

fire in buildings not provided with fire escapes as required by said Act, and that such action may be maintained by any person or persons now authorized by law to sue, as in other cases of injury or death by wrongful act: *Provided further*, That as to any building which the Commissioners shall determine to be fire proof, they may in their discretion require the erection of fire escapes.

Fireproof buildings.

Approved, March 2, 1895.

CHAP. 179.—An Act For the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes.

March 2, 1895.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this Act the sealer of weights and measures shall receive a salary of two thousand five hundred dollars per annum in lieu of fees. Such officer shall be appointed by, and shall be under the direction and control of, the Commissioners of the District of Columbia. He shall have the custody and control of such standard weights and measures of the United States as now are, or as shall hereafter be, provided by the District of Columbia, which shall be the only standards for weights and measures in said District.

District of Columbia.
Sealer of weights and measures.
Salary.

Custody of standards.

SEC. 2. That the sealer of weights and measures shall give bond to the United States in the penalty of five thousand dollars, with two sureties, or with the guarantee of a company incorporated under the laws of the District of Columbia, to be approved by the Commissioners, conditioned on the faithful discharge of the duties of his office, and shall take and subscribe an oath or affirmation before the Commissioners that he will faithfully and impartially discharge the duties of his office, which bond or guarantee and oath shall be deposited with the Commissioners of the District of Columbia.

Bond.

Oath.

SEC. 3. That the Commissioners of the District of Columbia, on the recommendation of the sealer of weights and measures, be, and they are hereby, authorized to appoint one assistant sealer of weights and measures, at a salary of twelve hundred dollars per annum. The said Commissioners shall appoint such additional employees as may be, in the judgment of the Commissioners of the District of Columbia, temporarily required for operations of the sealer of weights and measures at an aggregate expense of not exceeding five hundred dollars in any one year. The said Commissioners shall provide for use of the sealer and the assistant sealer of weights and measures a suitable room or rooms to be used for an office; and the said Commissioners shall also provide a horse and wagon for the use of the sealer and assistant sealer of weights and measures at such times as the business of their office shall require.

Assistant, etc.

Office, etc.

SEC. 4. That the Commissioners of the District of Columbia are hereby empowered and directed to prescribe a schedule of fees to be charged by the sealer of weights and measures for his services, in lieu of the fees now charged, which schedule shall be printed and conspicuously displayed in the office of the sealer of weights and measures. Such schedule of fees shall be so arranged as to provide as nearly as may be for all the salaries and expenses connected with the office of the sealer of weights and measures, and no more. All fees collected by the sealer or assistant sealer of weights and measures shall be paid over to the collector of taxes of the District of Columbia under regulations to be prescribed by the Commissioners of the District of Columbia, and be covered into the Treasury of the United States as other revenues of the District are now.

Schedule of fees.

Disposal of fees.

SEC. 5. The assistant sealer of weights and measures shall take the same oath his principal is required to take, and may, during the continuance of his office, discharge and perform any of the official duties

Duties, etc., of assistant.

of his principal, and any default or misfeasance in office by the assistant surveyor, or other assistant or helper of the sealer of weights and measures, shall be deemed a breach of the official bond of his principal.

Duties. SEC. 6. The sealer of weights and measures and, under his direction, the assistant sealer of weights and measures shall have the exclusive power to perform all the duties of their office. They shall from time to time try and prove all scales, weights, beams, and measures of every kind whatsoever used in the District of Columbia for the purpose of buying and selling, and such as shall be found to conform to the standards kept in their office they, or either of them, shall stamp with the word "approved," or with the letter "W," and the year in which said inspection is made; and such as are found not to conform to the standards in their office they, or either of them, shall stamp with the word "condemned" and the year in which the inspection is made. Upon the written request of any resident of the District of Columbia the sealer of weights and measures shall test, or cause to be tested, within a reasonable time after the receipt of such request, the weights, scales, beams, or other instruments used in buying or selling by the person, firm, or corporation designated in such request: *Provided*, That nothing herein contained shall be construed to prevent any manufacturer or other person from keeping for sale scales, beams, weights, or measures; but on the written request of such manufacturer or other person the sealer of weights and measures shall test, or cause to be tested, and shall stamp as herein provided all such scales, beams, weights, or measures offered for sale: *And provided further*, That nothing herein contained shall be construed to require or to authorize the sealer of weights and measures to test any scales belonging to the United States.

Provisos.
Tests for manufac-
turers, etc.

Government scales.

Registry. SEC. 7. That the Commissioners of the District of Columbia shall furnish the sealer of weights and measures a book to be kept in his office, in which book he shall register, in alphabetical order, the name of each person whose measures, scales, beams, or other instruments he or his assistant has inspected, together with the number and size of the same, and what number of each was approved and what condemned, with the time of inspection; and such book shall be open to the inspection and examination of the public at all reasonable times.

Weights, etc., to be open to inspection.

Proviso.
Collecting fees.

SEC. 8. No person shall neglect or refuse to exhibit any weights, scales, measures, beams, or other instruments used by him or her in weighing or measuring to the sealer or assistant sealer of weights and measures when and whenever demanded by them, or either of them, for the purposes of inspection and stamping: *Provided*, That no fees shall be collected for examinations made in excess of the number of examinations prescribed in the schedule of fees hereinbefore provided for.

Use of unstamped weights, etc., forbidden.

SEC. 9. No person shall use, for buying or selling, any weights, measures, scales, beams, or other instruments, unless the same has been inspected and stamped "approved," or with the letter "W," by the sealer or assistant sealer of weights and measures.

Articles to be sold by weight.

Proviso.
Poultry.

SEC. 10. No person shall sell, or offer for sale, in any market, or in the public streets or alleys, or anywhere in the District of Columbia, any fruits, vegetables, or berries, in crates, baskets, or other measures, or any butter in prints, or any ice or coal, at or for a greater weight or measure than the true weight or measure thereof; and all ice, coal, meats, poultry, and provisions (excepting vegetables sold by the head or bunch) of every kind sold in the markets, streets, alleys, or elsewhere in the District of Columbia, shall be weighed or measured by scales, weights or balances, or in measures duly tested and stamped by the sealer or assistant sealer of weights and measures: *Provided*, That poultry may be offered for sale and sold in other manner than by weight; but, in all cases where the person intending to purchase shall so desire and request, poultry shall be weighed as hereinbefore provided.

SEC. 11. Any person who shall neglect or refuse to exhibit his weights, measures, scales, beams, or other instruments used for the purpose of weighing or measuring to the sealer or assistant sealer of weights and measures; or any person who shall use, in buying or selling, any weights, measures, scales, beams or other instruments used for weighing or measuring, which shall have been inspected and condemned by the sealer of weights and measures, or which, upon examination, shall not be conformable to the standards in the office of the sealer of weights and measures; or any person who shall violate, or fail to comply with, any of the foregoing provisions of this Act, shall be punished by a fine not to exceed one hundred dollars and costs of prosecution; and the court may make a further sentence that the offender be imprisoned in the District jail till the payment of such fine and costs: *Provided*, That such imprisonment shall not exceed the period of six months.

Punishment for violations.

SEC. 12. That no person shall sell or deliver any coal within the limits of the District of Columbia unless there shall be delivered to the person in charge of the wagon or conveyance used in delivering such coal a certificate duly signed by the person selling the same and showing the weight of the coal purporting to be delivered, the weight of the wagon or conveyance used in such delivery, the total weight of coal and conveyance, and the name of the purchaser.

Proviso.
Limit of imprisonment.

Deliveries of coal.

SEC. 13. That no person in charge of the wagon or conveyance used in delivering coal, to whom the certificate mentioned in section six of this Act has been delivered, shall neglect or refuse to exhibit such certificate to the sealer or the assistant sealer of weights and measures, or to any person designated by them, or to the purchaser or intended purchaser of the coal being delivered; and when said officers, person so designated, or such purchaser or intended purchaser shall demand that the weight shown by such certificate be verified, it shall be the duty of the person delivering such coal to convey the same forthwith to some public scale of the District, or to any private scale the owner whereof shall consent to such use, and to permit the verifying of the weight shown, and shall, after the delivery of such coal, return forthwith, with the wagon or conveyance used, to the same scale and verify the weight of the wagon or conveyance.

Exhibiting certificate when required.

Reweighing.

SEC. 14. That it shall be the duty of the sealer of weights and measures to inspect, or cause to be inspected and tested, the weight of coal sold or delivered as aforesaid within the District of Columbia, and to take the proceedings necessary to enforce the provisions of this Act.

Inspection of coal sold, etc.

SEC. 15. That any person who shall violate or who shall neglect or refuse to comply with the provisions of sections six, seven, and eight of this Act, or any person who shall deliver or attempt to deliver coal of less weight than that set down in the certificate hereinbefore mentioned, shall be punished with a fine not to exceed one hundred dollars and costs of prosecution; and the court may make a further sentence that the offender be imprisoned in the District jail until the payment of such fine and costs: *Provided*, That the term of such imprisonment shall not exceed six months.

Penalty for delivering less coal, etc.

Proviso.
Imprisonment.

SEC. 16. That all laws and ordinances inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repeal.

Approved, March 2, 1895.

CHAP. 180.—An Act To amend section three of an Act entitled "An Act to regulate the liens of judgments and decrees of the courts of the United States," approved August first, eighteen hundred and eighty-eight.

March 2, 1895.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of an Act entitled "An Act to regulate the liens of judgments and decrees of the courts of the United States," approved August first, eighteen hundred and eighty-eight, be amended so as to read as follows:

United States courts.
Liens on property.
Vol. 25, p. 357.