

upon 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.

### § 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.

### § 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.

### § 395. Limit of sentence

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

### § 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.

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

### SUBCHAPTER I—IN GENERAL

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| <p>Sec.<br/>401.<br/>402.<br/>403.<br/>403a.<br/>403b.<br/>404.<br/>405.<br/>406.<br/>407.<br/>407a.<br/>408.<br/>409.<br/>410.<br/>411.<br/>412.<br/>413.<br/>414.<br/>415.</p> | <p>Construction of bridges, causeways, dams or dikes generally; exemptions.<br/>Construction of bridges, etc., over Illinois and Mississippi Canal.<br/>Obstruction of navigable waters generally; wharves; piers, etc.; excavations and filling in.<br/>Creation or continuance of obstruction of navigable waters.<br/>Lighting at docks and boat launching facilities.<br/>Establishment of harbor lines; conditions to grants for extension of piers, etc.<br/>Establishment and modification of harbor lines on Potomac and Anacostia Rivers.<br/>Penalty for wrongful construction of bridges, piers, etc.; removal of structures.<br/>Deposit of refuse in navigable waters generally.<br/>Deposit of debris of mines and stamp works.<br/>Taking possession of, use of, or injury to harbor or river improvements.<br/>Obstruction of navigable waters by vessels; floating timber; marking and removal of sunken vessels.<br/>Exception as to floating loose timber, sackrafts, etc.; violation of regulations; penalty.<br/>Penalty for wrongful deposit of refuse; use of or injury to harbor improvements, and obstruction of navigable waters generally.<br/>Liability of masters, pilots, etc., and of vessels engaged in violations.<br/>Duty of United States attorneys and other Federal officers in enforcement of provisions; arrest of offenders.<br/>Removal by Secretary of the Army of sunken water craft generally; liability of owner, lessee, or operator.<br/>Summary removal of water craft obstructing navigation; liability of owner, lessee, or operator.<br/>    (a) Removal authority.<br/>    (b) Removal requirement.<br/>    (c) Liability of owner, lessee, or operator.<br/>Appropriations for removal of sunken water craft.<br/>Expenses of investigations by Department of the Army.<br/>Provisions for protection of New York Harbor unaffected.<br/>Regulation by Secretary governing transportation and dumping of dredgings, refuse, etc., into navigable waters; oyster lands; appropriations.</p> |
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