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same manner as is provided in section forty-four hundred and twenty-three for copies of the regular certificate, and the form thereof and the period during which it is to be in force shall be as prescribed by the board of supervising inspectors, or the executive committee thereof, as provided in section forty-four hundred and five. And such temporary certificate, during such period and prior to the delivery to the master or owner of the copies of the regular certificate, shall take the place of, and be a substitute for, such copies of the regular certificate of inspection as required by sections forty-four hundred and twenty-three, forty-four hundred and twenty-four, and forty-four hundred and twenty-six, and for the purposes of said sections, and shall also, during such period, be a substitute for the regular certificate of inspection as required by section forty-four hundred and ninety-eight and for the purposes of said section until such regular certificate of inspection has been filed with the collector or other chief officer of customs. Such temporary certificate shall also be subject to revocation in the manner and under the conditions provided in section forty-four hundred and fifty-three. No vessel required to be inspected under the provisions of this title shall be navigated without having on board an unexpired regular certificate of inspection or such temporary certificate."

R. S., sec. 4423, p. 857. Form, etc. R. S., sec. 4405, p. 853.

Substitute for regular certificate.

R. S., secs. 4423, 4424, 4426, pp. 857, 858.

R. S. sec. 4498, p. 869.

Revocation. R. S., sec. 4453, p. 862.

Restriction.

Approved, June 11, 1906.

CHAP. 3072.—An Act Authorizing James A. Moore or his assigns to construct a canal along the Government right of way connecting the waters of Puget Sound with Lake Washington.

June 11, 1906.
[S. 6329.]
[Public, No. 218.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to, and it shall be lawful for James A. Moore or his assigns to construct a ship canal not less than twenty-five feet in depth and with a bottom width of not less than sixty feet, with a suitable timber lock of not less than six hundred feet in length and seventy-two feet in width, along the Government right of way connecting the waters of Puget Sound, in the State of Washington, with Lake Washington, subject always to the provisions and requirements of this Act and to such conditions and stipulations as may be imposed by the Chief of Engineers and the Secretary of War for the protection of navigation and the property and other interests of the United States, which shall include provision for the discharge of waters from Lakes Union and Washington and afford adequate protection against claims for damages for changing the level of Lake Washington, subject to every right and power of the United States: *Provided*, That such canal and lock shall not be built or commenced until after the plans and specifications for their construction, together with such drawings of the proposed construction and such maps of the proposed locations as may be required for a full understanding of the subject, have been submitted to the Secretary of War for his approval and until after he shall have approved such plans and specifications and the location of such lock and any accessory works, and such works shall at all times be subject to the inspection and supervision of the Secretary of War; and when the plans for any lock and canal for construction under the provisions of this Act have been approved by the Secretary of War it shall not be lawful to deviate from such plans, either before or after the completion of the structure, unless the modification of such plans has previously been submitted to and received the approval of the Secretary of War: *And provided*, That the said James A. Moore or his assigns shall be liable for any damage that may be inflicted by the construction of said lock and canal by overflow, by a lowering of the waters affected, or otherwise, in a court of competent jurisdiction, and the said Secretary of War may compel

Puget Sound and Lake Washington, Wash.

James A. Moore may construct a canal, etc., connecting waters of. *Post*, p. 1108.

Conditions, etc.

Provisos.
Secretary of War to approve plans, etc.

Inspection.

Damages.

Bond.

the execution of a sufficient bond by the said James A. Moore, or his assigns, insuring compliance with the provisions and conditions imposed: *And provided further*, That said canal and lock, when completed, shall be turned over to the United States ready for use and free of all expense to the United States, and thenceforth shall be and remain the sole and exclusive property of the United States, but the said James A. Moore, or his assigns, shall operate and maintain in suitable condition the said canal and lock after completion for a period of three years to the satisfaction of said Secretary of War and Chief of Engineers of the United States, free of cost to the United States, and from charges of any kind whatever, and free from the payment of all tolls.

Canal to be property of United States free of cost.

Time of completion.

SEC. 2. That this Act shall be null and void unless the canal and lock herein authorized shall be commenced within one year and completed within three years from the date of the approval hereof.

Amendment.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 11, 1906.

June 11, 1906.
[H. R. 239.]
[Public, No. 219.]

CHAP. 3073.—An Act Relating to liability of common carriers in the District of Columbia and Territories and common carriers engaged in commerce between the States and between the States and foreign nations to their employees.

Common carriers. Liability of, for injuries, etc., to employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every common carrier engaged in trade or commerce in the District of Columbia, or in any Territory of the United States, or between the several States, or between any Territory and another, or between any Territory or Territories and any State or States, or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, shall be liable to any of its employees, or, in the case of his death, to his personal representative for the benefit of his widow and children, if any, if none, then for his parents, if none, then for his next of kin dependent upon him, for all damages which may result from the negligence of any of its officers, agents, or employees, or by reason of any defect or insufficiency due to its negligence in its cars, engines, appliances, machinery, track, roadbed, ways, or works.

Damages.

SEC. 2. That in all actions hereafter brought against any common carriers 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 where his contributory negligence was slight and that of the employer was gross in comparison, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee. All questions of negligence and contributory negligence shall be for the jury.

Contributory negligence no bar to recovery.

Jury to decide degree of negligence.

Insurance, etc., contracts no defense in suits for damages.

SEC. 3. That no contract of employment, insurance, relief benefit, or indemnity for injury or death entered into by or on behalf of any employee, nor the acceptance of any such insurance, relief benefit, or indemnity by the person entitled thereto, shall constitute any bar or defense to any action brought to recover damages for personal injuries to or death of such employee: *Provided, however*, That upon the trial of such action against any common carrier the defendant may set off therein any sum it has contributed toward any such insurance, relief benefit, or indemnity that may have been paid to the injured employee, or, in case of his death, to his personal representative.

Proviso. Certain contributions by employers to be deducted.

Time limit for action.

SEC. 4. That no action shall be maintained under this Act, unless commenced within one year from the time the cause of action accrued.