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mental, moral, and professional fitness to perform the duties of that grade: *Provided further*, That the said James H. Oliver shall be carried as additional to the number of the grade to which he may be appointed under this Act or at any time thereafter promoted: *And provided further*, That said James H. Oliver shall not by the passage of this Act be entitled to back pay of any kind.

Additional number of grade.

No back pay.

Approved, June 30, 1906.

CHAP. 3908.—An Act For the relief of Francis J. Cleary, a midshipman in the United States Navy.

June 30, 1906.
[S. 4593.]
[Public, No. 377.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Francis J. Cleary, now a midshipman in the United States Navy, to the grade and rank of ensign on the active list of the Navy, to take rank with the members of his class according to proficiency as shown by order of merit at the date of final graduation: *Provided*, That the said Cleary shall be an additional number in the grade of ensign, and in any grade in which he may hereafter be advanced.

Navy.
Francis J. Cleary.
May be appointed ensign on active list.

Proviso.
Additional number in grade, etc.

Approved, June 30, 1906.

CHAP. 3909.—An Act To amend section twenty-eight hundred and seventy-one of the Revised Statutes.

June 30, 1906.
[H. R. 7099.]
[Public, No. 378.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-eight hundred and seventy-one of the Revised Statutes of the United States is hereby amended so as to read as follows:

Shipping.
Lading and unlading vessels.

"SEC. 2871. Upon arrival at any port in the United States of a steamship or other conveyance from a foreign port or place, or upon the arrival of a steamship or other conveyance from another port in the United States belonging to a line designated by the Secretary of the Treasury as a common carrier of bonded merchandise, the collector of customs, with the concurrence of the naval officer, where there is one, upon or after the issuing of a general order, shall grant, upon proper application therefor, a special license to lade or unlade the cargo of said vessel or other conveyance at night—that is to say, between sunset and sunrise; but before any such special license is granted the master, agents, or consignees of the vessel or other conveyance shall execute and deliver to the collector a good and sufficient bond, to be approved by him, conditioned to indemnify and save the collector harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special license. And any liability of the master or owner of any such steamship or other conveyance to the owner or consignee of any merchandise landed from her or other conveyance shall not be affected by the granting of such special license or of any general order, but such liability shall continue until the merchandise is properly removed from the dock whereon the same may be landed. The collector, under such general regulations as the Secretary of the Treasury may prescribe, shall fix a uniform and reasonable rate of compensation for like service, to be paid by the master, owner, or consignee whenever such special license is granted, and shall collect and distribute the same among the inspectors assigned to superintend the lading or unlading of the cargo."

Special license for, at night.
R. S., sec. 2871, p. 556, amended.
Extended to bonded carriers.

Bond.

Compensation for inspectors.

Approved, June 30, 1906.