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owning or controlling any of the said tunnels shall, after receiving notice to that effect, as hereinbefore required, from the Secretary of War, and within the time prescribed by him, fail or refuse to remove the same or to make the changes specified in the notice of the Secretary of War, such person or persons, corporation or corporations, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding ten thousand dollars; and each and every month such person or persons, corporation or corporations, shall remain in default in respect to the removal or alteration of such tunnel shall be deemed a new offense and subject the person or persons, corporation or corporations, so offending to the penalty herein prescribed: *Provided*, That in any case arising under the provisions of this Act an appeal or writ of error may be taken from the district court or from the circuit court direct to the Supreme Court either by the United States or by the defendants.

Penalty.

Proviso. Appeal.

Approved, April 27, 1904.

CHAP. 1616.—An Act To provide an American register for the steamer Beaumont.

April 27, 1904.
[H. R. 4570.]
[Public, No. 175.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer Mira, owned by a citizen of the United States, to be registered as a vessel of the United States, under the name of Beaumont, whenever it shall be shown to the Commissioner of Navigation that the repairs made in the United States, together with the salvage, less the amount expended in payment of wages to foreign workingmen and in the employment of foreign tugs and for foreign material have amounted to three times the price paid for the wreck (exclusive of salvage) to her foreign owners.

"Mira," steamer. American register granted foreign built, and name changed to "Beaumont." Conditions.

Approved, April 27, 1904.

CHAP. 1617.—An Act Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and five, and for other purposes.

April 27, 1904.
[H. R. 6758.]
[Public, No. 176.]

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 payment of pensions for the fiscal year ending June thirtieth, nineteen hundred and five, and for other purposes, namely:

Pensions appropriations.

For army and navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all Acts of Congress, one hundred and thirty-seven million ten thousand six hundred dollars: *Provided*, That the appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

Invalid, etc., pensions.

Provisos. Navy from naval fund.

Accounts.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year nineteen hundred and five, eight hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the exami-

Examining surgeons. Fees.