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"(c) For instruments at places situated at such distances from the central office of the company requiring more than five miles of constructed line, not more than six dollars and twenty-five cents per month:

"*Provided, however*, That nothing in this section contained shall prohibit the making of any special contract for any special service.

Offices.

"SEC. 18. The said Standard Telephone Company shall during the existence of this franchise have and maintain an office for the transaction of business of the company at some place in Honolulu convenient of access to the public, and a majority of the board of directors of said company and other persons having the charge, management, and control thereof shall be residents of the Territory of Hawaii.

Inspection.

"SEC. 19. The entire plant, operation, books, and accounts of said Standard Telephone Company shall at any time be open and subject to the inspection of the treasurer of the Territory of Hawaii or any person appointed by him for the purpose.

Forfeiture.

"SEC. 20. FORFEITURE OF FRANCHISE.—Whenever said company refuses or fails to do or perform or comply with any act, matter, or thing requisite or required to be done under the terms of this act, and shall continue so to refuse or fail to do or perform or comply therewith after reasonable notice given by the superintendent of public works or other proper authority to comply therewith, the governor and attorney-general shall cause proceedings to be instituted before the proper tribunal to have the franchise granted by this act, and all rights and privileges granted hereunder, forfeited and declared null and void.

Franchise not exclusive.

"SEC. 21. FRANCHISE NOT EXCLUSIVE.—It is hereby expressly provided that nothing herein contained shall be so construed as to grant to the company the exclusive right to install or operate a telephone system or systems.

Effect.

"SEC. 22. This act shall take effect from and after its approval by the Congress of the United States of America.

"Approved this twenty-sixth day of April, anno Domini nineteen hundred and five.

"G. R. CARTER,
"Governor of the Territory of Hawaii."

Amendment, etc.

SEC. 2. That Congress, or the legislature of the Territory of Hawaii with the approval of Congress, may at any time alter, amend, or repeal said Act.

Approved, June 20, 1906.

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**CHAP. 3442.**—An Act To regulate the landing, delivery, cure, and sale of sponges.

June 20, 1906.
[S. 4806.]
[Public, No. 250.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after May first, anno Domini nineteen hundred and seven, it shall be unlawful to land, deliver, cure, or offer for sale at any port or place in the United States any sponges taken by means of diving or diving apparatus from the waters of the Gulf of Mexico or Straits of Florida: *Provided*, That sponges taken or gathered by such process between October first and May first of each year in a greater depth of water than fifty feet shall not be subject to the provisions of this Act: *And provided further*, That no sponges taken from said waters shall be landed, delivered, cured, or offered for sale at any port or place in the United States of a smaller size than four inches in diameter.

Sponges.
Landing, etc., taken by diving in Gulf of Mexico, etc., unlawful.

*Provisos.*
Exception.

Size restricted.

Penalties.

SEC. 2. That every person guilty of a violation of this Act shall for each offense be liable to a fine of not less than one hundred dollars or more than five hundred dollars, which fine shall be a lien against the

vessel on which the offense was committed. And every vessel used or employed in violation of this Act shall be liable to a fine of not less than one hundred dollars or more than five hundred dollars or forfeiture, and shall be seized and proceeded against by process of libel in any court having jurisdiction of the offense.

Prosecutions.

SEC. 3. That any violation of this Act shall be prosecuted in the district court of the United States of the district wherein the offense was committed.

Enforcement.

SEC. 4. That it shall be the duty of the Secretary of Commerce and Labor to enforce the provisions of this Act, and upon his request the Secretary of the Treasury and the Secretary of the Navy may employ the vessels of the Revenue-Cutter Service and of the Navy, respectively, to that end.

Approved, June 20, 1906.

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June 20, 1906.
[H. R. 4464.]
[Public, No. 251.]

**CHAP. 3443.**—An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes.

District of Columbia. Fire department. Extent, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fire department of the District of Columbia shall embrace the whole of the said District, and its personal and movable property shall be assigned and located as the Commissioners of said District may direct within the appropriations made by Congress.

Commissioners to have exclusive jurisdiction.

SEC. 2. That the Commissioners of the District of Columbia shall appoint, assign to such duty or duties, promote, reduce, fine, suspend, with or without pay, and remove all officers and members of the fire department of the District of Columbia according to such rules and regulations as said Commissioners in their exclusive jurisdiction and judgment may from time to time make, alter, or amend: *Provided*, That the rules and regulations of the fire department heretofore promulgated are hereby ratified and shall remain in force until changed by said Commissioners.

*Proviso.* Present rules ratified.

Officers and men.

SEC. 3. That the fire department of the District of Columbia shall consist of one chief engineer, one deputy chief engineer, both of whom shall have had at least five years of experience in some regularly organized municipal fire department, such number of battalion chief engineers as said Commissioners may deem necessary from time to time within the appropriations made by Congress; one fire marshal; such number of deputy fire marshals, inspectors, and clerks as said Commissioners may deem necessary from time to time within the appropriations made by Congress; such number of captains and lieutenants as said Commissioners may deem necessary from time to time within the appropriations made by Congress; one superintendent of machinery; such number of assistant superintendents of machinery, engineers, assistant engineers, pilots, marine engineers, assistant marine engineers, drivers, assistant drivers, privates of class numbered two and privates of class numbered one as said Commissioners may deem necessary from time to time within the appropriations made by Congress: *Provided*, That the chief engineer of the fire department of the District of Columbia shall have the right to call for and obtain the services of any veterinary surgeon employed by the District who at the time shall not be engaged in a more emergent veterinary service for the District: *And provided further*, That the police surgeons of said District are required to attend, without charge, the members of the fire department of said District, and examine all applicants for appointment to, promotion in, and retirement from said fire department.

*Provisos.* Veterinary surgeons.

Police surgeons.