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CHAP. 2936.—An Act To amend an Act entitled “ An Act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River.”

March 4, 1907.
[H. R. 25672.]

[Public, No. 271.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two of chapter eighteen hundred and twenty-one of the laws of eighteen hundred and ninety-four, approved April twenty-eighth, nineteen hundred and four, is hereby amended to read as follows:

Missouri River, Mont.
Time extended to Ox Bow Power Company to dam.

“**SEC. 2.** That this Act shall be null and void unless the structures herein authorized shall be commenced within one year and completed within three years from the date of approval thereof.”

Time of construction.
Vol. 33, p. 571, amended.

Approved, March 4, 1907, 11 a. m.

CHAP. 2937.—An Act To provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building.

March 4, 1907.
[H. R. 25719.]

[Public, No. 272.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Department of Commerce and Labor be, and he is hereby, authorized and directed to establish an immigration station at the city of Charleston, in the State of South Carolina, and to cause to be erected, on a site to be selected, a public building to temporarily accommodate and care for immigrants arriving at said city: *Provided,* That the land and dock room necessary for said station and building be transferred to the Government of the United States free of any cost to the United States.

Charleston, S. C.
Public building at for immigration station, authorized.

Proviso.
Site to be furnished free of cost.

SEC. 2. That the sum of seventy thousand dollars is hereby appropriated for the erection of said building, which sum shall be paid from the immigrant fund, said sum to include heating and ventilating apparatus, elevators, and approaches.

Appropriation from immigrant fund.

Approved, March 4, 1907, 11 a. m.

CHAP. 2938.—An Act To authorize the Secretary of War to loan and deliver certain brass field pieces to the Valley Forge Park Commission of the State of Pennsylvania.

March 4, 1907.
[H. R. 25812.]

[Public, No. 273.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to loan and deliver to the Valley Forge Park Commission, for the ornamentation of the grounds of Valley Forge Park, of the Commonwealth of Pennsylvania, twenty-five brass field pieces, with their carriages and equipments, now in the possession of the United States, the same to be subject at all times to the order of the Secretary of War: *Provided,* That no expense shall be incurred by the United States for the delivery of said articles.

Valley Forge Park, Pa.
Cannon, etc., loaned to.

Proviso.
No expense.

Approved, March 4, 1907, 11 a. m.

CHAP. 2939.—An Act To promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

March 4, 1907.
[S. 5133.]

[Public, No. 274.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers

Railroads.
Service hours of employees restricted.

or property by railroad in the District of Columbia or any Territory of the United States, or from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States. The term "railroad" as used in this Act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "employees" as used in this Act shall be held to mean persons actually engaged in or connected with the movement of any train.

Meaning of word "railroad."

Meaning of word "employees."

Sixteen hours the maximum continuous service of trainmen.

Ten consecutive hours off duty.

Provisos. Service hours of telegraph, etc., operators.

Period may be extended.

Penalty for violation.

Prosecutions.

Provisos. Unavoidable accidents, etc.

Wrecking, etc., crews.

SEC. 2. That it shall be unlawful for any common carrier, its officers or agents, subject to this Act to require or permit any employee subject to this Act to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week: *Provided further*, The Interstate Commerce Commission may after full hearing in a particular case and for good cause shown extend the period within which a common carrier shall comply with the provisions of this proviso as to such case.

SEC. 3. That any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section hereof, shall be liable to a penalty of not to exceed five hundred dollars for each and every violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorney to bring such suits upon satisfactory information being lodged with him; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge. In all prosecutions under this Act the common carrier shall be deemed to have had knowledge of all acts of all its officers and agents: *Provided*, That the provisions of this Act shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *Provided further*, That the provisions of this Act shall not apply to the crews of wrecking or relief trains.

SEC. 4. It shall be the duty of the Interstate Commerce Commission to execute and enforce the provisions of this Act, and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this Act. Enforcement.

SEC. 5. That this Act shall take effect and be in force one year after its passage. Effect.

Approved, March 4, 1907, 11.50 a. m.

CHAP. 2940.—An Act To amend section five hundred and ninety-one of the Revised Statutes of the United States relative to the assignment of district judges to perform the duties of a disabled judge.

March 4, 1907.
[S. 7812.]

[Public, No. 275.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever in the case contemplated and provided for in section five hundred and ninety-one of the Revised Statutes it shall be certified by the circuit judge, or in his absence, by the circuit justice of the circuit in which the district lies, that for any sufficient reason it is impracticable to designate and appoint a judge of another district within the circuit to perform the duties of such disabled judge, the chief justice may, if in his judgment the public interests so require, designate and appoint the judge of any other district in another circuit to hold said courts and to discharge all the judicial duties of the judge so disabled, during such disability.

United States courts.
Designation from another circuit permitted for disabled district judge.
R. S., sec. 591, p. 104, amended.

Approved, March 4, 1907, 10 a. m.

CHAP. 2941.—An Act For the relief of Harold D. Childs.

March 4, 1907.
[S. 8230.]

[Public, No. 276.]

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 Harold D. Childs, late midshipman, an ensign in the United States Navy, and to place him upon the retired list as such with three-fourths the pay of his grade.

Navy.
Harold D. Childs may be appointed ensign, and placed on retired list.

Approved, March 4, 1907, 11 a. m.