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Small fish.

SEC. 4. That it shall be unlawful for any person to expose for sale in the District of Columbia at any time during the year any striped bass or rockfish or black bass having a length of less than nine inches.

Use of explosives, etc.

SEC. 5. That it shall be unlawful for any person to catch or kill in the waters of the Potomac River or its tributaries within the District of Columbia any fish by means of explosives, drugs, or poisons.

Deposits of deleterious matter.

SEC. 6. That no person shall allow any tar, oil, ammoniacal liquor, or other waste products of any gas works or works engaged in using such products, or any waste product whatever of any mechanical, chemical, manufacturing, or refining establishment, to flow into or be deposited in Rock Creek or the Potomac River or any of its tributaries within the District of Columbia, or into any pipe or conduit leading to the same.

Penalty.

SEC. 7. That any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction therefor before the police court or any other court of the District of Columbia shall be fined for each and every such offense not less than ten dollars nor more than one hundred dollars, and in default of payment of fine shall be imprisoned in the workhouse for a period not exceeding six months; and any officer or other person securing such conviction before the police court of the District of Columbia shall be entitled to and receive one-half of any fine or fines imposed upon and paid by the party or parties adjudged guilty.

One-half fine to informer, etc.

Disposition of nets, etc., taken.

SEC. 8. That all nets, boats, or other contrivances, the property of any person convicted under the provisions of this Act shall be returned to the property clerk of the Metropolitan police department to be delivered to the owner upon the order of the judge of the police or other court, and if not called for within six months by the claimant the same shall be treated as other abandoned property coming into the hands of the police.

Repeal.

SEC. 9. That all acts or parts of acts not in harmony with the provisions of this Act be, and the same are hereby, repealed.

Approved, May 17, 1898.

May 17, 1898.

CHAP. 339.—An Act To confer jurisdiction upon the circuit courts in certain cases.

Circuit courts. Jurisdiction conferred to decree partition where United States is joint tenant, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several circuit courts of the United States shall have jurisdiction of suits in equity brought by any tenant in common or joint tenant for the partition of lands in cases where the United States is one of such tenants in common or joint tenants, such suit to be brought in the circuit court of the district in which such land is situate.

Suit against the United States.

SEC. 2. That when such suit is brought by any person owning an undivided interest in such land, other than the United States, against the United States alone or against the United States and any other of such owners, service shall be made on the United States by causing a copy of the bill filed to be served upon the district attorney of the district wherein the suit is brought, and by mailing a copy of the same by registered letter to the Attorney-General of the United States; and the complainant in such bill shall file with the clerk of the court in which such bill is filed an affidavit of such service and of the mailing of such letter. It shall be the duty of the district attorney upon whom service of the bill is made as aforesaid to appear and defend the interests of the Government, and within sixty days after service upon him as hereinabove prescribed, unless the time shall be enlarged by order of the court made in the case, to file a plea, answer, or demurrer on the part of the Government, and the cause shall proceed as other cases for partition by courts of equity, and in making such partition the court shall be governed by the same principles of equity that control courts of

—service on.

—appearance by district attorney.

—pleadings.

equity in partition proceedings between private persons. Whenever in such suit the court shall order a sale of the property or any part thereof the Attorney-General of the United States may, in his discretion, bid for the same in behalf of the United States. If the United States shall be the purchaser, the amount of the purchase money shall be paid from the Treasury of the United States upon a warrant drawn by the Secretary of the Treasury on the requisition of the Attorney-General.

Sale of property.
—bid by the United States.

Approved, May 17, 1898.

CHAP. 340.—An Act Declaring the Federal jail at the city of Fort Smith, Arkansas, a national prison for certain purposes.

May 17, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal jail at the city of Fort Smith, Arkansas, in addition to the purposes for which it is now used, is hereby declared to be a national prison, for the confinement of persons convicted of crimes and misdemeanors in the United States courts and commissioners' courts in the Indian Territory, in cases where the term of imprisonment does not exceed one year, admission into said prison to be under such rules and regulations as may be prescribed by the Attorney-General of the United States. And said jail may also be used for the care and confinement of United States prisoners in the Texarkana division of the western district of Arkansas.

Fort Smith, Ark.
Federal jail declared a national prison.
—admission into.
—additional use.

Approved, May 17, 1898.

CHAP. 341.—An Act To provide for the disposition of abandoned imported merchandise.

May 17, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-three of the Act of June tenth, eighteen hundred and ninety, is hereby amended so as to read as follows:

Customs.
Abandoned imported merchandise.
Vol. 26, p. 140.

"SEC. 23. That no allowance for damage to goods, wares, and merchandise imported into the United States shall hereafter be made in the estimation and liquidation of duties thereon; but the importer thereof may, within ten days after entry, abandon to the United States all or any portion of goods, wares, and merchandise included in any invoice, and be relieved from the payment of the duties on the portion so abandoned: *Provided*, That the portion so abandoned shall amount to ten per centum or over of the total value or quantity of the invoice; and the property so abandoned shall be sold by public auction or otherwise disposed of for the account and credit of the United States under such regulations as the Secretary of the Treasury may prescribe. All merchandise so abandoned by the importer thereof shall be delivered by such importer at such place within the port of arrival as the chief officer of customs may direct, and on the failure of the importer to comply with the directions of the collector in this respect the abandoned merchandise shall be disposed of by the collector at the expense of such importer."

No allowance for damage.
—abandonment and relief.
Proviso.
Value of abandoned goods.
—sale.
—place of delivery by importer.
—failure to deliver.

Approved, May 17, 1898.

CHAP. 342.—An Act To organize a volunteer signal corps.

May 18, 1898.

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 organize a volunteer signal corps, for service during the existing war, which corps shall receive the same pay and allowances as are authorized by law for the Signal Corps of the Army.

Army.
Volunteer signal corps.
—pay.