

United States, and any officer of the Army, Navy, Marine Corps or Revenue-Cutter Service, detailed to conduct an investigation, and the recorder, and if there be none the presiding officer, of any military, naval, or Revenue-Cutter Service board appointed for such purpose, shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation."

Approved, February 13, 1911.

Army, Navy, etc.,
added.

CHAP. 44.—An Act To provide for the erection of a monument to commemorate the battle of Guilford Court House, North Carolina, and in memory of Major-General Nathanael Greene and the officers and soldiers of the Continental Army who participated with him in the battle of Guilford Court House, North Carolina.

February 13, 1911.
[S. 5879.]

[Public, No. 348.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a monument on the battlefield of Guilford Court House, in Guilford County, North Carolina, to commemorate the great victory won there on March fifteenth, seventeen hundred and eighty-one, by the American forces, commanded by Major-General Nathanael Greene, and in memory of Major-General Nathanael Greene and the officers and soldiers of the Continental Army who participated in the battle of Guilford Court House: *Provided,* That the money authorized to be appropriated as aforesaid shall be expended under the direction of the Secretary of War, and the plans, specifications, and designs for such monument shall be first approved by the Secretary of War, with the assistance of the officers of the Guilford Battle Ground Company, before any money so authorized to be appropriated is expended: *And provided further,* That the site for said monument within the limits of said battlefield of Guilford Court House shall be selected by the Secretary of War and donated free of cost to the United States: *And provided further,* That when said monument is erected the responsibility for the care and keeping of the same shall be and remain with the Guilford Battle Ground Company, it being expressly understood that the United States shall have no responsibility therefor; and it being further understood that said Guilford Battle Ground Company shall provide for the public use an open highway thereto.

Guilford Court
House, N. C.
Appropriation au-
thorized for battle-
field memorial monu-
ment,
Post, p. 1402.

Proviso.
Approval of plans.

Donation of site.

Future care.

Approved, February 13, 1911.

CHAP. 45.—An Act For the relief of John M. Blankenship.

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, by and with the advice and consent of the Senate, to appoint John M. Blankenship an ensign in the United States Navy on the retired list.

Approved, February 13, 1911.

February 13, 1911.
[S. 5873.]

[Public, No. 349.]

Navy.
John M. Blanken-
ship may be appointed
ensign, retired.

CHAP. 46.—An Act To provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes.

February 13, 1911.
[S. 6011.]

[Public, No. 350.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. That upon arrival at any port in the United States of any vessel or other conveyance from a foreign port or place, either directly or by way of another port in the United States, or upon such arrival from another port in the United States of any vessel or other

Customs.
Lading and unlading
vessels, etc., at
night.
Special license for.
Vol. 34, p. 633.

conveyance belonging to a line designated by the Secretary of the Treasury as a common carrier of bonded merchandise, and, after due report and entry of such vessel in accordance with existing law or due report, under such regulations as the Secretary of the Treasury may prescribe, of the arrival of such other conveyances, the collector of customs, with the concurrence of the naval officer at ports where there is a naval officer, shall grant, upon proper application therefor, a special license to lade or unlade the cargo of any such vessel or other conveyance at night; that is to say, between sunset and sunrise.

Preliminary entry to
boarding officer.
Oath, manifest, etc.

SEC. 2. That the master of any vessel from a foreign port or place, upon arrival within a customs collection district of the United States, bound to a port of entry in such district, may make preliminary entry of the vessel by making oath or affirmation to the truth of the statements contained in his original manifest and delivering his said original manifest to the customs officer who shall board such vessel within such district, with a copy of said original manifest for the use of the naval officer at ports where there is a naval officer; whereupon, upon arrival at the wharf or place of discharge, the lading or unlading of the cargo of such vessel may proceed, by both day and night, under such regulations as the Secretary of the Treasury may prescribe.

Discharge of cargo
on arrival.

Bond required for
immediate lading or
unlading.

SEC. 3. That before any such special license to lade or unlade at night shall be granted and before any permit shall be issued for the immediate lading or unlading of any such vessel after preliminary entry, as hereinbefore provided, either by day or by night the master, owner, agent, or consignee of such vessel or other conveyance shall make proper application therefor and shall at the same time execute and deliver to the United States, through the collector of customs, a good and sufficient bond, in a penal sum to be approved by the said collector, conditioned to indemnify and save the United States harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special license or the issuing or granting of such permit for immediate lading or unlading; or the master, owner, agent, consignee, or probable consignee, as aforesaid, may execute and deliver to the United States, in like manner and form, a good and sufficient bond, in the penal sum of fifty thousand dollars, conditioned to indemnify and save the United States harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special licenses and the issuing or granting of such permits for immediate lading or unlading by day and night during a period of six months.

Continuing bond for
special licenses and
permits.

Issue of licenses and
permits.

SEC. 4. Such application having been duly made and the required bond having been duly executed and delivered, special license or licenses to lade or unlade at night after regular entry of vessels, and due report of other conveyances, may be granted, and a permit or permits may be issued for the immediate lading and unlading, by day and night, of vessels admitted to preliminary entry, or of other conveyances which due report of arrival has been made: *Provided*, That the provisions of this Act shall extend and be applicable to any vessels or other conveyances bound to a port of entry in the United States to be unladen at a port of delivery or to be unladen at a place of discharge designated by the Secretary of the Treasury under the provisions of section twenty-seven hundred and seventy-six of the Revised Statutes as amended: *Provided further*, That when preliminary entry of a vessel shall be made by the master as herein provided he shall not be relieved from making due report and entry of his vessel at the custom-house in accordance with existing law, and any liability of the master or owner of any such vessel to the owner or consignee of any merchandise landed from her shall not be affected by the granting of such special license, but such liability shall continue until the merchandise is properly removed from the dock whereon the same may be landed.

Proviso.
Vessels with goods
in transit.
R. S. sec. 2776, p. 538.

Formal entry re-
quired.

SEC. 5. That the Secretary of the Treasury shall fix a reasonable rate of extra compensation for night services of inspectors, storekeepers, weighers, and other customs officers and employees in connection with the lading or unlading of cargo at night, or the lading at night of cargo or merchandise for transportation in bond or for exportation in bond, or for the exportation with benefit of drawback, but such rate of compensation shall not exceed an amount equal to double the rate of compensation allowed to each such officer or employee for like services rendered by day, the said extra compensation to be paid by the master, owner, agent, or consignee of such vessel or other conveyance, whenever such special license or permit for immediate lading or unlading or for lading or unlading at night or on Sundays or holidays shall be granted, to the collector of customs, who shall pay the same to the several customs officers and employees entitled thereto according to the rates fixed therefor by the Secretary of the Treasury. Customs officers acting as boarding officers, and any customs officer who may be designated for that purpose by the collector of customs, are hereby authorized to administer the oath or affirmation herein provided for, and such boarding officers shall be allowed extra compensation for services in boarding vessels at night or on Sundays or holidays—at the rate prescribed by the Secretary of the Treasury as herein provided, the said extra compensation to be paid by the master, owner, agent, or consignee of such vessels.

SEC. 6. That section twenty-eight hundred and seventy-one of the Revised Statutes, the Act approved June thirtieth, nineteen hundred and six, entitled "An Act to amend section twenty-eight hundred and seventy-one of the Revised Statutes," and section one of the Act approved June fifth, eighteen hundred and ninety-four, entitled "An Act to facilitate the entry of steamships," and all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, February 13, 1911.

Inspectors, etc.
Extra pay for night service.

Payment to collector by master, etc.

Rates to employees.
Boarding officers, etc., may administer oaths.

Payment for services at night, etc.

Laws repealed.
R. S. sec. 2871, p. 556.
Vol. 34, p. 633. Vol. 28, p. 85.

CHAP. 47.—An Act To diminish the expense of proceedings on appeal and writ of error or of certiorari.

February 13, 1911.
[S. 6386.]

[Public, No. 351.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any cause or proceeding wherein the final judgment or decree is sought to be reviewed on appeal to, or by writ of error from, a United States circuit court of appeals the appellant or plaintiff in error shall cause to be printed under such rules as the lower court shall prescribe, and shall file in the office of the clerk of such circuit court of appeals at least twenty days before the case is called for argument therein, at least twenty-five printed transcripts of the record of the lower court, and of such part or abstract of the proofs as the rules of such circuit court of appeals may require, and in such form as the Supreme Court of the United States shall by rule prescribe, one of which printed transcripts shall be certified under the hand of the clerk of the lower court and under the seal thereof, and shall furnish three copies of such printed transcript to the adverse party at least twenty days before such argument: *Provided,* That either the court below or the circuit court of appeals may order any original document or other evidence to be sent up in addition to the printed copies of the record or in lieu of printed copies of a part thereof; and no written or typewritten transcript of the record shall be required.

United States courts.
Appeal, etc., to circuit courts of appeals.

Printed transcript of record to be filed.

Proviso.
Original documents.

No written transcript required.

Appeals, etc., to Supreme Court.
Use of printed record in court below as part of transcript.

SEC. 2. That in any cause or proceeding wherein the final judgment or decree is sought to be reviewed on appeal to or by writ of error or of certiorari from the Supreme Court of the United States, in which the record has been printed and used upon the hearing in the court