

August 3, 1882.

CHAP. 376.—An act to regulate Immigration.

Immigration.
Duty of fifty cents levied on every passenger, etc., not a citizen of the United States from a foreign port.

Collectible at port of landing.

Paid into Treasury and to be known as the "immigrant fund."

Duty to be a lien, etc.

Proviso.

Secretary of Treasury charged with duty of executing provisions of this act.

To make contracts with State boards, etc.

Examination of condition of passengers on arrival:

Convict, lunatic, idiot, etc., prohibited from landing.

Bonds, entries, etc.

Foreign convicts returned, etc.; executions; regulations.

Designation of State board of charities, etc., to execute provisions of act without compensation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury, and shall constitute a fund to be called the immigrant fund, and shall be used, under the direction of the Secretary of the Treasury, to defray the expense of regulating immigration under this act, and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels; and the payment of such duty may be enforced by any legal or equitable remedy. *Provided,* That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.

SEC. 2.—That the Secretary of the Treasury is hereby charged with the duty of executing the provisions of this act and with supervision over the business of immigration to the United States, and for that purpose he shall have power to enter into contracts with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State, and to provide for the support and relief of such immigrants therein landing as may fall into distress or need public aid, under the rules and regulations to be prescribed by said Secretary; and it shall be the duty of such State commission, board, or officers so designated to examine into the condition of passengers arriving at the ports within such State in any ship or vessel, and for that purpose all or any of such commissioners or officers, or such other person or persons as they shall appoint, shall be authorized to go on board of and through any such ship or vessel; and if on such examination there shall be found among such passengers any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge, they shall report the same in writing to the collector of such port, and such persons shall not be permitted to land.

SEC. 3.—That the Secretary of the Treasury shall establish such regulations and rules and issue from time to time such instructions not inconsistent with law as he shall deem best calculated to protect the United States and immigrants into the United States from fraud and loss, and for carrying out the provisions of this act and the immigration laws of the United States; and he shall prescribe all forms of bonds, entries, and other papers to be used under and in the enforcement of the various provisions of this act.

SEC. 4.—That all foreign convicts except those convicted of political offenses, upon arrival, shall be sent back to the nations to which they belong and from whence they came. The Secretary of the Treasury may designate the State board of charities of any State in which such board shall exist by law, or any commission in any State, or any person or persons in any State whose duty it shall be to execute the provisions of this section without compensation. The Secretary of the Treasury shall prescribe regulations for the return of the aforesaid persons to the countries from whence they came, and shall furnish instructions to the board, commission, or persons charged with the execution of the provisions of this section as to the mode of procedure in respect

thereto, and may change such instructions from time to time. The expense of such return of the aforesaid persons not permitted to land shall be borne by the owners of the vessels in which they came.

Expense of return of convicts, etc., borne by owners of vessels, etc.

SEC. 5.—That this act shall take effect immediately.

Approved, August 3, 1882.

CHAP. 377.—An act to establish ports of delivery at Kansas City and Saint Joseph in the State of Missouri. August 3, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Kansas City and Saint Joseph, in the State of Missouri, be and the same are hereby, constituted ports of delivery; and that the privileges of immediate transportation of dutiable merchandise conferred by the act of June the tenth, eighteen hundred and eighty, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be and the same are hereby, extended to said ports; and there shall be appointed a surveyor of customs for each of said ports, to reside at the port for which he shall be appointed, who shall receive a salary to be determined in amount by the Secretary of the Treasury, not exceeding one thousand dollars per annum.

Kansas City and Saint Joseph, Mo., created ports of delivery.

21 Stat., 173.

Surveyors of customs, residence, salary.

Approved, August 3, 1882.

CHAP. 378.—An act regulating fees and the practice in extradition cases. August 3, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all hearings in cases of extradition under treaty stipulation or convention shall be held on land, publicly, and in a room or office easily accessible to the public.

Fees and practice in extradition cases.

SEC. 2. That the following shall be the fees paid to commissioners in cases of extradition under treaty stipulation or convention between the Government of the United States and any foreign government, and no other fees or compensation shall be allowed to or received by them:

Commissioners' fees.

For administering an oath, ten cents.

Oath.

For taking an acknowledgment, twenty-five cents.

Acknowledgment.

For taking and certifying depositions to file, twenty cents for each folio.

Depositions.

For each copy of the same furnished to a party on request, ten cents for each folio.

Copies.

For issuing any warrant or writ, and for any other service, the same compensation as is allowed clerks for like services.

Warrant or writ.

For issuing any warrant under the tenth article of the treaty of August ninth, eighteen hundred and forty-two, between the United States and the Queen of the United Kingdom of Great Britain and Ireland, against any person charged with any crime or offense as set forth in said article, two dollars.

R. S. treaties, p. 320.

For issuing any warrant under the provision of the convention for the surrender of criminals, between the United States and the King of the French concluded at Washington November ninth, eighteen hundred and forty-three, two dollars.

Surrender of criminals, etc.

R. S. treaties, p. 247.

For hearing and deciding upon the case of any person charged with any crime or offense, and arrested under the provisions of any treaty or convention, five dollars a day for the time necessarily employed.

Hearing and deciding case of person charged with crime under any treaty.

Subpena of witnesses.

SEC. 3. That on the hearing of any case under a claim of extradition by any foreign government, upon affidavit being filed by the person charged setting forth that there are witnesses whose evidence is material to his defense, that he cannot safely go to trial without them, what he expects to prove by each of them, and that he is not possessed of sufficient means, and is actually unable to pay the fees of such witnesses, the judge or commissioner before whom such claim for extradition is