

SEC. 3. That the Secretary of the Treasury is hereby authorized and directed to pay, out of the aforesaid appropriation, for the construction of said sewers, in the manner now provided by law for similar work done in said District.

Manner of making payments.

SEC. 4. That fifty per centum of the amounts so paid by the Secretary of the Treasury upon the warrants of the Commissioners of the District shall be charged to the said District, in the same manner that the cost of similar work is now charged: *Provided*, That one half of any unexpended balances of appropriations heretofore made for the support of the Government of the District of Columbia, and any amounts of money in excess of appropriations which have been deposited by the District in the Treasury of the United States, may be applied by the Commissioners to the liquidation of the amounts so charged to the District, and any excess of money required to be charged to the District for the purposes of this act over the amounts so applied shall be advanced by the United States and be reimbursed with interest at the rate of four per cent per annum, to the United States by the District in annual instalments of not less than fifty thousand dollars, commencing with the fiscal year of eighteen hundred and eighty-five and eighteen hundred and eighty-six.

Proportion to be charged to District of Columbia.
Proviso.

Approved, June 30, 1884.

CHAP. 142.—An act to amend an act entitled “An act to amend the Statutes in relation to immediate transportation of dutiable goods, and for other purposes,” approved June tenth eighteen hundred and eighty.

July 2, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections five and six of the act entitled, “An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes”, approved June tenth, eighteen hundred and eighty, be, and the same are hereby, amended so that they shall read as follows, namely:

Transportation of dutiable goods.
21 Stat., 173.
Sections 5 and 6 amended.

SEC. 5, That merchandise transported under the provisions of this act shall be conveyed in cars, vessels, or vehicles securely fastened with locks or seals, under the exclusive control of the officers of the customs; and merchandise may also be transported under the provisions of this act by express companies on passenger trains, in safes and trunks, which shall be of such size, character, and description, and secured in such manner as shall be from time to time prescribed by the Secretary; and in cases where merchandise shall be imported in boxes or packages too large to be included within the safes or trunks so prescribed, such merchandise may be transported under the provisions of this act by such express companies in a separate compartment of the car, secured in such manner as shall from time to time be prescribed by the Secretary of the Treasury; and merchandise such as pig-iron, speigle-iron, scrap-iron, iron-ore, railroad-iron, and similar articles commonly transported upon platform or flat cars, may be transported under the provisions of this act upon such platform or flat cars; and the weight of such merchandise so transported shall be ascertained in all cases before shipment, and ordinary railroad scales may be used for such purpose; and inspectors shall be stationed at proper points along the designated routes, or upon any car, vessel, vehicle, or train, at the discretion of the Secretary of the Treasury, and at the expense of the companies, respectively, Such merchandise shall not be unladen or transhipped between the ports of first arrival and final destination unless authorized by the regulations of the Secretary of the Treasury in cases which may arise from a difference in the gauge of railroads, or where the route is bonded for both land and water carriage, or from accidents, or from legal intervention, or when by reason of the length of the route the cars, after due inspection by customs officers, shall be considered unsafe or unsuitable to proceed further, or from low water, ice, or other una-

Transportation of merchandise under locks and seals; conditions.

No transshipment except in cases where the route is bonded for land and water carriage, etc.

Merchandise transferred to car, etc., specified in entry.

voidable obstruction to navigation; and in no case shall there be permitted any breaking of the original packages of such merchandise,

SEC. 6. That merchandise so destined for immediate transportation shall be transferred, under proper supervision, directly from the importing vessel to the car, vessel, or vehicle specified in the entry provided for in Section two of this act,"

Approved, July 2, 1884.

July 2, 1884.

CHAP. 143.—An act to amend chapter twenty of the Revised Statutes relating to the District of Columbia, concerning mechanics' liens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every building hereafter erected or repaired by the owner or his agent in the District of Columbia, and the lot or lots of ground of the owner upon which the same is being erected or repaired, shall be subject to a lien in favor of the contractor, subcontractor, material-man, journeyman, and laborer, respectively, for the payment for work or materials contracted for or furnished for or about the erection, construction, or repairing of such building, and also for any engine, machinery, or other thing placed in said building or connected therewith so as to be a fixture: *Provided*, That the person claiming the lien shall file the notice prescribed in the second section of this act: *Provided further*, That the said lien shall not exceed or be enforced for a greater sum than the amount of the original contract for the erection or repair of said building or buildings.

SEC. 2. That any person wishing to avail himself of the provisions of this act, whether his claim be due or not, shall file in the office of the clerk of the supreme court of the District of Columbia, during the construction or within three months after the completion of such building or repairs, or the placing therein or adjacent thereto of any engine, machinery, or other thing as aforesaid, a notice of his intention to hold a lien upon the property declared by this act liable to such lien for the amount due or to become due to him, specifically setting forth the amount claimed. The clerk aforesaid shall file and record such notice in a book provided for that purpose.

SEC. 3. That the lien hereby given shall be preferred to all judgments, mortgages, deeds of trust, liens, and incumbrances which attach upon the said building or the ground aforesaid subsequent to the commencement of work on said building; and all incumbrances and liens (other than those which attached thereto prior to the commencement of said building or repairs) which by the laws of this District are required to be recorded shall be postponed to said liens unless recorded prior to the commencement of said building or repairs.

SEC. 4. That when an owner of lands contracts with a builder for the sale of lots and the erection of buildings thereon, and agrees to advance moneys toward the erection of such buildings, the lien hereinbefore authorized shall have priority to all advances made after the filing of said notices of lien, and the lien shall attach to the right, title, and interest of the owner in said building and land to the extent of all advances which shall have become due after the filing of such notice of such lien, and shall also attach to and be a lien on the right, title, and interest of the person so agreeing to purchase said land at the time of the filing of said notices of lien. When a building shall be erected or repaired by a lessee or tenant for life or years, or a person having an equitable estate or interest in such building or the land on which it stands, the lien created by this act shall only extend to and cover the interest or estate of such lessee, tenant, or equitable owner.

SEC. 5. That the proceedings to enforce the lien created by this act shall be by bill in equity, which shall contain a brief statement of the contract on which the claim is founded, the amount due thereon, the

Mechanics' liens. District of Columbia.

R. S. D. C., chap. 20, amended.

Who may have lien.

Notice to be filed.

Lien not to exceed amount of original contract.

Time and place for filing notice.

Notices to be recorded.

Priority of liens; exceptions.

When lien to have priority; extent of.

Proceedings in action.