

duties; then from such time after the date of his commission as he may have actually entered upon such duties: *And provided further*, That any person held as a prisoner of war, or who may have been absent by reason of wounds or in hospital by reason of disability received in the service in the line of duty, at the date of his commission, if a vacancy existed for him in the grade to which so commissioned, shall be entitled to the same pay and emoluments as if actually performing the duties of the grade to which he was commissioned and actually mustered at such date: *And provided further*, That this act and the resolution hereby amended shall be construed to apply only in those cases where the commission bears date prior to June twentieth, eighteen hundred and sixty-three, or after that date when their commands were not below the minimum number required by existing laws and regulations: *And provided further*, That the pay and allowances actually received shall be deducted from the sums to be paid under this act.

Approved, February 3, 1887.

Feb. 3, 1887.

CHAP. 93.—An act for the relief of Elon A. Marsh and Minard Lefever.

Preamble.

Whereas, heretofore, to wit, on the twenty-eighth day of December, anno Domini eighteen hundred and eighty, in due form of procedure and in all legal respects, letters patent numbered two hundred and thirty-six thousand and fifty-two of the United States of America were duly granted and issued to Elon A. Marsh and his assignee, Minard Lefever, of Battle Creek, in the county of Calhoun and State of Michigan, one of the United States, for a new and useful improvement in steam-engine valve-gear, save that the said letters patent were not, by accident or mistake, at the said time of issuing, to wit, on the twenty-eighth day of December, eighteen hundred and eighty, signed, as by law required by the Secretary of the Interior; and Whereas the said named letters patent were afterward, to wit, on the twenty-fourth day of February, anno Domini eighteen hundred and eighty-two, but not before, duly signed by the then Acting Secretary of the Interior: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the letters patent named in the preamble of this act are hereby and by this act made legal, valid, complete, and operative, in law and equity, from the twenty-eighth day of December, eighteen hundred and eighty, to the same extent and for the same term that the same would have been legal, valid, complete, and operative if the signature of the Secretary of the Interior had, at the time of the supposed issue of said letters patent on the day aforesaid, been placed thereon, and the omission of said signature thereon had not occurred. *Provided, however*, That the provisions of this act shall not be held or construed to apply to or affect any suits now pending, nor any cause of action arising prior to its passage.

Approved, February 3, 1887.

Feb. 4, 1887.

CHAP. 103.—An act to provide for the erection of a public building at Wilmington, North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with a fire-proof vault extending to each story, for the accommodation of the post-office, custom-house, United States court rooms, and other Government offices, at the city of Wilmington, in the State of North Carolina. The site, and building

thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of two hundred thousand dollars; nor shall any site be purchased until estimates for the erection of a building which shall furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site, nor plan for said building, shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of two hundred thousand dollars: *Provided*, That no money to be appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of North Carolina shall cede to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein: *Provided*, That the site on which the said building shall be erected shall be so selected as to leave an open space around the same of not less than forty feet in width, including streets and alleys.

Plans.

Estimates.

Provisos.

Title.

Open space.

Approved, February 4, 1887.

CHAP. 104.—An act to regulate commerce.

Feb. 4, 1887.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this act shall apply to any common carrier or carriers engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water when both are used, under a common control, management, or arrangement, for a continuous carriage or shipment, from one State or Territory of the United States, or the District of Columbia, to any other State or Territory of the United States, or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States, and also to the transportation in like manner of property shipped from any place in the United States to a foreign country and carried from such place to a port of transshipment, or shipped from a foreign country to any place in the United States and carried to such place from a port of entry either in the United States or an adjacent foreign country: *Provided, however*, That the provisions of this act shall not apply to the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State, and not shipped to or from a foreign country from or to any State or Territory as aforesaid.

Interstate commerce regulations.
Application.

The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "transportation" shall include all instrumentalities of shipment or carriage.

Proviso.
Not applicable to traffic wholly within one State.

"Railroad."
"Transportation."
Definition of.

All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage, or handling of such property, shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

Charges to be reasonable.

SEC. 2. That if any common carrier subject to the provisions of this act shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property, subject to the provisions of this act, than it charges, demands, collects, or receives

Special rates, rebates, etc., prohibited.