

railway companies desiring to use the said bridge shall have and be entitled to equal rights and privileges in the passage over the same, and in the use of the machinery and fixtures thereof and of all the approaches thereto, for a reasonable compensation to be paid to the owners of said bridge under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in case they shall not agree.

Other companies to have right of way.

SEC. 2. That said bridge shall be constructed as a pivot draw-bridge, with a draw over the main channel of the sound at an accessible and navigable point, and with spans of not less than two hundred feet in length in the clear on each side of the central or pivot pier of the draw; and said spans shall not be less than thirty-two feet above mean low-water mark measuring to the lowest member of the bridge superstructure: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, except when trains are passing over the said bridge, for the passage of the boats whose construction shall not be such as to admit of their passage under the draw of said bridge when closed; but in no case shall unnecessary delay occur in opening the said draw after the passage of trains; and the said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Secretary of War to prescribe terms.

Draw.

SEC. 3. That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for their transportation over the railroads or public highways leading to said bridge; and the United States shall have the right of way for postal-telegraph purposes across said bridge.

To be a lawful structure and post-route.

SEC. 4. That the plan and location of said bridge, with a detailed map of the sound at the proposed site of the bridge and near thereto, exhibiting the depths and currents, shall be submitted to the Secretary of War for his approval, and until he approve the plan and location of said bridge it shall not be built; but upon the approval of said plan by the Secretary of War the said companies, or either of them, may proceed to the erection of said bridge in conformity with said approved plan; and should any change be made in the plan of said bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War. If the Secretary of War shall at any time deem any change or alteration necessary in the said bridge, so that the same shall not obstruct navigation, or if he shall think the removal of the whole structure necessary, the alteration so required or the removal of the whole structure, shall be made at the expense of the parties owning said bridge; and if said bridge shall not be finished within two years from the passage of this act, the rights and privileges hereby granted shall determine and cease.

Postal telegraph.

Plans, etc., to be approved by Secretary of War.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

To be finished in two years.

Approved, June 16, 1886.

Right to amend, etc., reserved.

CHAP. 421.—An act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes.

June 19, 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after July first, eighteen hundred and eighty-six, no fees shall be charged or collected by collectors or other officers of customs, or by inspectors of steam-vessels or shipping commissioners, for the following services to vessels of the United States, to wit: Measurement of tonnage and certifying the

Certain shipping fees abolished.

R. S. 4186, p. 807.

R. S. 4185, p. 807; same; issuing of license or granting of certificate of registry, record, or enrollment, including all indorsements on the same and bond and oath; p. 847.

R. S. 4197, p. 809; indorsement of change of master; certifying and receiving manifest, including master's oath, and permit; granting permit to vessels licensed for the fisheries to touch and trade; granting certificate of payment of

4381, p. 846; 4382, p. 847.

R. S. 4364, p. 844; 4381, p. 847; recording bill of sale, mortgage, hypothecation, or conveyance, or the discharge of such mortgage or hypothecation; furnishing certificate of title; furnishing the crew-list, including bond; certifi-

Vol. 23, p. 57.

R. S. 4193, p. 808; certificate of protection to seamen; bill of health; shipping or discharging of

4382, p. 848.

R. S. 4574, p. 885; R. S. 2654, p. 524; R. S. 4612, p. 896; R. S. 4458, p. 863; two of this act; apprenticing boys to the merchant service; inspecting, examining, and licensing steam-vessels, including inspection-certificate and copies thereof; and licensing of master, engineer, pilot, or mate of a vessel; and all provisions of laws authorizing or requiring the collection

of fees for such services are repealed, such repeal to take effect July first, eighteen hundred and eighty-six. Collectors or other officers of customs, inspectors of steam-vessels, and shipping commissioners who are paid wholly or partly by fees shall make a detailed report of such services, and

the fees provided by law, to the Secretary of the Treasury, under such regulations as that officer may prescribe; and the Secretary of the Treasury shall allow and pay, from any money in the Treasury not otherwise appropriated, said officers such compensation for said services as each would have received prior to the passage of this act; also such compensation to clerks of shipping commissioners as would have been paid them had this act not passed: *Provided*, That such services have, in the opinion of the Secretary of the Treasury, been necessarily rendered.

*Proviso.* Fees for shipping and discharging crews in coastwise, etc., trade reduced one-half. R. S. 4612, p. 896. SEC. 2. That shipping commissioners may ship and discharge crews for any vessel engaged in the coastwise trade, or the trade between the United States and the Dominion of Canada, or Newfoundland, or the West Indies, or the Republic of Mexico, at the request of the master or owner of such vessel, the shipping and discharging fees in such cases to be one-half that prescribed by section forty-six hundred and twelve of the Revised Statutes, for the purpose of determining the compensation of shipping commissioners.

Vol. 23, chap. 121, p. 56, amend- ed. SEC. 3. That section ten of the act entitled "An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," approved June twenty-six, eighteen hundred and eighty-four, be amended by striking out the words "That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages which he may earn to his wife, mother, or other relative, but to no other person or corporation", and inserting in lieu thereof the following: "That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of all or any portion of the wages which he may earn to his wife, mother, or other relative, or to an original creditor in liquidation of any just debt for board or clothing which he may have contracted prior to engagement, not exceeding ten dollars per month for each month of the time usually required for the voyage for which the seaman has shipped, under such regulations as the Secretary of the Treasury may prescribe, but no allotment to any other person or corporation shall be lawful." And said section ten is further amended by striking out all of the last paragraph after the words "vessels of the United States,"

Allotment of sea- men's wages to relatives, or for just debt. and inserting in lieu of such words stricken out the following: "And any master, owner, consignee, or agent of any foreign vessel who has violated this section shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for a similar violation."

Penalty for violation the same for master, etc., of foreign as for United States vessel. R. S. 4289, p. 827, amended. SEC. 4. That section forty-two hundred and eighty-nine of the Revised Statutes be amended so as to read as follows:

Vol. 23, chap. 121, p. 57, amend- ed. "SEC. 4289. The provisions of the seven preceding sections, and of section eighteen of an act entitled 'An act to remove certain burdens on the American merchant marine and encourage the American foreign

carrying-trade, and for other purposes,' approved June twenty-sixth, eighteen hundred and eighty-four, relating to the limitations of the liability of the owners of vessels, shall apply to all sea-going vessels, and also to all vessels used on lakes or rivers or in inland navigation, including canal-boats, barges, and lighters."

Liability of owners extended to all vessels.

SEC. 5. That section forty-one hundred and fifty-three of the Revised Statutes be amended by striking out the last sentence of the last paragraph, and inserting instead the following: "In every vessel documented as a vessel of the United States the number denoting her net tonnage shall be deeply carved or otherwise permanently marked on her main beam, and shall be so continued; and if the number at any time cease to be continued, such vessel shall be subject to a fine of thirty dollars on every arrival in a port of the United States if she have not her tonnage number legally carved or permanently marked."

R. S., sec. 4153, p. 801, amended.

Net tonnage to be permanently marked.

Penalty for failure.

SEC. 6. That from the close of section forty-one hundred and seventy-seven of said statutes the following words shall be stricken out, to wit: "Such vessel shall be no longer recognized as a vessel of the United States;" and in lieu thereof there shall be inserted the words following: "Such vessel shall be liable to a fine of thirty dollars on every arrival in a port of the United States if she have not her proper official number legally carved or permanently marked."

R. S., sec. 4177, p. 805, amended.

Penalty for failure to have number permanently marked.

SEC. 7. Every vessel of twenty tons or upwards, entitled to be documented as a vessel of the United States, other than registered vessels, found trading between district and district, or between different places in the same district, or carrying on the fishery, without being enrolled and licensed, and every vessel of less than twenty tons and not less than five tons burden found trading or carrying on the fishery as aforesaid without a license obtained as provided by this title, shall be liable to a fine of thirty dollars at every port of arrival without such enrollment or license. But if the license shall have expired while the vessel was at sea, and there shall have been no opportunity to renew such license, then said fine of thirty dollars shall not be incurred. And so much of section four thousand three hundred and seventy-one of the Revised Statutes as relates to vessels entitled to be documented as vessels of the United States is hereby repealed.

Penalty for trading without license.

R. S., sec. 4371, p. 845.

SEC. 8. That foreign vessels found transporting passengers between places or ports in the United States, when such passengers have been taken on board in the United States, shall be liable to a fine of two dollars for every passenger landed.

Penalty for carrying passengers between United States ports on foreign vessels.

Secretary of the Treasury may remit fines.

SEC. 9. That the fines imposed by sections five, six, seven, and eight of this act shall be subject to remission or mitigation by the Secretary of the Treasury when the offense was not wilfully committed, under such regulations and methods of ascertaining the facts as may seem to him advisable.

Secretary of the Treasury may remit fines.

SEC. 10. That the provision of Schedule N of "An act to reduce internal-revenue taxation, and for other purposes," approved March third, eighteen hundred and eighty-three, allowing a drawback on imported bituminous coal used for fuel on vessels propelled by steam, shall be construed to apply only to vessels of the United States.

Drawback on bituminous coal to apply only to United States vessels.

Vol. 22, p. 511.

SEC. 11. That section fourteen of "An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying-trade, and for other purposes," approved June twenty-sixth, eighteen hundred and eighty-four, be amended so as to read as follows:

Vol. 23, chap. 121, p. 57, amended.

"SEC. 14. That in lieu of the tax on tonnage of thirty cents per ton per annum imposed prior to July first, eighteen hundred and eighty-four, a duty of three cents per ton, not to exceed in the aggregate fifteen cents per ton in any one year, is hereby imposed at each entry on all vessels which shall be entered in any port of the United States from any foreign port or place in North America, Central America, the West India Islands, the Bahama Islands, the Bermuda Islands, or the coast of South America bordering on the Caribbean Sea, or the Sandwich Islands, or Newfoundland; and a duty of six cents per ton, not to exceed thirty

Coast of South America on Caribbean Sea included.

Vessels in distress, or not trading, exempt.

*Proviso.*

President to suspend collection of duty in excess of charges of foreign port.

Vessels of foreign country imposing higher fees on United States vessels than on its own excluded.

R. S., secs. 4223, p. 813, and 4224, p. 814, repealed.

R. S., sec. 4219, p. 813.

President to invite foreign Governments to abolish tonnage, etc., dues, and other fees.

SEC. 12. That the President be, and hereby is, directed to cause the Governments of foreign countries which, at any of their ports, impose on American vessels a tonnage-tax or light-house dues, or other equivalent tax or taxes, or any other fees, charges, or dues, to be informed of the provisions of the preceding section, and invited to co-operate with the Government of the United States in abolishing all light-house dues, tonnage-taxes, or other equivalent tax or taxes on, and also all other fees for official services to, the vessels of the respective nations employed in the trade between the ports of such foreign country and the ports of the United States.

Whaling or fishing vessels not to provide slop chest, etc.

Vol. 23, p. 56.

Steam gauges. R. S., sec. 4418, p. 856, amended.

Importation of materials for construction, repair, etc., of vessels in bond, extended to whaling and fishing vessels.

Vol. 22, p. 523.

Vol. 23, p. 57.

Lights not required on row-boats and skiffs on Saint Lawrence River.

R. S., sec. 4233, p. 817.

SEC. 13. That section eleven of "An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying-trade, and for other purposes," approved June twenty-sixth, eighteen hundred and eighty-four, shall not be construed to apply to vessels engaged in the whaling or fishing business.

SEC. 14. That section forty-four hundred and eighteen of the Revised Statutes is hereby amended by striking out from the nineteenth and following lines thereof the words "and, to indicate the pressure of steam, suitable steam-registers that will correctly record each excess of steam carried above the prescribed limit, and the highest point attained," and inserting in lieu thereof the following: "and suitable steam gauges to indicate the pressure of steam."

SEC. 15. That the provisions of sections twenty-five hundred and ten and twenty-five hundred and eleven of the Revised Statutes, as the sections of Title thirty-three are numbered in "An act to reduce internal revenue taxation and for other purposes," approved March third, eighteen hundred and eighty-three, and the provisions of section sixteen of "An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying-trade, and for other purposes," approved June twenty-sixth, eighteen hundred and eighty-four, shall apply to the construction, equipment, repairs, and supplies of vessels of the United States employed in the fisheries or in the whaling business, in the same manner as to vessels of the United States engaged in the foreign trade.

SEC. 16. That rule twelve of section forty-two hundred and thirty-three of the Revised Statutes shall be so construed as not to require row-boats and skiffs upon the river Saint Lawrence to carry lights.

SEC. 17. That whenever any foreign country whose vessels have been placed on the same footing in the ports of the United States as Amer-

ican vessels (the coastwise trade excepted) shall deny to any vessels of the United States any of the commercial privileges accorded to national vessels in the harbors, ports, or waters of such foreign country, the President, on receiving satisfactory information of the continuance of such discriminations against any vessels of the United States, is hereby authorized to issue his proclamation excluding, on and after such time as he may indicate, from the exercise of such commercial privileges in the ports of the United States as are denied to American vessels in the ports of such foreign country, all vessels of such foreign country of a similar character to the vessels of the United States thus discriminated against, and suspending such concessions previously granted to the vessels of such country; and on and after the date named in such proclamation for it to take effect, if the master, officer, or agent of any vessel of such foreign country excluded by said proclamation from the exercise of any commercial privileges shall do any act prohibited by said proclamation in the ports, harbors, or waters of the United States for or on account of such vessel, such vessel, and its rigging, tackle, furniture, and boats, and all the goods on board, shall be liable to seizure and to forfeiture to the United States; and any person opposing any officer of the United States in the enforcement of this act, or aiding and abetting any other person in such opposition, shall forfeit eight hundred dollars, and shall be guilty of a misdemeanor, and, upon conviction, shall be liable to imprisonment for a term not exceeding two years.

President may suspend commercial privileges to vessels of country denying the same to United States vessels.

Penalty for violation.

SEC. 18. Section nine of "An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying-trade, and for other purposes," approved June twenty-sixth, eighteen hundred and eighty-four, is hereby amended in the eighth line by inserting after the words "and the consular officer" the following: "When the transportation is by a sailing vessel; and the regular steerage-passenger rate, not to exceed two cents per mile, when the transportation is by steamer." And the said section is further amended by adding at the end the following: "or to take any seaman having a contagious disease."

Vol. 23, chap. 121, p. 55, amended.

Fare for returning destitute seamen.

Need not take infected person.

Approved, June 19, 1886.

CHAP. 422.—An act to detach the counties of Howard, Little River, and Sevier from the western and add them to the eastern district of Arkansas.

June 19, 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of section five hundred and thirty-three of the Revised Statutes as provides that Howard, Little River, and Sevier counties shall be embraced in the western judicial district of Arkansas be, and the same is hereby, repealed, and the said counties are hereby added to and placed in the eastern judicial district of said State; and all process issued against defendants residing therein shall be returned to Little Rock until otherwise provided, and all causes of action which have accrued or may hereafter accrue in said counties of which the courts of the United States have jurisdiction shall be cognizable in the court at Little Rock until otherwise provided by law.

Howard, Little River, and Sevier Counties transferred from western to eastern district of Arkansas.

R. S., sec. 533, p. 89.

SEC. 2. That all actions or proceedings now pending against parties residing in either of said counties in the court for the said western district may, on the application of either party, be transferred to the court for the eastern district at Little Rock; and in case of such transfer, all papers and files therein, with copies of all record entries, shall be transferred to the office of the clerk of such court; and the same shall proceed in all respects as though originally commenced in said court at Little Rock.

Pending actions to be transferred.

SEC. 3. All crimes and offences heretofore committed within said western district shall be prosecuted, tried and determined in the same manner and with the same effect as if this act had not been passed.

Crimes heretofore committed to be tried in western district.