

CHAP. 21.—An Act To authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State of New York.

January 28, 1915.
[S. 6121.]

[Public, No. 240.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Ontario-Niagara Connecting Bridge Company, a corporation created by the laws of the State of New York, being chapter four hundred and twenty of the laws of nineteen hundred and fourteen, is hereby authorized to construct, maintain, and operate a bridge and necessary approaches thereto across the Niagara River at a point suitable to public interests in the town of Lewiston, in the county of Niagara, State of New York, south of the southern boundary of the bridge and property of the Lewiston Connecting Bridge Company, to some point in Canada, on the west bank of said river, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six: *Provided,* That the offices of the Fine Arts Commission shall be obtained in connection with the consideration of the plans of said bridge, and that all power cables shall be permitted to cross the said bridge under equal rates for the privilege: *And provided further,* That the Ontario-Niagara Connecting Bridge Company, or its successors or assigns, shall at its own expense make such changes and install such accessories as may be necessary to cross any navigation canal which the United States may construct in that vicinity, and which may interfere with the approaches of the bridge.

Niagara River.
Ontario-Niagara
Connecting Bridge
Company may bridge,
at Lewiston, N. Y.

Construction.
Vol. 34, p. 84.

Provisos.
Fine Arts Commission to consider plans, etc.

Changes, etc.

SEC. 2. That this Act shall become and be null and void if actual construction of the bridge herein authorized be not commenced before the thirty-first day of December, in the year nineteen hundred and nineteen, and completed within five years thereafter.

Time of construction.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, January 28, 1915.

CHAP. 22.—An Act To amend an Act entitled "An Act to codify, revise, and amend the laws relating to the judiciary," approved March third, nineteen hundred and eleven.

January 28, 1915.
[H. R. 19076.]

[Public, No. 241.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first subdivision of section one hundred and sixteen of an Act entitled "An Act to codify, revise, and amend the laws relating to the judiciary," approved March third, nineteen hundred and eleven, is hereby amended to read as follows:

Judicial Code.
Vol. 36, p. 1131,
amended.

"First. The first circuit shall include the districts of Rhode Island, Massachusetts, New Hampshire, Maine, and Porto Rico."

First circuit.
Porto Rico added to.

SEC. 2. That sections one hundred and twenty-eight, two hundred and thirty-eight, and two hundred and forty-six of the Act aforesaid are hereby amended to read as follows:

Circuit courts of appeals.

"**SEC. 128.** The circuit courts of appeals shall exercise appellate jurisdiction to review by appeal or writ of error final decisions in the district courts, including the United States district court for Hawaii and the United States district court for Porto Rico, in all cases other than those in which appeals and writs of error may be taken direct to the Supreme Court, as provided in section two hundred and thirty-eight, unless otherwise provided by law; and, except as provided in sections two hundred and thirty-nine and two hundred and forty, the judgments and decrees of the circuit court of appeals shall be final in all cases in which the jurisdiction is dependent entirely upon the opposite parties to the suit or controversy being aliens and citi-

Jurisdiction.
Vol. 36, p. 1133,
amended.

Porto Rico district court added.

Post, p. 804.
Decisions final.
Exception.
Vol. 36, p. 1157.

Trade-mark appeals added.

Supreme Court. Vol. 36, p. 1157, amended.
Direct appeals and writs of error from district courts, Hawaii and Porto Rico included.

From supreme courts of Hawaii and Porto Rico. Vol. 36, p. 1158, amended.

Vol. 36, p. 1156.

Certiorari allowed.

Appeals, etc., to circuit courts of appeals.

Porto Rico. Appeals to supreme court repealed. Vol. 36, p. 1157, repealed.
Bankruptcy proceedings. Finality of decrees, circuit courts of appeals. Vol. 36, p. 1134.
Certiorari from Supreme Court. Vol. 30, p. 553.
Vol. 36, p. 1159.

Railroads incorporated by Congress. Jurisdiction of United States courts.

Pending cases not affected.

zens of the United States or citizens of different States; also in all cases arising under the patent laws, under the trade-mark laws, under the copyright laws, under the revenue laws, and under the criminal laws, and in admiralty cases."

"SEC. 238. Appeals and writs of error may be taken from the district courts, including the United States district court for Hawaii and the United States district court for Porto Rico, direct to the Supreme Court in the following cases: In any case in which the jurisdiction of the court is in issue, in which case the question of jurisdiction alone shall be certified to the Supreme Court from the court below for decision; from the final sentences and decrees in prize causes; in any case that involves the construction or application of the Constitution of the United States; in any case in which the constitutionality of any law of the United States or the validity or construction of any treaty made under its authority is drawn in question; and in any case in which the constitution or law of a State is claimed to be in contravention of the Constitution of the United States."

"SEC. 246. Writs of error and appeals from the final judgments and decrees of the Supreme Court of the Territory of Hawaii and of the Supreme Court of Porto Rico may be taken and prosecuted to the Supreme Court of the United States within the same time, in the same manner, under the same regulations, and in the same classes of cases, in which writs of error and appeals from the final judgments and decrees of the highest court of a State in which a decision in the suit could be had, may be taken and prosecuted to the Supreme Court of the United States under the provisions of section two hundred and thirty-seven; and in all other cases, civil or criminal, in the Supreme Court of the Territory of Hawaii or the Supreme Court of Porto Rico, it shall be competent for the Supreme Court of the United States to require by certiorari, upon the petition of any party thereto, that the case be certified to it, after final judgment or decree, for review and determination, with the same power and authority as if taken to that court by appeal or writ of error; but certiorari shall not be allowed in any such case unless the petition therefor is presented to the Supreme Court of the United States within six months from the date of such judgment or decree." Writs of error and appeals from the final judgments and decrees of the supreme courts of the Territory of Hawaii and of Porto Rico, wherein the amount involved, exclusive of costs, to be ascertained by the oath of either party or of other competent witnesses, exceeds the value of \$5,000, may be taken and prosecuted in the circuit courts of appeals.

SEC. 3. That section two hundred and forty-four of the Act aforesaid is hereby repealed.

SEC. 4. That the judgments and decrees of the circuit courts of appeals in all proceedings and cases arising under the bankruptcy Act and in all controversies arising in such proceedings and cases shall be final, save only that it shall be competent for the Supreme Court to require by certiorari, upon the petition of any party thereto, that the proceeding, case, or controversy be certified to it for review and determination, with the same power and authority as if taken to that court by appeal or writ of error; but certiorari shall not be allowed in any such proceeding, case, or controversy unless the petition therefor is presented to the Supreme Court within three months from the date of such judgment or decree.

SEC. 5. No court of the United States shall have jurisdiction of any action or suit by or against any railroad company upon the ground that said railroad company was incorporated under an Act of Congress.

SEC. 6. That this Act shall not affect cases now pending in the Supreme Court of the United States or cases in which writs of error

or appeals have been allowed at the date of its approval. And nothing in this Act shall be deemed to repeal, amend, or modify the provisions of an Act entitled "An Act providing for writs of error in certain instances in criminal cases," approved March second, nineteen hundred and seven.

Writs of error to Supreme Court in criminal cases.
Vol. 34, p. 1246.

Approved, January 28, 1915.

CHAP. 23.—An Act For the improvement of the foreign service.

February 5, 1915.
[S. 5614.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require: *Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer: *Provided further*, That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

[Public, No. 242.]
Diplomatic and Consular Service.
Secretaries, consuls general, and consuls appointed to grades and not posts.
R. S., secs. 1675, 1690, pp. 294, 296, amended.

Provided.
Duty in Department of State.

Promotions subject to action of Senate.

Grades established.

SEC. 2. That secretaries in the Diplomatic Service and consuls general and consuls shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto.

SECRETARIES.

Secretaries in Diplomatic Service.
Ante, p. 443.

- Secretary of class one, \$3,000.
- Secretary of class two, \$2,625.
- Secretary of class three, \$2,000.
- Secretary of class four, \$1,500.
- Secretary of class five, \$1,200.

CONSULS GENERAL.

Consuls general.
Vol. 35, p. 101.

- Consul general of class one, \$12,000.
- Consul general of class two, \$8,000.
- Consul general of class three, \$6,000.
- Consul general of class four, \$5,500.
- Consul general of class five, \$4,500.

CONSULS.

Consuls.

- Consul of class one, \$8,000.
- Consul of class two, \$6,000.
- Consul of class three, \$5,000.
- Consul of class four, \$4,500.
- Consul of class five, \$4,000.
- Consul of class six, \$3,500.
- Consul of class seven, \$3,000.
- Consul of class eight, \$2,500.
- Consul of class nine, \$2,000.

SEC. 3. That section sixteen hundred and eighty-five of the Revised Statutes is hereby amended to read as follows:

Chargés and vice consuls.

"SEC. 1685. That for such time as any secretary of embassy or legation shall be lawfully authorized to act as chargé d'affaires ad interim

Chargés d'affaires ad interim.