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leges of the other post routes in the United States; and the United States shall have the right of way for postal-telegraph purposes across said bridge.

Right to amend, etc., reserved.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved, and the right to require any changes in said structure at the expense of the owners thereof, whenever the Secretary of War shall decide that the public interests require it, is also reserved.

Commencement and completion.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within three years from the date of the approval of the plans by the Secretary of War.

Approved, February 15, 1898.

February 17, 1898.

CHAP. 25.—An Act Relating to the adulteration of foods and drugs in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall, within the District of Columbia, by himself or by his servant or agent, or as the servant or agent of any other person, sell, exchange, or deliver, or have in his custody or possession with the intent to sell or exchange, or expose or offer for sale or exchange, any article of food or drug which is adulterated within the meaning of this Act.

District of Columbia.
Adulteration of food and drugs.

Definitions.
"Drug."
"Food."

SEC. 2. That the term "drug," as used in this Act, shall include all medicines for external or internal use, antiseptics, disinfectants, and cosmetics. The term "food," as used herein, shall include confectionery, condiments, and all articles used for food or drink by man, and if there be more than one quality of any article of food or drug known by the same name the best quality thereof shall be furnished to the purchaser, unless he otherwise requests at the time of making such purchase, or unless he be notified at such time of the inferior quality of the article delivered.

Adulteration.

SEC. 3. That an article shall be deemed to be adulterated within the meaning of this Act:

—of drugs.

(a) In the case of drugs: First, if, when sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality, or purity laid down in the edition thereof at the time official; second, if, when sold under or by a name not recognized in the United States Pharmacopœia, but which is found in the German, French, or English Pharmacopœia, it differs from the strength, quality, or purity laid down therein; third, if, when sold as a patented medicine, compounded drug, or mixture, it is not composed of all of the ingredients advertised or printed or written on the bottles, wrappers, or labels of or on or with the patented medicine, compounded drug, or mixture:

Proviso.
Articles sold in good faith, etc.

Provided, That if the defendant in any prosecution under this Act, in respect to the sale of any such patented medicine, compounded drug, or mixture, shall prove to the satisfaction of the court that he had purchased the article in question as the same in nature, substance, and quality as that demanded of him by the purchaser, and with a written warranty to that effect; that he had no reason to believe at the time when he sold it that the article was otherwise, and that he sold it in the same state as when he purchased it, he shall be discharged from the prosecution.

—of food.

(b) In the case of food: First, if any substance or substances have been mixed with it so as to reduce or lower or injuriously affect its quality or strength; second, if an inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable constituent has been wholly or in part abstracted from it; fourth, if it is an imitation of or is sold under the name of another article; fifth, if it consists wholly or in part of a deceased, decomposed, putrid, or rotten animal or vegetable substance, whether manufactured or not; sixth, if it is colored, coated, polished, or powdered

whereby damage is concealed, or if it is made to appear better or of greater value than it really is; seventh, if it contains any added poisonous ingredient or any ingredient which may render it injurious to the health of a person consuming it; eighth, in the case of milk, if it contains less than three and one-half per centum of fat, less than nine per centum of solids not fat, and contains more than eighty-seven and one-half per centum of water; in the case of cream, if it contains less than twenty per centum of butter fat; ninth, in the case of butter or cheese, if it is not made exclusively from milk or cream, or both, with or without common salt; the butter, if it contains more than twelve per centum of water, more than five per centum of salt, and less than eighty-three per centum of fat; tenth, in the case of coffee, if it is not composed entirely of the seed of the Caffea arabica; eleventh, in the case of lard, if it is not made exclusively from the rendered fat of the healthy hog; twelfth, in the case of tea, if it is not composed entirely of the genuine leaf of the tea plant not exhausted; thirteenth, in the case of all kinds of vinegar, if it contains an acidity equivalent to the presence of less than four per centum of absolute acetic acid; and cider vinegar, if it is not made from the pure apple juice and contains less than one and five-tenths per centum of total solids; fourteenth, in the case of cider, if it is not made from the legitimate product of pure apple juice; in the case of wines and fruit juices, if not made from the pure fruit as represented; and in the case of cider, wines, fruit juices, and malt liquors, if not free from salicylic acid or other preservatives; and in the case of malt liquors, if not free from piric acid, coculus indicus, colchicine, colocynth, aloes, and wormwood; fifteenth, in the case of glucose, if it contains more than five one-hundredths per centum of ash; sixteenth, in the case of flour, if it is not composed entirely of one single ground cereal; seventeenth, in the case of bread, if there is any addition of alum, sulphate of copper, borax, or sulphate of zinc, or other poisonous or harmful ingredient, and if it contains more than thirty-one per centum of moisture, more than two per centum of ash, and less than six and twenty-five one-hundredths per centum of albuminoids; eighteenth, in the case of olive oil, if it is not made exclusively from the olive berry (Olea europæa), and its specific gravity at fifteen and six-tenths degrees centigrade (sixty degrees Fahrenheit) "actual density" to be not more than nine hundred and seventeen one-thousandths nor less than nine hundred and fourteen one-thousandths: *Provided*, That an offense shall not be deemed to be committed under this section in the following cases, that is to say, first, where the order calls for an article of food or drug inferior to such standard, or where such difference is made known by being plainly written or printed on the package; second, where the article of food or drug is mixed with any matter or ingredient not injurious to health and not intended fraudulently to increase its bulk, weight, or measure or conceal its inferior quality, if at the time such article is delivered to the purchaser it is made known to him that such article of food or drug is so mixed.

Proviso.
Where inferior brand is ordered; admixture of harmless ingredients, etc.

SEC. 4. That it shall be the duty of the health officer of the District of Columbia, under the direction of the Commissioners of said District, to adopt such measures as may be necessary to facilitate the enforcement hereof, and prepare rules and regulations with regard to the proper method of collecting and examining drugs and articles of food in said District.

Health officer District of Columbia to prepare regulations, etc.

SEC. 5. That it shall be the duty of the health officer to investigate a complaint for a violation of any of the provisions of this Act on the information of any person who lays before him satisfactory evidence by which to substantiate such complaint.

To investigate violations of act.

SEC. 6. That every person offering for sale or delivering to any purchaser any drug or article of food included in the provisions of this Act shall furnish to any analyst or other officer or agent of the health department, who shall apply to him for the purpose and shall tender him the value of the same, a sample sufficient for the purpose of analysis of any such drug or article of food which is in his possession.

Samples for analysis.

Portion of sample to be reserved, etc.

SEC. 7. That in all cases where any drug or article of food shall be taken as a sample to be examined and analyzed the person making the analysis shall reserve a portion of the sample, which shall be sealed, for a period of thirty days from the time of taking such sample, and in case of a complaint the reserved portion alleged to be adulterated shall, upon application, be delivered to the defendant or his attorney.

No interference with officers of health department.

SEC. 8. That no person shall hinder, obstruct, or in any way interfere with any inspector, analyst, or other person of the health department in the performance of his duty in carrying out the provisions of this Act.

Procedure.

SEC. 9. That all prosecutions under this Act shall be in the police court of said District, on information brought in the name of the District of Columbia, and on its behalf; and any person or persons violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

Repeal.

Proviso.
Oleomargarine and filled-cheese acts not affected.

Vol. 24, p. 209.

Vol. 29, p. 253.

SEC. 10. That all acts and parts of acts inconsistent with this Act be, and the same are hereby, repealed: *Provided*, That nothing in this Act contained shall be construed as modifying or repealing any of the provisions of "An Act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August second, eighteen hundred and eighty-six, or of "An Act defining cheese, and also imposing a tax upon and regulating the manufacture, sale, importation and exportation of 'filled cheese,'" approved June sixth, eighteen hundred and ninety-six.

Approved, February 17, 1898.

February 17, 1898.

CHAP. 26.—An Act To amend the laws relating to navigation.

Navigation.
Transportation of merchandise in American vessels.
R. S., sec. 4347, p. 839, etc.
Sailing of foreign vessels between United States ports not prohibited.
Proviso.
Not to be reladen, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no merchandise shall be transported by water under penalty of forfeiture thereof from one port of the United States to another port of the United States, either directly or via a foreign port, or for any part of the voyage, in any other vessel than a vessel of the United States. But this section shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States: *Provided*, That no merchandise other than that imported in such vessel from some foreign port which shall not have been unladen shall be carried from one port or place in the United States to another.

Vol. 24, p. 81.

SEC. 2. That section eight of "An Act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, owners of vessels, and for other purposes," approved June nineteenth, eighteen hundred and eighty-six, is hereby amended to read:

Increase of penalty to foreign vessels on passengers between United States ports.

"SEC. 8. No foreign vessel shall transport passengers between ports or places in the United States, either directly or by way of a foreign port, under a penalty of two hundred dollars for each passenger so transported and landed."

Regulations by Secretary of the Treasury for the transshipment of merchandise, etc.

SEC. 3. Whenever merchandise is imported into the United States by sea for immediate exportation to a foreign port by sea, or by a river, the right to ascend or descend which for the purposes of commerce is secured by treaty to the citizens of the United States and the subjects of a foreign power, the Secretary of the Treasury is hereby authorized to prescribe regulations for the transshipment and transportation of such merchandise.

Report by masters of foreign vessels.
R. S., sec. 3109, p. 597, amended.

SEC. 4. That section thirty-one hundred and nine of the Revised Statutes is hereby amended to read:

"SEC. 3109. The master of any foreign vessel, laden or in ballast, arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, northeastern,