CHAP. 393.—An Act To increase the limit of cost of five light-house tenders heretofore authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limit of cost of tender for inspector in the third light-house district, in the Light-House Establishment, under the Light-House Board, in the Department of Commerce and Labor, heretofore authorized, is hereby increased by the sum of sixty-five thousand dollars, so as to make the total limit of cost two hundred thousand dollars instead of one hundred and thirty-five thousand dollars, as heretofore authorized.

Sec. 2. That the limit of cost of tender for inspector in the sixth light-house district, heretofore authorized, is hereby increased by the sum of sixty thousand dollars, so as to make the total limit of cost two hundred thousand dollars instead of one hundred and forty thousand dollars, as heretofore authorized.

Sec. 3. That the limit of cost of tender for inspector in the eleventh light-house district, heretofore authorized, is hereby increased by the sum of sixty thousand dollars, so as to make the total limit of cost two hundred thousand dollars instead of one hundred and forty thousand dollars, as heretofore authorized.

Sec. 4. That the limit of cost of tender for engineer service in the twelfth light-house district, heretofore authorized, is hereby increased by the sum of sixty-five thousand dollars so as to make the total limit of cost two hundred and fifteen thousand dollars instead of one hundred and fifty thousand dollars, as heretofore authorized.

Sec. 5. That the limit of cost of tender for inspection service in the thirteenth light-house district, heretofore authorized, is hereby increased by the sum of sixty-five thousand dollars, so as to make the total limit of cost two hundred and fifteen thousand dollars instead of one hundred and fifty thousand dollars, as heretofore authorized.

Sec. 6. That the Secretary of Commerce and Labor is hereby authorized to enter into contracts for any or all of the tenders herein referred to within the respective limits of cost, as provided by this Act.

Sec. 7. That the President may direct that all or any of the tenders in this Act referred to shall be constructed in any of the Government navy-yards within the respective limits of cost provided.

Approved, January 23, 1907.

CHAP. 394.—An Act Giving the consent of Congress to an agreement or compact entered into between the State of New Jersey and the State of Delaware respecting the territorial limits and jurisdiction of said States.

Whereas commissioners duly appointed on the part of the State of New Jersey and commissioners duly appointed on the part of the State of Delaware, for the purpose of agreeing upon and settling the jurisdiction and territorial limits of the two States, have executed certain articles, which are contained in the words following, namely:

"First. Whereas a controversy hath heretofore existed between the States of New Jersey and Delaware relative to the jurisdiction of such portion of the Delaware River as is included within the circle of twelve-mile radius, an arc of which constitutes the northern boundary of the State of Delaware, and it is the mutual desire of said States to so settle and determine such controversy as to prevent future complications arising therefrom; and

"Whereas there is now pending in the Supreme Court of the United States a cause wherein the said State of New Jersey is the complainant and the said State of Delaware is the defendant, in which cause an
injunction has been issued against the State of Delaware restraining
the execution of certain statutes of the State of Delaware relating to
fisheries in said river, which said litigation hath been pending for
twenty-seven years and upwards; and

"Whereas for the purpose of adjusting the differences between the
said two States arising out of said conflict of jurisdiction, Edward C.
Stokes, Robert H. McCarter, Franklin Murphy, and Chauncey G.
Parker have been appointed commissioners on the part of the State of
New Jersey by joint resolution of the legislature of said State, and
Preston Lea, Robert H. Richards, Herbert H. Ward, and George H.
Bates have been appointed commissioners on the part of the State of
Delaware by joint resolution of the general assembly of said State, to
frame a compact or agreement between the said States and legislation
consequent thereon, to be submitted to the legislatures of said two
States for action thereon, looking to the amicable termination of said
suit between said States now pending in the Supreme Court of the
United States, and the final adjustment of all controversies relating to
the boundary line between said States, and to their respective rights
in the Delaware River and Bay: Now therefore,

"The said State of New Jersey, by its commissioners above named,
and the said State of Delaware, by its commissioners above named, do
hereby make and enter into a compact or agreement between said
States as follows:

"ARTICLE I. Criminal process issued under the authority of the
State of New Jersey against any person accused of an offense commit-
ted upon the soil of said State, or upon the eastern half of said Dela-
ware River, or committed on board of any vessel being under the ex-
clusive jurisdiction of that State, and also civil process issued under
the authority of the State of New Jersey against any person domiciled
in that State, or against property taken out of that State to evade the
laws thereof, may be served upon any portion of the Delaware River
between said States from low-water mark on the New Jersey shore to
low-water mark on the Delaware shore, except upon Reedy and Pea
Patch islands, unless said person or property shall be on board a ves-
sel aground upon or fastened to the shore of the State of Delaware,
or the shores of said islands, or fastened to a wharf adjoining thereto,
or unless such person shall be under arrest or such property shall
be under seizure by virtue of process or authority of the State of
Delaware.

"ART. II. Criminal process issued under the authority of the
State of Delaware against any person accused of an offense commit-
ted upon the soil of said State, or upon the western half of said Delaware
River, or committed on board of any vessel being under the exclusive
jurisdiction of that State, and also civil process issued under the
authority of the State of Delaware against any person domiciled in
that State, or against property taken out of that State to evade the
laws thereof, may be served upon any portion of the Delaware River
between said States from low-water mark on the Delaware shore to
low-water mark on the New Jersey shore, unless said person or prop-
erty shall be on board a vessel aground upon or fastened to the shore of
the State of New Jersey, or fastened to a wharf adjoining thereto,
or unless such person shall be under arrest or such property shall
be under seizure by virtue of process or authority of the State of
New Jersey.

"ART. III. The inhabitants of the said States of Delaware and New
Jersey shall have and enjoy a common right of fishery throughout,
in, and over the waters of said river between low-water marks on
each side of said river between the said States, except so far as either
State may have heretofore granted valid and subsisting private rights
of fishery.
"Art. IV. Immediately upon the execution hereof the legislature of the State of New Jersey shall appoint three commissioners to confer with three commissioners to be immediately appointed by the general assembly of the State of Delaware for the purpose of drafting uniform laws to regulate the catching and taking of fish in the Delaware River and Bay between said two States, which said commissioners for each State, respectively, shall, within two years from the date of their appointment, report to the legislature of each of said States the proposed laws so framed and recommended by said joint commission. Upon the adoption and passage of said laws so recommended by the respective legislatures of said two States said laws shall constitute the sole laws for the regulation of the taking and catching of fish in the said river and bay between said States. Said laws shall remain in force until altered, amended, or repealed by concurrent legislation of the said two States. Said commissioners shall also ascertain the dividing line between said river and bay, and upon each of the shores of said two States where said dividing line extended shall intersect the same, shall, at the joint expense of said States, erect a suitable monument to mark the said dividing line. Said dividing line between said monuments shall be the division line between the said river and bay for the interpretation of and for all purposes of this compact, and of the concurrent legislation provided for therein.

"The faith of the said contracting States is hereby pledged to the enactment of said laws so recommended by said commissioners, or to such concurrent legislation as may seem judicious and proper in the premises to the respective legislatures thereof.

"Each State shall have and exercise exclusive jurisdiction within said river to arrest, try, and punish its own inhabitants for violation of the concurrent legislation relating to fishery herein provided for.

"Art. V. All laws of said States relating to the regulation of fisheries in the Delaware River not inconsistent with the right of common fishery hereinabove mentioned shall continue in force in said respective States until the enactment of said concurrent legislation as herein provided.

"Art. VI. Nothing herein contained shall affect the planting, catching, or taking of oysters, clams, or other shell fish, or interfere with the oyster industry as now or hereafter carried on under the laws of either State.

"Art. VII. Each State may, on its own side of the river, continue to exercise riparian jurisdiction of every kind and nature, and to make grants, leases, and conveyances of riparian lands and rights under the laws of the respective States.

"Art. VIII. Nothing herein contained shall affect the territorial limits, rights, or jurisdiction of either State of, in, or over the Delaware River, or the ownership of the subaqueous soil thereof, except as herein expressly set forth.

"Art. IX. This agreement shall be executed by the said commissioners when authorized to do so by the legislatures of the said States. It shall thereupon be submitted to Congress for its consent and approval. Upon the ratification thereof by Congress it shall be and become binding in perpetuity upon both of said States; and thereupon the suit now pending in the Supreme Court of the United States, in which the State of New Jersey is complainant and the State of Delaware is defendant, shall be discontinued without costs to either party and without prejudice. Pending the ratification hereof by Congress said suit shall remain in statu quo.

"Done in two parts (one of which is retained by the commissioners of Delaware, to be delivered to the governor of that State, and the other one of which is retained by the commissioners of New Jersey, to
be delivered to the governor of that State) this twenty-first day of March, in the year of our Lord one thousand nine hundred and five."  

Edward C. Stokes,  
Robert H. McCarter,  
Franklin Murphy,  
Chauncey G. Parker,  

Preston Lea,  
Robert H. Richards,  
Herbert H. Ward,  
Geo. H. Bates.

And whereas the said agreement has been confirmed by the legislatures of the said States of New Jersey and Delaware, respectively: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby given to the said agreement and to each and every part and article thereof: Provided, That nothing therein contained shall be construed to impair or in any manner affect any right or jurisdiction of the United States in and over the islands or waters which form the subject of the said agreement.

Approved, January 24, 1907.

CHAP. 397.—An Act To reorganize and to increase the efficiency of the artillery of the United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the artillery of the United States Army shall consist of the Chief of Artillery, the coast artillery, and the field artillery. The coast artillery and the field artillery shall be organized as hereinafter specified, and the artillery shall belong to the line of the Army: Provided, That on and after July first, nineteen hundred and eight, the Chief of Artillery shall cease to exercise supervision over the field artillery and shall thereafter be designated as the Chief of Coast Artillery.

SEC. 2. That the Chief of Artillery or Chief of Coast Artillery shall be an additional member of the General Staff Corps, and his other duties shall be prescribed by the Secretary of War.

When a vacancy occurs in the office of the Chief of Artillery or Chief of Coast Artillery the President may appoint to such vacancy, by and with the advice and consent of the Senate, an officer selected from the coast artillery, who shall serve for a period of four years unless reappointed for further periods of four years; and any officer who shall hereafter serve as Chief of Artillery or Chief of Coast Artillery shall, when retired, be retired with the rank, pay, and allowances authorized by law for a brigadier-general on the retired list. The position vacated by an officer appointed Chief of Artillery or Chief of Coast Artillery shall be filled by promotion in that arm according to existing law, but the officer thus appointed shall continue in the same lineal position in his arm which he would have held if he had not been so appointed, and shall be an additional number in the grade from which he was appointed or to which he may be promoted: Provided, That there shall not be at any time in the coast artillery more than one additional officer by reason of the appointment of a Chief of Artillery or Chief of Coast Artillery and the relief of an officer from such duty.

SEC. 3. That the coast artillery is the artillery charged with the care and use of the fixed and movable elements of land and coast fortifications, including the submarine mine and torpedo defenses.

SEC. 4. That the field artillery is the artillery which accompanies an army in the field, and includes light artillery, horse artillery, siege artillery, and mountain artillery.

SEC. 5. That the coast artillery shall constitute a corps, and shall consist of one Chief of Coast Artillery with the rank, pay, and allow-