

engaged in commerce or navigation, it shall not be necessary that the accused shall have been previously indicted, but a statement of complaint, verified by oath in writing, shall be presented to the court, setting out the offense in such manner as clearly to apprise the accused of the character of the offense complained of, and to enable him to answer the complaint. The complaint or statement shall be read to the accused, who may plead to or answer the same, or make a counterstatement. The trial shall thereupon be proceeded with in a summary manner, and the case shall be decided by the court, unless, at the time for pleading or answering, the accused shall demand a jury, in which case the trial shall be upon the complaint and plea of not guilty.

(R.S. § 4301.)

CODIFICATION

R.S. § 4301 derived from act June 11, 1864, ch. 121, §§ 3, 4, 13 Stat. 125.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 section 31.

§ 393. Amendments of complaint and adjournments

It shall be lawful for the court to allow the United States attorney to amend his statement of complaint at any stage of the proceedings, before verdict, if, in the opinion of the court, such amendment will work no injustice to the accused; and if it appears to the court that the accused is unprepared to meet the charge as amended, and that an adjournment of the cause will promote the ends of justice, such adjournment shall be made, until a further day, to be fixed by the court.

(R.S. § 4302; June 25, 1948, ch. 646, § 1, 62 Stat. 909.)

CODIFICATION

R.S. § 4302 derived from act June 11, 1864, ch. 121, § 6, 13 Stat. 125.

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, substituted “United States attorney” for “district attorney”. See section 541 of Title 28, Judiciary and Judicial Procedure, and Historical and Revision Notes set out thereunder.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 section 31.

§ 394. Challenge to jurors

At the trial in summary cases, if by jury, the United States and the accused shall each be entitled to three peremptory challenges. Challenges for cause, in such cases, shall be tried by the court without the aid of triers.

(R.S. § 4303.)

CODIFICATION

R.S. § 4303 derived from act June 11, 1864, ch. 121, § 7, 13 Stat. 125.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 section 31.

§ 395. Limit of sentence

It shall not be lawful for the court to sentence any person convicted in such trial to any great-

er punishment than imprisonment in jail for one year, or to a fine exceeding \$500, or both, in its discretion, in those cases where the laws of the United States authorize such imprisonment and fine.

(R.S. § 4304.)

CODIFICATION

R.S. § 4304 derived from act June 11, 1864, ch. 121, § 5, 13 Stat. 125.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 section 31.

§ 396. Recovery of penalties and forfeitures generally

All the penalties and forfeitures which may be incurred for offenses against title 48 of the Revised Statutes may be sued for, prosecuted, and recovered in such court, and be disposed of in such manner, as any penalties and forfeitures which may be incurred for offenses against the laws relating to the collection of duties, except when otherwise expressly prescribed.

(R.S. § 4305.)

REFERENCES IN TEXT

Title 48 of the Revised Statutes, referred to in text, was in the original “this Title”, meaning title 48 of the Revised Statutes, consisting of R.S. §§ 4131 to 4305. For complete classification of R.S. §§ 4131 to 4305 to the Code, see Tables.

CODIFICATION

R.S. § 4305 derived from act Dec. 31, 1792, ch. 1, § 29, 1 Stat. 298.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 section 31.

CHAPTER 9—PROTECTION OF NAVIGABLE WATERS AND OF HARBOR AND RIVER IMPROVEMENTS GENERALLY

SUBCHAPTER I—IN GENERAL

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| Sec. | |
| 401. | Construction of bridges, causeways, dams or dikes generally; exemptions. |
| 402. | Construction of bridges, etc., over Illinois and Mississippi Canal. |
| 403. | Obstruction of navigable waters generally; wharves; piers, etc.; excavations and filling in. |
| 403a. | Creation or continuance of obstruction of navigable waters. |
| 403b. | Lighting at docks and boat launching facilities. |
| 404. | Establishment of harbor lines; conditions to grants for extension of piers, etc. |
| 405. | Establishment and modification of harbor lines on Potomac and Anacostia Rivers. |
| 406. | Penalty for wrongful construction of bridges, piers, etc.; removal of structures. |
| 407. | Deposit of refuse in navigable waters generally. |
| 407a. | Deposit of debris of mines and stamp works. |
| 408. | Taking possession of, use of, or injury to harbor or river improvements. |
| 409. | Obstruction of navigable waters by vessels; floating timber; marking and removal of sunken vessels. |
| 410. | Exception as to floating loose timber, sack rafts, etc.; violation of regulations; penalty. |
| 411. | Penalty for wrongful deposit of refuse; use of or injury to harbor improvements, and obstruction of navigable waters generally. |