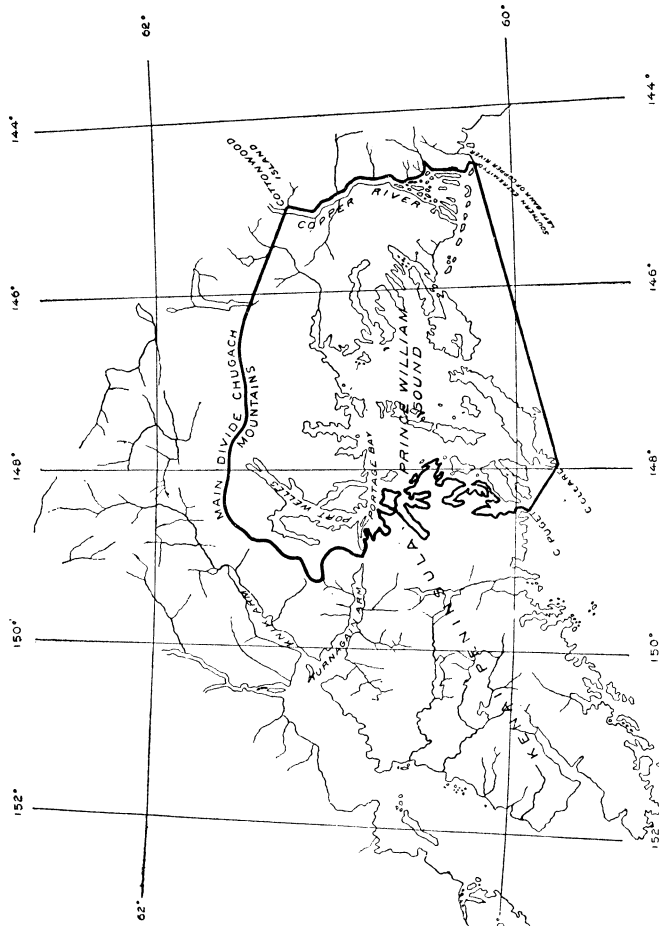
On champagne and all other sparkling wines, in bottles containing not more than one quart and more than one pint, six dollars per dozen; containing not more than one pint each and more than one-half pint, three dollars

CHUGACH NATIONAL FOREST ALASKA

FOREST SERVICE U S DEPT OF AGRICULTURE
1937

— NATIONAL FOREST BOUNDARY
LONGITUDE WEST FROM GREENWICH

DIAGRAM FORMING A PART OF PROCLAMATION
DATED SEPTEMBER 18, 1907



per dozen; containing one-half pint each or less, one dollar and fifty cents per dozen; in bottles or other vessels containing more than one quart each, in addition to six dollars per dozen bottles on the quantities in excess of one quart, at the rate of one dollar and ninety cents per gallon.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-eighth day of January, in the year of our Lord one thousand nine hundred and eight, and of the [SEAL.] Independence of the United States the one hundred and thirty-second.

THEODORE ROOSEVELT.

By the President :

ELIHU ROOT

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES.

Aug. 4, 1908.

35 Stat. L.,
pt. 2, p. 2197.

A PROCLAMATION.

Whereas, by "An Act to readjust the boundaries of the naval reservations in Porto Rico established in pursuance of the Act of July first, nineteen hundred and two," approved March 4, 1907, the President is authorized by proclamation to cede, transfer, and convey to the government of Porto Rico, to be held and disposed of for the use and benefit of the people of said island, such portions as are not needed for naval purposes of the tract of eighty acres of public land lying along the Caguas road, city of San Juan, Porto Rico, reserved by paragraph marked one of the Executive proclamation of June twenty-six, nineteen hundred and three, for the use of the United States in pursuance of the provisions of the Act of July first, nineteen hundred and two, upon the condition that the government of Porto Rico shall, by proper authority, cede, convey, release, and transfer to the United States the following described tracts of land, together with all buildings and improvements thereon:

Porto Rico.
Exchange of
lands with.
Preamble.

(1) That tract or parcel of land containing about eleven (11) acres extending east from the new wireless station, between the north line of the survey heretofore made by the Navy Department and the south line of the military reservation, to the tract of four and fifty-nine one-hundredths (4.59) acres belonging to and reserved by the insular government for jail or penitentiary purposes;

Lands ceded
to the United
States.

(2) That triangular tract or parcel of land containing seven-tenths (.7) of an acre, lying to the northward of the western portion of the present naval hospital reservation, extending to the army reservation line;

(3) All public lands of Porto Rico south of the scarp wall on the Barrio de la Puntilla; and

Whereas, the government of Porto Rico, by an act of the Legislative Assembly of said Island, entitled "An Act to authorize the Governor of Porto Rico to convey to the United States certain tracts of land," approved March 14, 1907, authorized the Governor of Porto Rico, in the name of the people of Porto Rico, to execute a deed or deeds ceding and releasing to the United States the above-described three tracts of land; and

Whereas, Regis H. Post, Governor of Porto Rico, acting for the people of Porto Rico and under the authority conferred upon him by the above-mentioned act, and Commodore Karl Rohrer, U. S. Navy, acting on behalf of the United States, did on April 27, 1908, execute a certain deed, No. 48, before Herminio Diaz Navarrio, Attorney and Notary Public at San Juan, Porto Rico, whereby (among other things) the above-described three tracts of land are ceded, renounced, and transferred by the people of Porto Rico to the United States for naval purposes;

Lands ceded
to Porto Rico.

Now, Therefore, I, Theodore Roosevelt, President of the United States, by virtue of the authority in me vested, and in pursuance of said Act of Congress, approved March 4, 1907, do hereby cede, transfer, and convey to the government of Porto Rico to be held and disposed of for the use and benefit of the people of said Island, all of the said tract of eighty acres of public land lying along the Caguas road, city of San Juan, Porto Rico, heretofore, by Executive proclamation of January twenty-six, nineteen hundred and three, reserved for the use of the United States for naval purposes, EXCEPT the following described tracts of land, embraced within the said eighty acres of public land:

Lands ex-
cepted.

(1) The parcels upon which are located the Naval Hospital property and the old wireless station, about three and seven-tenths (3.7) acres;

(2) The tract containing about two and six-tenths (2.6) acres connected with the Naval Hospital site by a strip of land about twenty-two (22) feet wide, and extending eastward of the ground occupied by Asilo de Ancianos Desamparados, including said connecting strip of land but not including the four-tenths (.4) of an acre, now occupied by a Catholic church and vicarage;

(3) The land occupied by the caminero (road section) house, containing about three-tenths (.3) of an acre, adjoining the new wireless station;

(4) The parcel containing about ten (10) acres extending from the new wireless station eastward along the north side of the Caguas road, between the north line of said road and the south line of the tract belonging to the Insular Government, to the proposed site of the United States Marine Hospital, excepting therefrom a strip of

land fronting sixty (60) feet on the Caguas road, and extending north along the west line of said Marine Hospital site to the lands of the Insular Government;

(5) The parcel containing about two (2) acres lying south of the Caguas road and east of the tract on which the building known as Puerta de Tierra jail is located, having a front on said road of four hundred and five and sixty-one hundredths (405.61) feet, and extending south the full width to the water front as now existing or as may hereafter be established;

(6) The strip of land containing about sixty-seven hundredths (.67) of an acre, lying to the west of the old Puerta de Tierra jail, (now a factory of The American Tobacco Company), fronting sixty (60) feet on the Caguas road and extending the full width south to the water front, as now existing or as may hereafter be established.

All of said lands being more particularly described by metes and bounds and otherwise in the above-mentioned deed executed April 27, 1908, and in a certain report, dated December 10, 1906, concerning the public lands of Porto Rico reserved for naval purposes, submitted by Captain Sam. C. Lemly, U. S. Navy, retired, and Frank Feuille, then Attorney General of Porto Rico.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 4th day of August, in the year of our Lord one thousand, nine hundred and eight, and of the independence of the
 [SEAL.] United States the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ROBERT BACON

Acting Secretary of State.

A PROCLAMATION.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States," approved July 7, 1898, the cession by the government of the Republic of Hawaii, to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, was duly accepted, ratified, and confirmed, and the said Hawaiian Islands and their dependencies annexed as a

Dec. 4, 1908.

35 Stat. L.,
 pt. 2, p. 2208.
 Hawaiian
 Islands.
 Lands on
 Maui Island re-
 served for light-
 house purposes.

Preamble.

part of the territory of the United States, and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America;

And whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition;

Hana Bay. And whereas, it is deemed necessary in the public interests that a certain parcel of land situated in Hana Bay, in the island and County of Maui, Territory of Hawaii, be immediately reserved for light-house purposes;

Light-house site. Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the authority in me vested, do hereby declare, proclaim, and make known that the following described lot or plat of land be and the same is hereby, subject to such legislative action as the Congress of the United States may take with respect thereto, reserved for light-house purposes, to-wit:—

Description. All of the land, the property of the United States of America, on the island of Puukii (sometimes known as Puuiki) on the south side of the entrance to the harbor variously known as Hana, Pueokahi and Kauiki, in the County of Maui, Territory of Hawaii.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 4th day of December, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

A PROCLAMATION.

Dec. 4, 1908.

35 Stat. L.,
pt. 2, p. 2209.

Hawaiian
Islands.

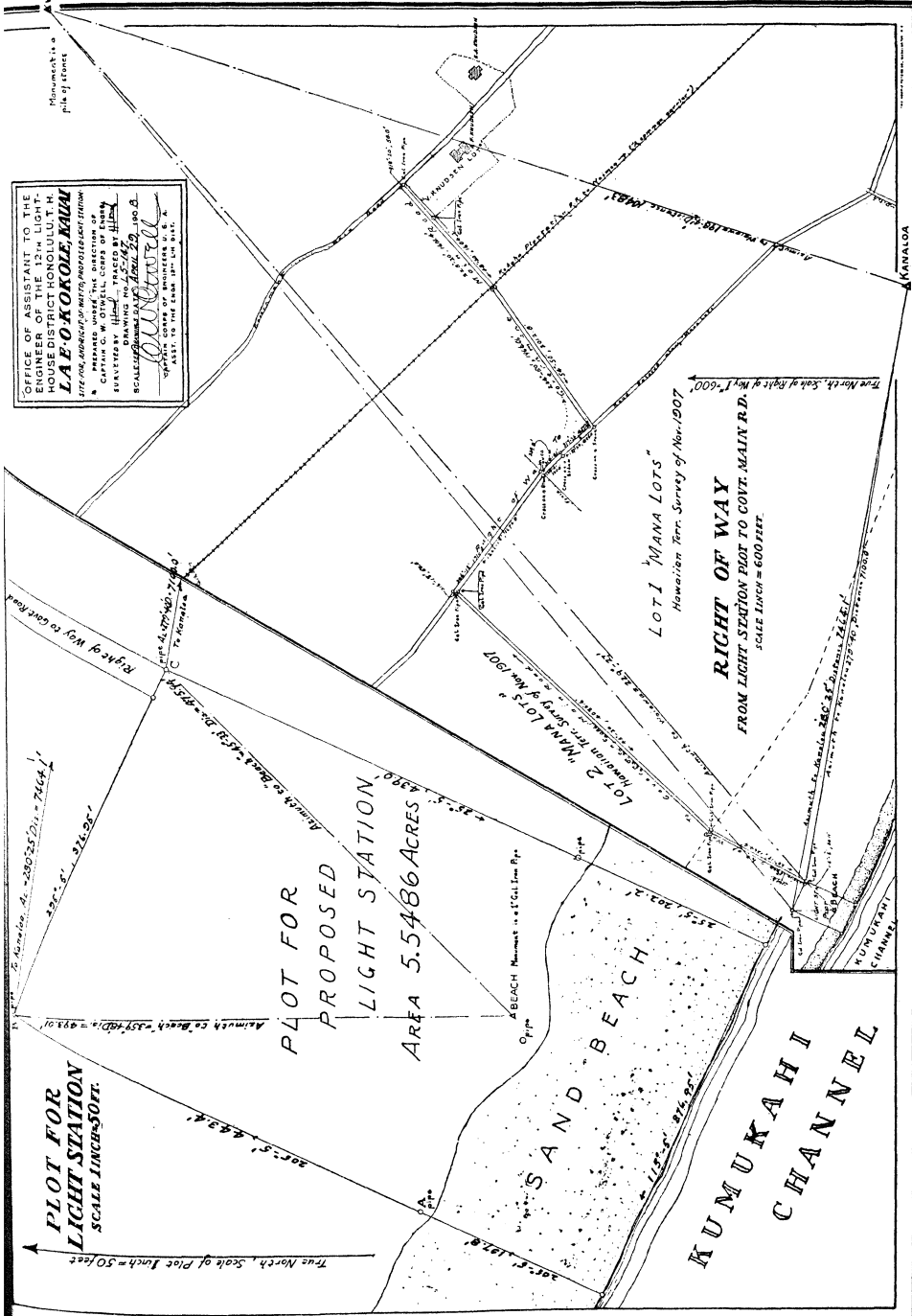
Lands on
Kauai Island
reserved for
light-house
purposes.

Preamble.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States," approved July 7, 1898, the cession by the government of the Republic of Hawaii to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian

Monument in a pile of stones

OFFICE OF ASSISTANT TO THE
 HOUSE DISTRICT HONOLULU, H.
LAPOKOLOLE KUMU
 STATE ENGINEER OF METRO-POLITAN DISTRICT
 PREPARED UNDER THE DIRECTION OF
 CAPTAIN C. W. STUBBS, CHIEF OF SURVEY
 DIVISION
 DRAWING NO. 25-142
 SCALE: 1" = 100 FEET
 DATE: APRIL 29, 1903
 OFFICE OF THE LAND BUREAU, H.
 HONOLULU, HAWAII



PLOT FOR LIGHT STATION
 SCALE INCH=50 FT.

PLOT FOR PROPOSED LIGHT STATION
 AREA 5.5486 ACRES

LOT 1 MANA LOTS
 Hawaiian Terr. Survey of Nov. 1907

RIGHT OF WAY
 FROM LIGHT STATION PLOT TO GOVT. MAIN RD.
 SCALE INCH = 600 FEET.

KUMUKAHI CHANNEL

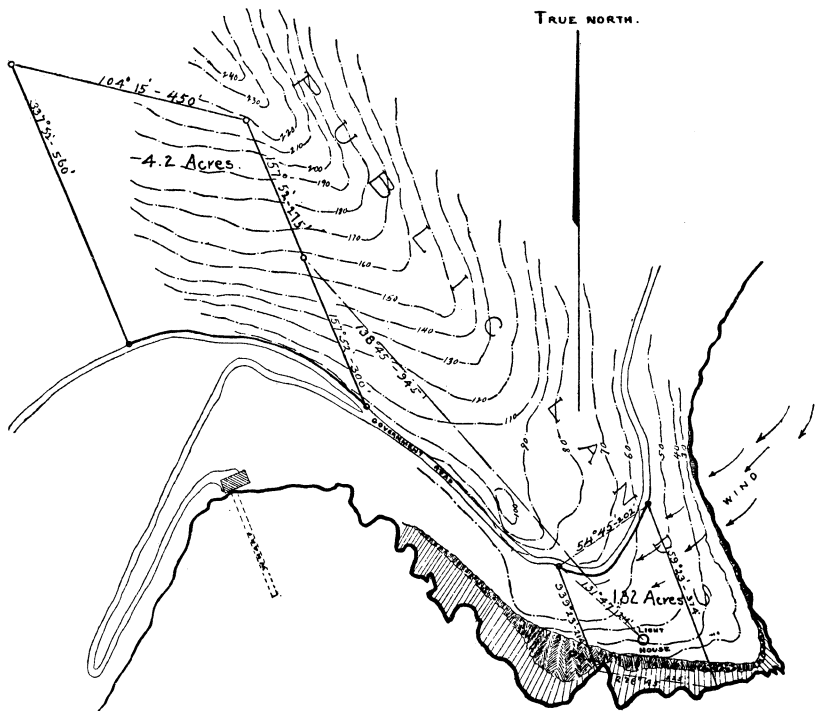
SAND BEACH

True North, Scale of Plot Inch=50 Feet

OFFICE OF THE LAND BUREAU, H.

HONOLULU, HAWAII

TRUE NORTH.



McGREGOR'S POINT LIGHT STA.
LAHAINA DIST. MAUI I.

O
C
E
A
N

DESCRIPTION.

Light-house site
From the east of Mc Gregors Point Light Sta measure by true azimuth $151^{\circ} 47' - 214'$ to a point on South side of the Govt. road for a place of beginning Thence by true azimuth and distances

1. $339^{\circ} 23' - 274'$ to the sea at high water.
2. Thence along the sea at high water mark to a point the direct azimuth and distance being $178^{\circ} 45' - 223'$.
3. Thence $159^{\circ} 23' - 374'$ to a point on south side of the Govt. road
4. Thence along the S side of the Govt. road direct azimuth and distance being $54^{\circ} 45' - 202'$ to place of beginning containing 1.32 acres more or less

Building site.

From the east of Mc Gregors Point Light Sta measure by true azimuth $130^{\circ} 45' - 565'$ to a point on the hillside for a place of beginning Thence by true azimuths and distances

1. $157^{\circ} 52' - 275'$ Thence
2. $104^{\circ} 15' - 450'$ "
3. $337^{\circ} 52' - 560'$ more or less to north side of Govt road Thence
4. Along Govt road to place bearing $337^{\circ} 52'$ and being about 300' distant from place of beginning. Thence
5. $157^{\circ} 52' - 300'$ to place of beginning containing 4.2 Acres more or less.

M. P. Hite, Surveyor

OFFICE OF ASST TO THE ENGR 12th & H. DIST
HONOLULU, T. H.

OFFICE OF ASSISTANT TO THE
ENGINEER OF THE 12TH LIGHT-
HOUSE DISTRICT HONOLULU, T. H.

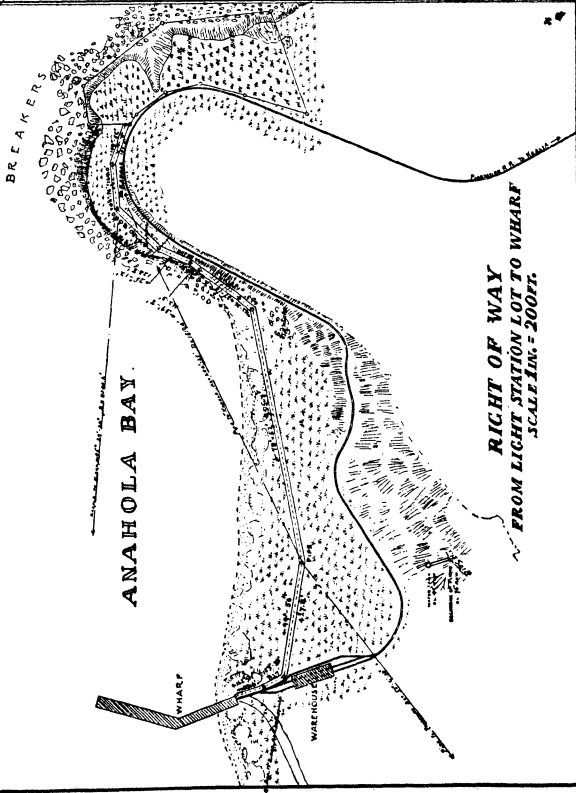
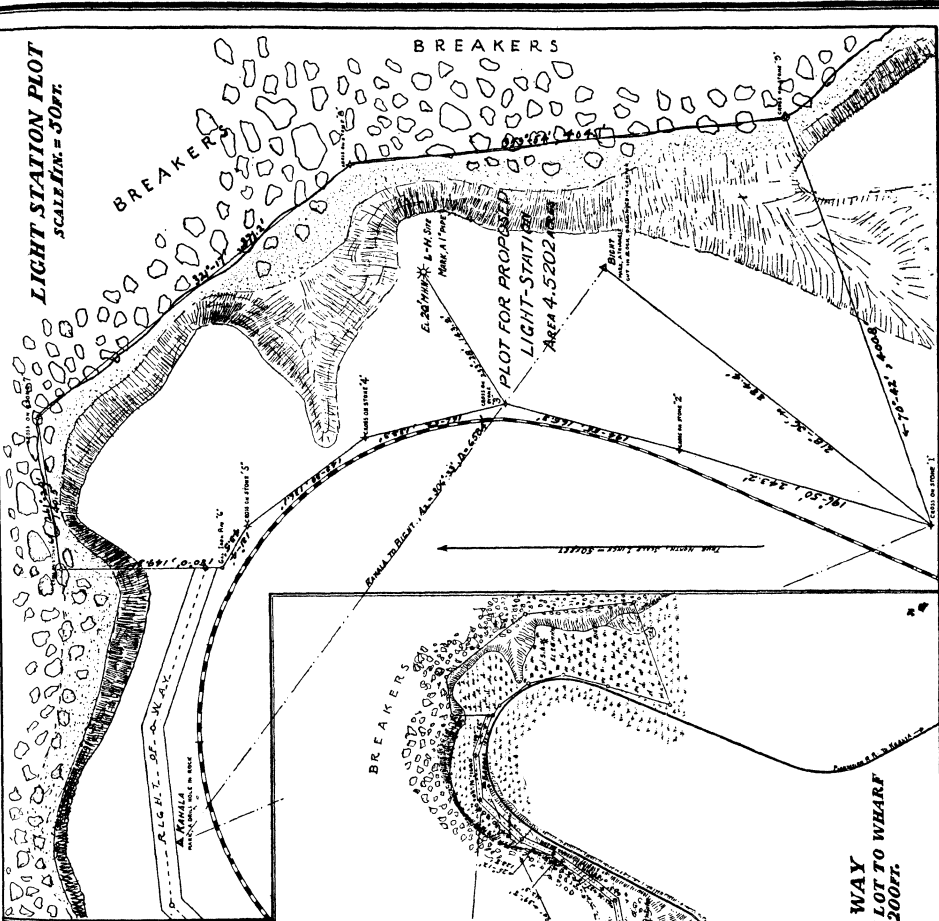
McGREGOR'S PT.

PREPARED UNDER THE DIRECTION OF
CAPTAIN C. W. O'NEILL, CORPS OF ENGRS.
DESIGNED BY M. M. H. SPACED BY J. M. H.
DRAWING NO. 12-112A

SCALE 3/16" = 1' DATE FEB 18 1908

C. W. O'Neill
CAPTAIN, CORPS OF ENGINEERS, U. S. A.
ASST. TO THE ENGR 12th L. H. DIST.

LIGHT STATION PLOT
SCALE IN. = 50 FT.



OFFICE OF ASSISTANT TO THE
ENGINEER OF THE
NAVY AT HONOLULU, H.
KAHALA PT. KAUI
DES. FOR, AND RECD. BY WAY TO ARCHITECTURAL DIVISION
CAPTAIN C. W. O'BRIEN, CORPS OF ENGINEERS
PURCHASED BY THE U.S. GOVERNMENT
SCALE AS INDICATED
Lowland
COPYRIGHT 1908
OFFICE OF ASSISTANT TO THE ENGINEER U.S. N.

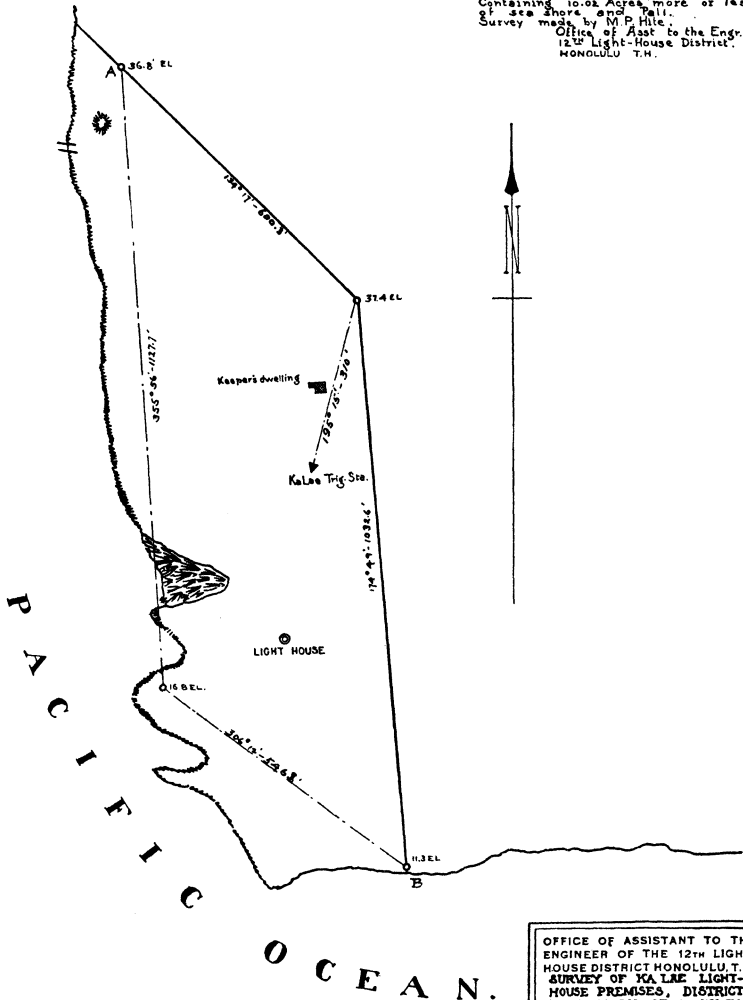
RIGHT OF WAY
FROM LIGHT STATION LOT TO WHARF
SCALE IN. = 200 FT.

Description

From KALAE Trig. Sta. measure by true azimuth $105^{\circ} 10' 30''$ to a stake for a place of beginning. Thence by true azimuth and distances

1. $134^{\circ} 11' - 600.3$ ft to a drill hole A in center of a square cut in the solid rock by the sea.
2. Thence continuing the last described course $134^{\circ} 11'$ to high water mark at the sea.
3. Thence along the sea at high water mark in a south-easterly direction. Thence
4. $174^{\circ} 49'$ to a point B, a drill hole in the solid rock. The points A and B being connected as follows. Beginning at A thence $355^{\circ} 56' - 1127.7$ to a drill hole in the rock. Thence $308^{\circ} 12' - 546.6$ to the point B aforesaid. Thence continuing the last described course
5. $174^{\circ} 49' - 1022.6$ to the place of beginning.

Containing 10.02 Acres, more or less exclusive of sea shore and fall.
 Survey made by M. P. Hill.
 Office of Asst. to the Engr.
 12th Light-House District.
 HONOLULU T.H.



OFFICE OF ASSISTANT TO THE
 ENGINEER OF THE 12TH LIGHT-
 HOUSE DISTRICT HONOLULU T. H.
**SURVEY OF KA LAE LIGHT-
 HOUSE PREMISES, DISTRICT
 OF KAUAI ISL. OF HAWAII T.H.**
 PREPARED UNDER THE DIRECTION OF
 CAPTAIN C. W. O'NEILL, CORPS OF ENGINEERS.
 DESIGNED BY M. P. HILL, TRACED BY E. M. H.
 DRAWING NO. L.S. 132.
 SCALE: 1" = 100'. DATE: FEB. 1882. 1908.
M. P. Hill
 CAPTAIN, CORPS OF ENGINEERS, U. S. A.
 ASST. TO THE ENGR. 12TH L.H. DIST.

Islands, was duly accepted, ratified, and confirmed, and the said Hawaiian Islands and their dependencies annexed as a part of the territory of the United States, and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America;

And whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition;

And whereas, it is deemed necessary in the public interests that a certain parcel of land situated at Lae o Kokole, District of Waimea, in the Island of Kauai, Territory of Hawaii, be immediately reserved for light-house purposes;

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the authority in me vested do hereby declare, proclaim, and make known that the following described lot or plot of land be and the same is hereby, subject to such legislative action as the Congress of the United States may take with respect thereto, reserved for light-house purposes, to-wit:—

Light-House site.

Beginning at a point marked by a one-inch capped galvanized iron pipe, whose azimuth and distance from the Hawaii Territorial Government Survey triangulation station "Kanaloa" are respectively $100^{\circ} 25'$ and 7464.1 feet, and running by true azimuths and distances as follows:

- | | Description. |
|--------------------------------|--|
| 1. $295^{\circ} 5'$ 376.95 ft. | to a point marked by a 1" gal. iron pipe |
| 2. $25^{\circ} 5'$ 439.0 | " to a point marked by a 1" gal. iron pipe |
| 3. $25^{\circ} 5'$ 202.2 | " more or less to a point on the seashore |
| 4. $115^{\circ} 5'$ 376.95 | " along the seashore to a point on the seashore. |
| 5. $205^{\circ} 5'$ 197.8 | " more or less to a point marked by a 1" gal. iron pipe. |
| 6. $205^{\circ} 5'$ 443.4 | " to the point of beginning; |
- Containing an area of 5.5486 acres more or less.

Right of Way to Government Main Road.

Beginning at the northeast corner of the light station plot, which corner is marked by a one-inch capped galvanized iron pipe whose azimuth and distance from the Hawaiian Territorial Government Survey triangulation station "Kanaloa" are respectively $99^{\circ} 40'$ and 7100.0

Right of way to Government main road.

feet and running by true azimuths and distances as follows:

1. 115° 5' 30.11 ft. along light station plot to a point
2. 208° 19' 1264.6 " to extreme southern point of "Lot 2" of the "Mana Lots" of Hawaiian Territorial Survey of Nov. 1907, said point being marked by a galvanized iron pipe.
3. 223° 20' 4086.1 " along above-mentioned "Lot 2" to its extreme eastern point, said point being marked by a galvanized iron pipe
4. 216° 18' 50.0 " across the "Road Reserve" of Hawaiian Territorial Survey of above-mentioned lots to a point.
5. 306° 18' 1710.0 " to a point.
6. 314° 41' 339.8 " " " "
7. 317° 24' 452.27 " " " "
8. 234° 50' 1966.06 " through swamp to a point.
9. 228° 20' 1601.4 " to a point.
10. 318° 20' 50.0 " along Government main road to a point marked by a galvanized iron pipe
11. 48° 20' 1604.2 " to a point marked by a galvanized iron pipe
12. 54° 50' 2012.8 " through swamp to a point marked by a cross on a stone on the northeast boundary of "Lot 1" of the previously mentioned "Mana Lots"
13. 137° 24' 495.0 " along boundary of "Lot 1" to a point marked by a cross on a stone.
14. 134° 41' 335.0 " along boundary of "Lot 1" to a point marked by a cross on a stone.
15. 126° 18' 1676.0 " along boundary of "Lot 1" to a point marked by a galvanized iron pipe, said point being extreme north corner of "Lot 1".
16. 43° 20' 4085.6 " along "Lot 1" to a point marked by a galvanized iron pipe, said point being extreme western corner of "Lot 1"
17. 28° 19' 1264.4 " along Government land to the point of beginning, and containing an area of 10.6998 acres more or less.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 4th day of December, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-third.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

THEODORE ROOSEVELT

A PROCLAMATION.

Dec. 4, 1908.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States", approved July 7, 1898, the cession by the government of the Republic of Hawaii to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, was duly accepted, ratified, and confirmed, and the said Hawaiian Islands and their dependencies annexed as a part of the territory of the United States, and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America;

35 Stat. L.,
pt. 2, p. 2211.
Hawaiian
Islands.
Lands on
Maui Island
reserved for
light-house
purposes.
Preamble.

And whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition;

And whereas, it is deemed necessary in the public interests that a certain parcel of land situated at McGregor's Point, District of Lahaina, in the Island of Maui, Territory of Hawaii, be immediately reserved for light-house purposes;

McGregor's
Point, District
of Lahaina.

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the authority in me vested do hereby declare, proclaim, and make known that the following described lot or plot of land be and the same is hereby, subject to such legislative action as the Congress of the United States may take with respect thereto, reserved for light-house purposes, to-wit:—

Light-house
site.

Light-house site:

From the mast of McGregor's Point Light Station measure by true azimuth $131^{\circ} 47' 214$ ft. to a point on

Description.

south side of the Government road for a place of beginning. Thence by true azimuths and distances:

1. 339° 23' 214 ft. to the sea at high water;
2. Thence along the sea at high water mark to a point, the direct azimuth and distance being 278° 45' 225 ft.
3. Thence 159° 23' 374 ft. to a point on south side of the Government road.
4. Thence along the south side of the Government road; direct azimuth and distance being 54° 45' 202 ft. to place of beginning.

Containing 1.32 acres more or less.

Dwelling site:

Dwelling site. From the mast of McGregor's Point Light Station measure by true azimuth 138° 45' 945 ft. to a point on the hillside for a place of beginning. Thence by true azimuths and distances:

1. 157° 52' 275 ft. thence
2. 104° 15' 450 " "
3. 337° 52' 560 " more or less to north side of Government road; thence
4. Along Government road to place bearing 337° 52' and being about 300 ft. distant from place of beginning; thence
5. 157° 52' 300 ft. to place of beginning.

Containing 4.2 acres more or less.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 4th day of December, in the year of our Lord one thousand nine hundred and eight, and of the Independence of

[SEAL.] the United States the one hundred and thirty-third.

THEODORE ROOSEVELT

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Dec. 4, 1908.

A PROCLAMATION.

35 Stat. L.,
pt. 2, p. 2212.
Hawaiian
Islands.
Lands on
Kauai Island
reserved for
light-house,
etc., purposes.
Preamble.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States", approved July 7, 1898, the cession by the government of the Republic of Hawaii to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and descrip-

tion belonging to the government of the Hawaiian Islands, was duly accepted, ratified, and confirmed, and the said Hawaiian Islands and their dependencies annexed as a part of the territory of the United States, and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America;

And whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition;

And whereas, it is deemed necessary in the public interests that a certain parcel of land situated at Kahala Point, in the Island of Kauai, Territory of Hawaii, be immediately reserved for light-house purposes;

Now, therefore, I, Theodore Roosevelt, President of the United States, by virute of the authority in me vested do hereby declare, proclaim, and make known that the following described lot or plot of land be and the same is hereby, subject to such legislative action as the Congress of the United States may take with respect thereto, reserved for light-house purposes, to-wit:—

Light-House site.

Beginning at a point, marked by a cross on a stone, whose azimuth and distance from the Hawaii Territorial Government Survey triangulation station "Bight" are respectively $38^{\circ} 36'$ and 384.4 ft. and running by true azimuths and distances as follows:

- | | Description. |
|--------------------------------|---|
| 1. $196^{\circ} 50'$ 243.2 ft. | to a point marked by a cross on a stone. |
| 2. $194^{\circ} 55'$ 165.3 " | to a point marked by a cross on a stone. |
| 3. $166^{\circ} 52'$ 133.3 " | to a point marked by a cross on a stone. |
| 4. $143^{\circ} 30'$ 136.1 " | to a point marked by a cross on a stone. |
| 5. $121^{\circ} 4'$ 43.5 " | to a point marked by a 1" Gal. Iron Pipe |
| 6. $180^{\circ} 0'$ 149.3 " | more or less to a point on the seashore marked by a cross on a stone. |
| 7. $261^{\circ} 29'$ 140.5 " | along the seashore to a point marked by a cross on a stone. |
| 8. $321^{\circ} 17'$ 371.2 " | along the seashore to a point marked by a cross on a stone. |
| 9. $353^{\circ} 54'$ 404.1 " | along the seashore to a point marked by a cross on a stone. |
| 10. $70^{\circ} 42'$ 400.8 " | more or less, to the point of beginning. |

Containing an area of 4.5202 acres more or less.

Right of way
to Anahola
wharf landing.
Description.

Right of Way to Anahola Wharf Landing.

Ten feet each side of the following described line; beginning at a point on the western boundary of Light Station plot, whose azimuth and distance from the galvanized iron pipe which marks corner 6 of said lot, are respectively 180° 0' and 15.35 feet, thence by true azimuths and distances as follows:

1. 108° 56' 155.4 ft. to a point marked by a stake.
2. 84° 16' 164.0 " " " " " " " "
3. 44° 30' 209.0 " " " " " " " fence post
4. 25° 12' 123.8 " " " " " " " stake
5. 39° 08' 42.3 " " " " " " " stake
6. 37° 15' 179.7 " " " " " " " cross on a
stone
7. 42° 36' 62.3 ft. to a point marked by a cross on a
stone
8. 78° 52' 955.7 ft. to a point marked by a gal. iron
pipe
9. 99° 50' 427.4 ft. to a point marked by a stake
10. 153° 28' 82.7 " " " " " " " "
11. 162° 31' 107.6 ft. to a point marked by a cross on the
wharf shed.

Containing an area of 1.1524 acres more or less.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 4th day of December, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Dec. 4, 1908.

A PROCLAMATION.

35 Stat. L.,
pt. 2, p. 2213.
Hawaiian Islands.
Lands reserved for lighthouse purposes.
Preamble.

Whereas, by joint resolution "to provide for annexing the Hawaiian Islands to the United States", approved July 7, 1898, the cession by the government of the Republic of Hawaii to the United States of America, of all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and the transfer to the United States of the absolute fee and ownership of all public, government or crown lands, public buildings, or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, was duly accepted, ratified, and confirmed, and the

said Hawaiian Islands and their dependencies annexed as a part of the territory of the United States, and made subject to the sovereign dominion thereof, and all and singular the property and rights hereinbefore mentioned vested in the United States of America;

And whereas, it was further provided in said resolution that the existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition;

And whereas, it was deemed necessary in the public interests that a certain parcel of land situated at Ka Lae, District of Kau, in the Island of Hawaii, Territory of Hawaii, be immediately reserved for light-house purposes;

Now, therefore, I, Theodore Roosevelt, President of the United States, by virtue of the authority in me vested do hereby declare, proclaim, and make known that the following described lot or plot of land be and the same is hereby, subject to such legislative action as the Congress of the United States may take with respect thereto, reserved for light-house purposes, to-wit:—

From Ka Lae Trig. Station measure by true azimuth 195° 15' 310 feet to a stake for a place of beginning. Thence by true azimuths and distances:

1. 134° 17' 600.3 ft. to a drill hole "A" in center of a square cut in the solid rock, by the sea. Thence continuing the last described course;
2. 134° 17' to high water mark at the sea.
3. Thence along the sea at high water mark in a southeasterly direction; thence
4. 174° 49' to a point "B" a drill hole in the solid rock. The points "A" and "B" being connected as follows. Beginning at "A" thence 355° 56' 1127.7 ft. to a drill hole in the rock. Thence 306° 12' 546.8 ft. to the point "B" aforesaid. Thence continuing the last described course;
5. 174° 49' 1032.6 ft. to the place of beginning.

Containing 10.02 acres more or less exclusive of seashore and Pali.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 4th day of December, in the year of our Lord one thousand nine hundred and eight, and of the Independence of the United States the one hundred and thirty-third.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE

Acting Secretary of State.

Ka Lae, District of Kau.

Light-house site.

Description.

Feb. 16, 1909. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

35 Stat. L.,
pt. 2, p. 2226.

A PROCLAMATION.

Tongass Na-
tional Forest,
Alaska.
Preamble.

Whereas, an Executive Order dated July second, nine-
teen hundred and eight, consolidated the Alexander
Archipelago and Tongass National Forests under the
name of the Tongass National Forest;

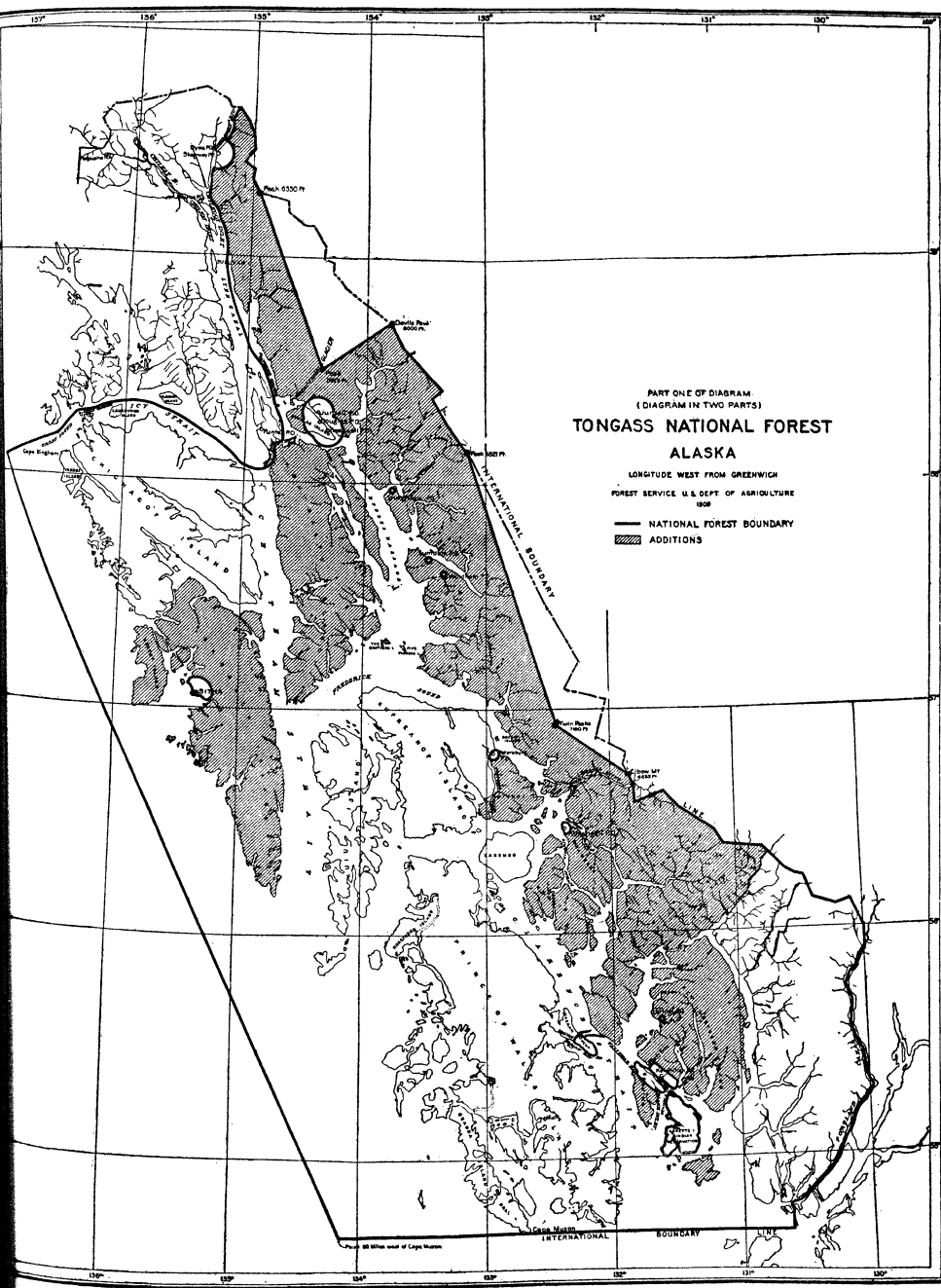
And whereas, it appears that the public good would be
promoted by adding to the Tongass National Forest cer-
tain lands within the Territory of Alaska, which are in
part covered with timber;

Boundaries
enlarged.

Now, therefore, I, Theodore Roosevelt, President of
the United States of America, by virtue of the power in
me vested by the Act of Congress, approved June fourth,
eighteen hundred and ninety-seven, entitled, "An Act
Making appropriations for sundry civil expenses of the
Government for the fiscal year ending June thirtieth,
eighteen hundred and ninety-eight, and for other pur-
poses," do proclaim that the Tongass National Forest is
hereby enlarged and that its boundaries are as shown on
the two parts of the diagram forming a part hereof, and
further described as follows:

Description.

All of the public land lying within boundaries de-
scribed as follows: Beginning at the point where the
International Boundary Line between the Territory of
Alaska and the Dominion of Canada intersects the left
bank of the Skagway River; thence southwesterly down
the left bank of the said river to a point five miles above
the center of the town of Skagway; thence in a south-
easterly and southwesterly direction, at a distance of five
miles from the center of said town, to the east shore of
Chilkoot Inlet; thence southerly along said shore to
Lynn Canal; thence southeasterly through Lynn Canal
and Favorite Channel to a point on the shore of Young
Bay due east of the head of Hawk Inlet; thence westerly
to the head of Hawk Inlet; thence in a general south-
westerly, northwesterly and southwesterly direction
through Hawk Inlet, Icy Strait, passing between Pleas-
ant Island and Lemesurier Island, through Inian Pass-
age, and Cross Sound to a point due west of Cape Bing-
ham; thence southeasterly to a point sixty miles west of
Cape Muzon; thence easterly to Cape Muzon; thence in a
general easterly, northerly, northeasterly, and northw-
esterly direction along the said International Boundary
Line to the summit of Elbow Mount, at an elevation of
4,235 feet; thence northwesterly to the summit of the
most westerly of Twin Peaks, at an elevation of 7,180
feet; thence northwesterly to the summit of a Peak, hav-
ing an elevation of 5,821 feet, on the said International
Boundary Line; thence in a general northwesterly direc-
tion along the said International Boundary Line to the
summit of a peak known as Devils Paw, having an ele-



PART ONE OF DIAGRAM
(DIAGRAM IN TWO PARTS)
TONGASS NATIONAL FOREST
ALASKA

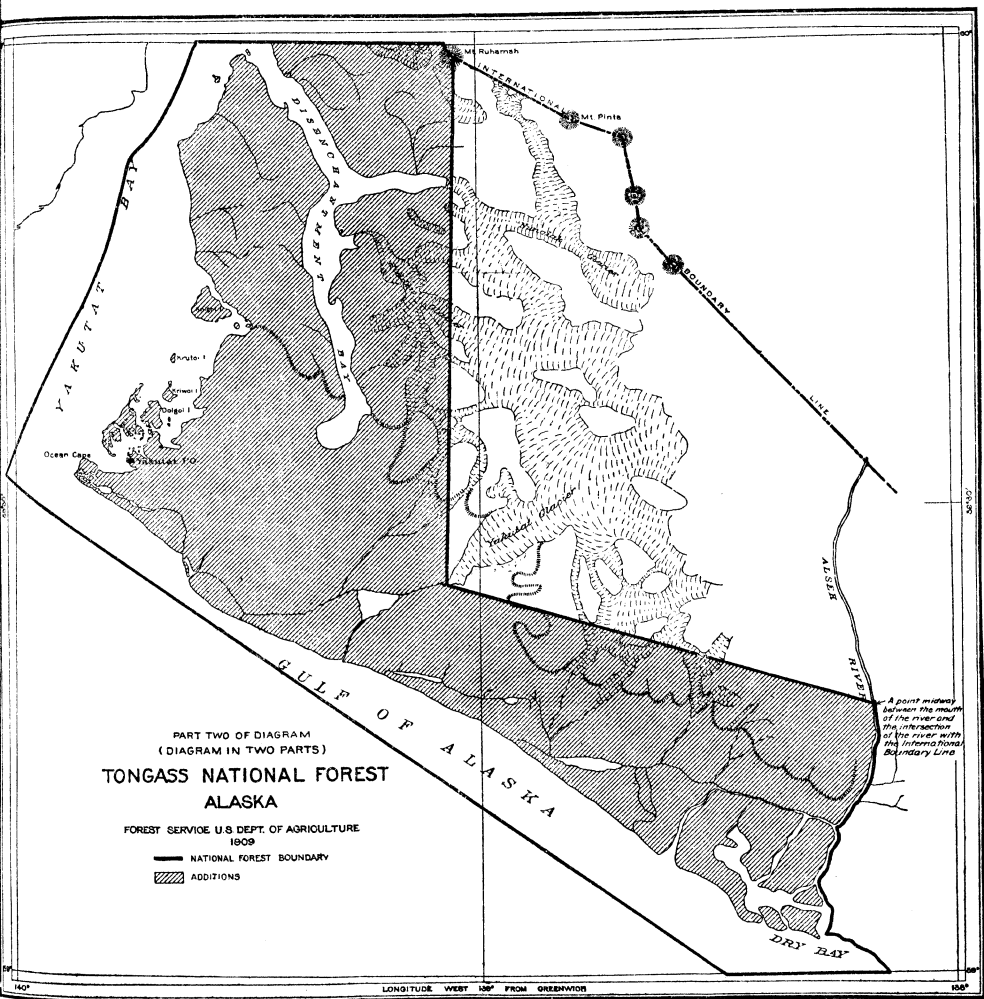
LONGITUDE WEST FROM GREENWICH
FOREST SERVICE U.S. DEPT. OF AGRICULTURE
1928
— NATIONAL FOREST BOUNDARY
▨ ADDITIONS

INTERNATIONAL BOUNDARY

Cape Mudge INTERNATIONAL BOUNDARY

137° 136° 135° 134° 133° 132° 131° 130°
156° 155° 154° 153° 152° 151° 150°

150° 149° 148° 147° 146° 145° 144° 143° 142°



vation of 8,000 feet; thence in a southwesterly direction to the summit of a peak, having an elevation of 5,977 feet, in Mendenhall Glacier; thence northwesterly to the summit of a peak, having an elevation of 6,550 feet, on the said International Boundary Line; thence in a general northwesterly direction along the said International Boundary Line to the point where it intersects the left bank of the Skagway River, the place of beginning; and embracing all islands within said described boundaries;

Also all of the public land lying within boundaries described as follows: Beginning at the point where the sixtieth parallel of latitude intersects the International Boundary Line between the Territory of Alaska and the Dominion of Canada; thence due west along the said parallel to the middle of the channel of Yakutat Bay; thence in a southwesterly direction along the middle of the channel of said bay to a point due west of Ocean Cape; thence in a southeasterly direction to a point on the fifty-ninth parallel of latitude opposite the mouth of the Alsek River; thence easterly along said parallel to its intersection with the shore of Dry Bay; thence in a northwesterly direction along the shore of said bay to the left bank of the most easterly outlet of Alsek River; thence in a general northerly direction along the left bank of said river to a point midway between the mouth of the river and the intersection of the river with the said International Boundary Line; thence in a northwesterly direction to the foot of Yakutat Glacier; thence in a northerly direction to the summit of Mount Ruhamah on the said International Boundary Line; thence in a northwesterly direction along the said International Boundary Line to its intersection with the sixtieth parallel of latitude, the place of beginning; and embracing all islands within said described boundaries;

Excepting from the force and effect of this proclamation the several areas contained within boundaries formed by circles described with a radius of five miles, each, from the centers of the following named towns and settlements, to wit: Juneau, Douglas, Treadwell and Sitka; also the several areas contained within boundaries formed by circles described with a radius of one mile, each, from the centers of the following named towns and settlements, to wit: Snettishan, Sumdum, Windham, and Loring; also the areas contained within boundaries formed by circles described with a radius of two miles, each, from the centers of the towns of Petersburg and Wrangell; also Annette and Pennock Islands; also all the northern portion of Gravina Island which lies above a line running from the head of Vallenar Bay southeasterly to the head of Blank Inlet; also all that portion of Revillagigedo Island lying southwest of a line beginning at a point at the head of Wards Cove; and running thence in a southeasterly direction, at a distance of two miles from the

Lands ex-
cepted.

shores of Tongass Narrows to a point on Carroll Inlet; and also all that portion of Kasaan Peninsula, forming a part of Prince of Wales Island, which lies southeast of a line beginning at a point on Kasaan Bay due west of the United States Location Monument Number 5, and running thence, north 44° 42' east, 6,996 feet (approximately) to the most southwesterly point on the bay known as Lyman Anchorage:

Proviso.
Valid rights
not affected.

Provided, that this proclamation shall not be so construed as to deprive any person of any valid right possessed under the Treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the thirtieth day of March, eighteen hundred and sixty-seven, or acquired under any act of Congress relating to the Territory of Alaska.

Prior rights
not affected.

The withdrawals made by this proclamation shall, as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose, be subject to, and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained, or such reservation remains in force.

Agricultural
lands.

This proclamation shall not prevent the settlement and entry of any lands heretofore opened to settlement and entry under the Act of Congress approved June eleventh, nineteen hundred and six, entitled, "An Act to provide for the entry of Agricultural lands within forest reserves."

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 16th day of February, in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States the one hundred and thirty-third.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ROBERT BACON

Secretary of State.

Feb. 23, 1909. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

35 Stat. L.,
pt. 2, p. 2231.

A PROCLAMATION.

Chugach National Forest,
Alaska.
Preamble.

Whereas, an Executive Order dated July second, nineteen hundred and eight, consolidated the Chugach National Forest and the Afognak Forest and Fish Culture Reserve under the name of the Chugach National Forest;

And whereas, it appears that the public good would be promoted by adding to the Chugach National Forest

certain lands within the Territory of Alaska, which are in part covered with timber;

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," do proclaim that the Chugach National Forest is hereby enlarged and that its boundaries are as shown on the diagram forming a part hereof, and further described as follows: The island of Afognak and the adjacent islands which were set apart by proclamation dated December twenty-fourth, eighteen hundred and ninety-two, as the "Afognak Forest and Fish Culture Reserve," and also all of the public land lying within a line beginning at a point on the left bank of Copper River, due east of the northern extremity of Cottonwood Island; thence easterly along the divide between the watershed of Bremner River and Chitina River to a point due north of the southern extremity of Cape Suckling; thence due south to the southern extremity of Cape Suckling; thence in a northwesterly direction to the southern extremity of the left bank of Copper River; thence in a southwesterly direction to the southern extremity of Cape Cleare; thence in a northwesterly direction to the southern extremity of Cape Puget; thence in a general northwesterly direction along the divide of the foothills to its intersection with the main divide of the Kenai Mountains; thence in a general westerly direction along said main divide, between the waters of Resurrection Bay and Kenai Lake, and continuing southwesterly along said main divide to the head of Sheep Creek; thence southerly down the left bank of said creek to Kachemak Bay; thence in a general southerly, westerly and northerly direction along the shores of said bay, Cook Inlet and Knik Arm, at the mean low tide line, to the right bank of Knik River; thence easterly up the right bank of Knik River to the main divide of the Chugach Mountains; thence in a general easterly direction along the main divide of the Chugach Mountains to a point on the left bank of Copper River, due east of the northern extremity of Cottonwood Island, the place of beginning, and embracing all islands within said described line;

Boundaries enlarged.

Description.

Excepting from the force and effect of this proclamation the several areas contained within boundaries formed by circles described with a radius of a mile, each, from the centers of the following named towns and settlements, to wit: Eyak, Orca, Tahtetlahk, Ellamar, Valdez, Fort Liscum, Einiklik, Chenaga, Nutchek, and Latouche; excepting also a tract of land extending one mile back from the tide line, on both sides of the bay known as

Lands excepted.

Valdez Arm; following the tide line from its intersection with the line of 146° 30' longitude west from Greenwich, easterly around the head of Valdez Arm:

Proviso.
Valid rights
not affected.

Provided, that this proclamation shall not be so construed as to deprive any person of any valid right possessed under the Treaty for the cession of the Russian possessions in North America to the United States, concluded at Washington on the thirtieth day of March, eighteen hundred and sixty-seven, or acquired under any act of Congress relating to the Territory of Alaska.

Prior rights
not affected.

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose, be subject to, and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained, or such reservation remains in force.

Fish culture
stations.

Since the withdrawal made by this proclamation for Forest purposes and the withdrawal made by proclamation dated December twenty-four, eighteen hundred and ninety-two, for the purpose of establishing fish culture stations and for the use of the United States Commissioner of Fish and Fisheries are consistent, both shall be effective upon the land withdrawn, but the withdrawal for fish culture stations and for the use of the United States Commissioner of Fish and Fisheries shall be the dominant one.

Agricultural
lands.

This proclamation shall not prevent the settlement and entry of any lands heretofore opened to settlement and entry under the Act of Congress approved June eleventh, nineteen hundred and six, entitled, "An Act to provide for the entry of Agricultural lands within forest reserves."

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 23rd day of February, in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States the one hundred and thirty-third.

[SEAL.]

THEODORE ROOSEVELT.

By the President:

ROBERT BACON

Secretary of State.

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U.S.A.

ACTS OF CONGRESS
TREATIES AND PROCLAMATIONS

RELATING TO

NONCONTIGUOUS TERRITORY,
CUBA AND SANTO DOMINGO

AND TO MILITARY AFFAIRS

SIXTIETH CONGRESS—MARCH 4, 1907, TO MARCH 3, 1909

COMPILED IN THE
BUREAU OF INSULAR AFFAIRS
WAR DEPARTMENT



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