

[CHAPTER 323]

AN ACT

To amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations.

June 11, 1940
[H. R. 8119]
[Public, No. 598]

Criminal Code,
amendment.

Offenses on lands
under exclusive or
concurrent jurisdic-
tion of U. S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 272, paragraph Third of the Criminal Code (Act of March 4, 1909, sec. 272; 35 Stat. 1143; U. S. C., title 18, sec. 451) be amended to read as follows:

“Third. When committed within or on any lands reserved or acquired for the use of the United States, and under the exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building.”

Approved, June 11, 1940.

[CHAPTER 324]

AN ACT

To amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 46, sec. 316).

June 11, 1940
[H. R. 8283]
[Public, No. 599]

Shipping.

Towing of vessels
between U. S. ports.

40 Stat. 602.
46 U. S. C. § 288;
Supp. V, § 288.

Penalties.

Fines to constitute
liens on vessels.

Additional penalty.

Term “person” de-
fined.

Foreign railroad en-
tering U. S. by means
of ferry, etc.; opera-
tion of such vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4370 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 46, sec. 316) is amended to read as follows:

“SEC. 4370. (a) It shall be unlawful for any vessel not wholly owned by a person who is a citizen of the United States within the meaning of the laws respecting the documentation of vessels and not having in force a certificate of registry, a certificate of enrollment, or a license, issued pursuant to title XLVIII or title L of the Revised Statutes, or a certificate of award of number issued pursuant to the Act of June 7, 1918, as amended (U. S. C., 1934 edition, Supp. IV, title 46, sec. 288), to tow any vessel other than a vessel of foreign registry, or a vessel in distress, from any port or place in the United States, its Territories or possessions, embraced within the coastwise laws of the United States, to any other port or place within the same, either directly or by way of a foreign port or place, or to do any part of such towing, or to tow any such vessel, from point to point within the harbors of such places. The owner and master of any vessel towing another vessel in violation of the provisions of this section shall each be liable to a fine of not less than \$250 nor more than \$1,000, which fines shall constitute liens upon the offending vessel enforceable through the district court of the United States for any district in which such vessel may be found, and clearance shall not be granted to such vessel until the fines have been paid. The towing vessel shall also be further liable to a penalty of \$50 per ton on the measurement of every vessel towed in violation of this section, which sum may be recovered by way of libel or suit.

“(b) The term ‘person’ as used in subsection (a) of this section, shall be held to include persons, firms, partnerships, associations, organizations, and corporations, doing business or existing under or by the authority of the laws of the United States, or of any State, Territory, district, or other subdivision thereof.

“(c) Any foreign railroad company or corporation, whose road enters the United States by means of a ferry, tugboat, or towboat, may own such vessel and operate the same in connection with the water transportation of the passenger, freight, express, baggage, and mail

cars used by such road, together with the passengers, freight, express matter, baggage, and mails transported in such cars, without being subject to any other or different restrictions than those imposed by law on any vessel of the United States entering ports of the United States from ports in the same foreign country: *Provided*, That except as authorized by section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1934 edition, Supp. IV, title 46, sec. 883), such ferry, tugboat, or towboat shall not, under penalty of forfeiture, be used in connection with the transportation of any merchandise shipped from any port or place in the United States, its Territories or possessions, embraced within the coastwise laws of the United States, to any other port or place within the same.

“(d) No foreign vessel shall, under penalty of forfeiture, engage in salvaging operations on the Atlantic or Pacific coast of the United States, in any portion of the Great Lakes or their connecting or tributary waters, including any portion of the Saint Lawrence River through which the international boundary line extends, or in territorial waters of the United States on the Gulf of Mexico, except when authorized by a treaty or in accordance with the provisions of the Act of June 19, 1878, as amended (U. S. C., 1934 edition, title 46, sec. 725): *Provided, however*, That if, on investigation, the Secretary of Commerce is satisfied that no suitable vessel wholly owned by a person who is a citizen of the United States and documented under the laws of the United States or numbered pursuant to the Act of June 7, 1918, as amended (U. S. C., 1934 edition, Supp. IV, title 46, sec. 288), is available in any particular locality he may authorize the use of a foreign vessel or vessels in salvaging operations in that locality and no penalty shall be incurred for such authorized use.

“(e) Nothing in this section shall be held or construed to prohibit or restrict any assistance to vessels or salvage operations authorized by article II of the treaty between the United States and Great Britain ‘concerning reciprocal rights for United States and Canada in the conveyance of prisoners and wrecking and salvage’ signed at Washington, May 18, 1908 (35 Stat. 2036), or by the treaty between the United States and Mexico ‘to facilitate assistance to and salvage of vessels in territorial waters’, signed at Mexico City, June 13, 1935 (49 Stat. 3359).”

Approved, June 11, 1940.

Proviso.
Transportation of merchandise not authorized; exception.
41 Stat. 999.
46 U. S. C. § 883; Supp. V, § 883.

Salvaging operations by foreign vessel, restriction.

20 Stat. 175.

Proviso.
Use of foreign vessels.

40 Stat. 602.
46 U. S. C. § 288; Supp. V, § 288.

Assistance to vessels or salvage operations. Treaties with Great Britain and Mexico.

[CHAPTER 325]

AN ACT

To limit the interpretation of the term “products of American fisheries”.

June 11, 1940
[H. R. 8475]
[Public, No. 600]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That wherever, in the statutes of the United States or in the rulings, regulations, or interpretations of various administrative bureaus and agencies of the United States there appears or may appear the term “products of American fisheries” said term shall not include fresh or frozen fish fillets, fresh or frozen fish steaks, or fresh or frozen slices of fish substantially free of bone (including any of the foregoing divided into sections), produced in a foreign country or its territorial waters, in whole or in part with the use of the labor of persons who are not residents of the United States.

“Products of American fisheries,” interpretation.

SEC. 2. This Act shall take effect on the day following the date of enactment hereof.

Effective date.

Approved, June 11, 1940.