

diers, and of Soldiers' and Sailors' Homes, including those about to enter and those returning home after discharge and boards of managers of such Homes; to necessary care takers of live stock, poultry, and fruit; to employees on sleeping cars, express cars, and to linemen of telegraph and telephone companies; to railway mail service employees, post-office inspectors, customs inspectors, and immigration inspectors; to newsboys on trains, baggage agents, witnesses attending any legal investigation in which the common carrier is interested, persons injured in wrecks and physicians and nurses attending such persons: *Provided*, That this provision shall not be construed to prohibit the interchange of passes for the officers, agents, and employees of common carriers, and their families; nor to prohibit any common carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation: *Provided further*, That the term 'employees' as used in this paragraph shall include furloughed, pensioned, and superannuated employees, persons who have become disabled or infirm in the service of any such common carrier, and the remains of a person killed in the employment of a carrier and ex-employees traveling for the purpose of entering the service of any such common carrier; and the term 'families' as used in this paragraph shall include the families of those persons named in this proviso, also the families of persons killed while in the service of any such common carrier. Any common carrier violating this provision shall be deemed guilty of a misdemeanor and for each offense, on conviction, shall pay to the United States a penalty of not less than one hundred dollars nor more than two thousand dollars, and any person, other than the persons excepted in this provision, who uses any such interstate free ticket, free pass, or free transportation shall be subject to a like penalty. Jurisdiction of offenses under this provision shall be the same as that provided for offenses in an Act entitled 'An Act to further regulate commerce with foreign nations and among the States,' approved February nineteenth, nineteen hundred and three, and any amendment thereof."

Provisos.
Interchange for employees, etc.

Furloughed, pensioned, and superannuated employees, etc., included.
Vol. 34, p. 685, amended.

Meaning of term "families."

Penalty.

Jurisdiction.
Vol. 32, p. 847.

Approved, April 13, 1908.

CHAP. 145.—An Act To increase the efficiency of the personnel of the Revenue-Cutter Service.

April 16, 1908.
[S. 24.]

[Public, No. 96.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this Act the President be, and is hereby, authorized to appoint in the Revenue-Cutter Service, by and with the advice and consent of the Senate, one captain commandant for a period of four years who may be reappointed for further periods of four years each, who shall act as chief of the division of Revenue-Cutter Service, with the rank of a colonel in the Army and a captain in the Navy, and who shall have the pay and allowances of a colonel in the Army; six senior captains, who shall perform duty in connection with the construction of vessels and the inspection of their armament and crews and such other duties as the Secretary of the Treasury or the President may prescribe, each with the rank of a lieutenant-colonel in the Army and a commander in the Navy, and who shall each have the pay and allowances of a lieutenant-colonel in the Army; one engineer in chief for a period of four years who may be reappointed for further periods of four years each, with the rank of a lieutenant-colonel in the Army and a commander in the Navy, and who shall have the pay and allowances of a lieutenant-colonel in the Army; and six senior engineers, who shall perform duty in connection with the construction and inspection of the machinery of vessels and such other duties as the

Revenue-Cutter Service.
Appointment of officers authorized.

Captain commandant.
Rank, pay, etc.

Senior captains.
Rank, pay, etc.

Engineer in chief.
Rank, pay, etc.

Senior engineers.
Duties, etc.

- Secretary of the Treasury may prescribe, each with the rank of a major in the Army and a lieutenant-commander in the Navy, and who shall each have pay and allowances of a major in the Army: *Provided*, That the position vacated by an officer appointed captain commandant or engineer in chief shall be filled by promotion according to existing law. That any officer who shall hereafter serve as captain commandant shall, when retired, be retired with the rank of captain commandant and with the pay of a colonel in the Army on the retired list, and that an officer whose term of service as captain commandant has expired may be appointed a senior captain and shall be an additional number in that grade, but if not so appointed, he shall resume the lineal position he would have held in his previous grade, as an additional number: *Provided further*, That any officer who shall hereafter serve as engineer in chief shall, when retired, be retired with the rank of engineer in chief and with the pay of a lieutenant-colonel in the Army on the retired list, and that an officer whose term of service as engineer in chief has expired may be appointed a senior engineer and shall be an additional number in that grade, but if not so appointed, he shall resume the lineal position he would have held in his previous grade, as an additional number. Additional numbers in the grades of senior captain and senior engineer shall at no time exceed two in each grade on the active list.
- SECT. 2.** That the captain commandant shall be selected from the active list of line officers not below the grade of captain; that the six senior captains shall be made by promotion from the active list of captains in the order of seniority; that the engineer in chief shall be selected from the active list of engineer officers not below the rank of first lieutenant; that the six senior engineers shall be made by promotion from the active list of engineer officers of the rank of first lieutenant in the order of seniority. When a vacancy occurs in any of the grades created by this Act, it shall be filled in accordance with the provisions of this section.
- SECT. 3.** That when the appointments herein provided are made the active list of captains in the Revenue-Cutter Service shall be reduced by six and the active list of engineer officers with the rank of first lieutenant by six, and the said lists shall remain thereafter at thirty-one and twenty-eight, respectively.
- SECT. 4.** That the examinations and requirements for promotion provided in section eight of the Act approved April twelfth, nineteen hundred and two, entitled "An Act to promote the efficiency of the Revenue-Cutter Service," shall not be required for promotion to the grades created by this Act.
- SECT. 5.** That any officer of the Revenue-Cutter Service with a creditable record who served during the civil war in the land or naval forces of the United States shall, when retired, have the rank and receive three-fourths of the duty pay and increase of the next higher grade; and the provisions of this section shall apply to officers of the said Service now on the retired list.
- SECT. 6.** That the captain now on the retired list who served as chief of the division of Revenue-Cutter Service for ten years and until March twenty-sixth, nineteen hundred and five, shall have the rank and receive three-fourths of the duty pay and increase of the highest grade provided for in this Act.
- SECT. 7.** That a constructor or surgeon, with the rank of first lieutenant, after fifteen years' service in the Revenue-Cutter Service shall have the pay and allowances of a captain.
- SECT. 8.** That the pay of the enlisted force of the Revenue-Cutter Service shall be increased twenty per centum over the pay that they are now receiving. That all warrant and petty officers of the Revenue-Cutter Service shall receive ten per centum increase of pay for every five years of service as such warrant or petty officers, such increase not
- Provisos, Vacancies and retirements.*
- Retirement of engineers.
- Selections made from active list.
- Vacancies.
- Reduction in active list.
- Examinations for promotion. Vol. 52, p. 101.
- Civil war officers. Rank and pay on retirement.
- Retired chief of the division. Rank, etc.
- Constructor or surgeon. Pay and allowance.
- Enlisted force. Pay increased.

to exceed forty per centum of the pay of their grade or rating: *Provided*, That no warrant or petty officer shall be appointed or rated as such without a suitable examination or period of probation to determine his fitness for his grade or rating. That an enlisted man or a warrant or petty officer who has served thirty years in the Service shall, upon suitable application, be placed on waiting orders and receive seventy-five per centum of the pay and increase of his grade or rating: *Provided*, That such enlisted man, warrant or petty officer may be assigned to such duties as he may be able to perform.

SEC. 9. That a third lieutenant or an engineer officer with the rank of third lieutenant who has served five years in his grade shall, upon passing the examinations now required by law, be eligible to promotion to the next higher grade: *Provided*, That there shall be no increase in the total number of lieutenants nor in the total number of engineer officers below the rank of first lieutenant authorized by law: *Provided further*, That nothing in this section shall be construed to prevent promotions to fill vacancies as now provided by law.

SEC. 10. That engineer officers who now have or who may hereafter have the rank of captain, first lieutenant, second lieutenant, or third lieutenant in the Revenue-Cutter Service shall hereafter have the title of captain of engineers, first lieutenant of engineers, second lieutenant of engineers, and third lieutenant of engineers, respectively, and the titles of chief engineer, first assistant engineer, and second assistant engineer are hereby abolished. That precedence between line and engineer officers of the same rank shall be determined by length of continuous service as a commissioned officer.

SEC. 11. That an enlisted man upon first entering the Revenue-Cutter Service shall have credited to his account the sum of forty-five dollars, and upon each subsequent enlistment the sum of twenty dollars, for uniform clothing, and such amount shall be paid to said enlisted man at the expiration of his term of enlistment if he has served a full term as prescribed by the Secretary of the Treasury and has received an honorable discharge.

SEC. 12. That the presidents and recorders of Revenue-Cutter Service courts and commanding officers of vessels of the Revenue-Cutter Service be, and are hereby, authorized to administer oaths of allegiance and such other oaths as may be necessary for the proper conduct of said Service; and that commanding officers of vessels of the Revenue-Cutter Service be, and are hereby, authorized to administer oaths generally in Alaska.

SEC. 13. That the number of officers allowed in the grades of second lieutenant and third lieutenant and second lieutenant of engineers and third lieutenant of engineers is hereby increased five in each of said grades.

SEC. 14. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, April 16, 1908.

CHAP. 146.—An Act For completing the pediment of the House wing of the Capitol.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the expenditure of seventy-five thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, authorized for the purpose of completing the pediment of the House wing of the Capitol by placing suitable statuary thereon, said expenditure to be made under the direction of the Speaker of the House, the Joint Committee on the Library, and the Superintendent of the Capitol.

Approved, April 16, 1908.

Provisos.
Examination.

Waiting orders.

Assignment.

Eligibility for promotion.

Provisos.
Restriction.

Promotions to fill vacancies.

Title of engineers.

Precedence.

Enlisted men.
Allowance for clothing.

Oaths.

Increase of officers.

Repeal.

April 16, 1908.
[H. R. 17983.]

[Public, No. 97.]

Capitol.
Completion of pediment of House wing authorized.
Post, p. 344.