

**CHAP. 189.**—An act to regulate the compensation of night inspectors of customs. June 10, 1880.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter the compensation to inspectors of customs employed under existing law for service at night may be increased by the Secretary of the Treasury at such ports as he may think it advisable so to do to a sum not exceeding three dollars for each night's service.

Night inspectors of customs.

SEC. 2. That all acts or part of acts being inconsistent with the above act are hereby repealed.

Repeal.

Approved, June 10, 1880.

**CHAP. 190.**—An act to amend the Statutes in relation to immediate transportation of dutiable goods, and for other purposes. June 10, 1880.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any merchandise, other than explosive articles, and articles in bulk not provided for in section four of this act, imported at the ports of New York, Philadelphia, Boston, Baltimore, Portland and Bath, in Maine, Chicago, Port Huron, Detroit, New Orleans, Norfolk, Charleston Savannah, Mobile, Galveston, Pensacola, Florida, Cleveland, Toledo, and San Francisco, shall appear by the invoice or bill of lading and manifest of the importing vessel to be consigned to and destined for either of the ports specified in the seventh section of this act, the collector at the port of arrival shall allow the said merchandise to be shipped immediately after the entry prescribed in section two of this act has been made.

Transportation of dutiable goods.

SEC. 2. That the collector at the port of first arrival shall retain in his office a permanent record of such merchandise so to be forwarded to the port of destination, and such record shall consist of a copy of the invoice and an entry whereon the duties shall be estimated as closely as possible on the merchandise so shipped, but no oaths shall be required on the said entry. Such merchandise shall not be subject to appraisement and liquidation of duties at the port of first arrival, but shall undergo such examination as the Secretary of the Treasury shall deem necessary to verify the invoice; and the same examination and appraisement thereof shall be required and had at the port of destination as would have been required at the port of first arrival if such merchandise had been entered for consumption or warehouse at such port.

Invoice and entry.

SEC. 3. That such merchandise shall be delivered to and transported by common carriers, to be designated for this purpose by the Secretary of the Treasury, and to and by none others; and such carriers shall be responsible to the United States as common carriers for the safe delivery of such merchandise to the collector at the port of its destination; and before any such carriers shall be permitted to receive and transport any such merchandise, they shall become bound to the United States in bonds of such form and amount, and with such conditions, not inconsistent with law, and such security as the Secretary of the Treasury shall require.

Common carriers.

Bond.

SEC. 4. That sections twenty-eight hundred and fifty-three and twenty-eight hundred and fifty-five of the Revised Statutes of the United States be, and the same are hereby, so amended as to require that all invoices of merchandise imported from any foreign country and intended to be transported without appraisement to any of the ports mentioned in the seventh section of this act, shall be made in quadruplicate; and that the consul, vice-consul, or commercial agent, to whom the same shall be produced, shall certify each of said quadruplicates under his hand and official seal in the manner required by section twenty-eight hundred and fifty-five of the Revised Statutes, and shall then deliver to the person producing the same two of the quadruplicates, one to be used in making entry at the port of first arrival of the merchandise in the United States, and one to be used in making entry at the port of destination, file another in his

R. S. 2853, Amended.  
R. S. 2855, Amended.

office, there to be carefully preserved and as soon as practicable transmit the remaining one to the collector or surveyor of the port of final destination of the merchandise: *Provided, however,* That no additional fee shall be collected on account of any service performed under the requirements of this section.

*Proviso.*

Transportation  
of merchandise under  
locks and seals.

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

Pig-iron, &c.

Ports of entry.

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 in which the same is to be transported to its final destination.

Privilege of immediate transportation.

SEC. 7. That the privilege of immediate transportation shall extend to the ports of New York and Buffalo, in New York; Burlington, in Vermont; Boston, in Massachusetts; Providence and Newport in Rhode Island; New Haven, Middletown, and Hartford in Connecticut; Philadelphia and Pittsburgh, in Pennsylvania; Baltimore, Crisfield and Annapolis in Maryland; Wilmington, and Seaford, in Delaware; Salem, Massachusetts; Georgetown in the District of Columbia; Norfolk, Richmond and Petersburg, in Virginia; Wilmington and Newberne, in North Carolina; Charleston and Port Royal, in South Carolina; Savannah and Brunswick, in Georgia; New Orleans, in Louisiana; Portland and Bath, in Maine; Portsmouth, in New Hampshire; Chicago, Cairo, Alton, and Quincy, in Illinois; Detroit, Port Huron, and Grand Haven in Michigan; Saint Louis, Kansas City, and Saint Joseph in Missouri; Saint Paul, in Minnesota; Cincinnati, Cleveland, and Toledo, in Ohio; Milwaukee, and La Crosse, in Wisconsin; Louisville, in Kentucky; San Francisco, San Diego and Wilmington in California; Portland, in Oregon; Memphis, Nashville and Knoxville, in Tennessee; Mobile, in Alabama; and Evansville, in Indiana; and Galveston, Houston, Brownsville, Corpus Christi, and Indianola, in Texas; Omaha, in Nebraska; Dubuque, Burlington and Keokuk, in Iowa; Leavenworth, in Kansas; Tampa Bay, Fernandina, Jacksonville, Cedar Keys, Key West, and Apalachicola, in Florida: *Provided,* That the privilege of transportation herein conferred shall not extend to any place at which there are not the

*Proviso.*

necessary officers for the appraisement of merchandise and the collection of duties.

SEC. 8. That sections twenty-nine hundred and ninety, twenty-nine hundred and ninety-one, twenty-nine hundred and ninety-two, twenty-nine hundred and ninety-three, twenty-nine hundred and ninety-four, twenty-nine hundred and ninety-five, twenty-nine hundred and ninety-six, and twenty-nine hundred and ninety-seven of the Revised Statutes be, and the same are hereby, repealed.

R. S. 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, repealed.

SEC. 9. That no merchandise shall be shipped under the provisions of this act after such merchandise shall have been landed ten days from the importing vessel, and merchandise not entered within such time shall be sent to a bonded warehouse by the collector as unclaimed, and held until regularly entered and appraised.

SEC. 10. That section twenty-nine hundred and eighty-one of the Revised Statutes be amended so as to read as follows: That whenever the proper officer of the customs shall be duly notified in writing of the existence of a lien for freight upon imported goods, wares or merchandise in his custody, he shall, before delivering such goods, wares, or merchandise to the importer, owner, or consignee thereof, give seasonable notice to the party or parties claiming the lien; and the possession by the officers of customs shall not affect the discharge of such lien, under such regulations as the Secretary of the Treasury may prescribe; and such officer may refuse the delivery of such merchandise from any public or bonded warehouse or other place in which the same shall be deposited, until proof to his satisfaction shall be produced that the freight thereon has been paid or secured; but the rights of the United States shall not be prejudiced thereby, nor shall the United States or its officers be in any manner liable for losses consequent upon such refusal to deliver. If merchandise so subject to a lien regarding which notice has been filed, shall be forfeited to the United States and sold, the freight due thereon shall be paid from the proceeds of such sale in the same manner as other charges and expenses authorized by law to be paid therefrom are paid.

R. S. 2981. Amended.

Lien for freight on imported goods.

SEC. 11. That this act shall take effect and be in force from and after the first day of July, anno Domini eighteen hundred and eighty.

To take effect from and after 1st July, 1880.

Approved, June 10, 1880.

CHAP. 203.—An act to establish a district and circuit court at Chattanooga Tennessee, and to add the county of Grundy to the eastern district of Tennessee.

June 11, 1880.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the county of Grundy heretofore composing a part of the middle district of Tennessee be transferred to, and henceforth form a part of, the eastern district of Tennessee.

U. S. courts, Tennessee.

SEC. 2. A term of the circuit court and of the district court for the eastern district of Tennessee shall be held at Chattanooga in said state in each year on the first Mondays of April and October, after the passage of this act.

Term at Chattanooga.

SEC. 3. Said eastern district shall be and hereby is divided into two divisions, to be known as the Northern and Southern divisions of the eastern district of Tennessee, the southern division shall consist of the following counties, to wit, Hamilton, James, Polk, McMinn, Bradley, Meigs, Rhea, Marion, Sequatchie, Bledsoe, Grundy, and Cumberland, and the northern division shall consist of the remaining counties in said district. But no additional clerk or marshal shall be appointed in said district.

Northern and southern divisions of eastern districts.

SEC. 4. That the clerks of the district and circuit courts for the eastern district of Tennessee, and the marshal and district attorney for said district, shall perform the duties appertaining to their offices respectively for said courts. And the said clerks and marshals shall each appoint a

Clerks, marshal, and district attorney. Duties, office, &c.