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54TH CONGRESS, 2D SESSION.

H. R. 10222.

IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 3, 1897.

Mr. STEWART, of Wisconsin, introduced the following bill; which was referred to the Committee on the Judiciary and ordered to be printed.

A BILL

To better protect the lives and property of persons against the violence of mobs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any property, real or personal, shall be destroyed or injured, or whenever any person shall suffer any bodily harm or injury or his life shall be lost, by reason of the act of any mob or riot, he or she not being a member or in any manner connected with such mob or riot, any city wherein such act of violence shall have occurred shall be liable to the owner of such property so destroyed or injured, or to such person who has suffered any bodily harm or injury thereby, or in case death shall have ensued from such act of violence, then to the personal representatives of such deceased person, and such city shall be liable for all actual damages sustained thereby; or if such act of violence shall not

have occurred within the limits of any city, then any county wherein such act of violence shall have occurred shall be liable as aforesaid. And when any such act of violence shall have been caused through the joint fault or negligence of the authorities of a city and county, the action may be maintained against them or either of them. And whenever a person shall have lost his or her life in the manner aforesaid, such action may be brought in the name of the personal representative of such deceased person, and the amount recovered shall belong to and be paid to the husband or widow of such deceased person, if such relative survive him or her; but if no husband or widow survive the deceased, the money so recovered shall be paid to his or her lineal descendants, or to his or her lineal ancestors in default of such descendants; and in every such action brought by the personal representatives of such deceased person the jury may award such damages, not exceeding five thousand dollars, as shall be just in reference to the pecuniary injury resulting from such death to the surviving relatives of such deceased person. Any person so injured, or his or her personal representatives if death ensue, shall have a right of action in any court of the United States having jurisdiction of such action: *Provided*, That such person bringing such action, or in whose behalf it is brought, is not a citizen of the State wherein such injury or death occurred at the time said action is brought. Any such

action shall be commenced within six years after such injury or death occurs. And in case any subject or citizen of any foreign government shall be injured or shall lose his life within any State for any cause mentioned in this Act, and the Government of the United States shall grant immunity in money to the foreign government of which the person injured or killed was a subject or citizen, or to such person injured, or, in case of his or her death, to his or her personal representatives, then the United States shall have a right of action against any State wherein such injury or death occurred, to reimburse said Government of the United States for any sum of money disbursed as aforesaid.

SEC. 2. That this Act shall take effect and be in force from and after its passage and approval.

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By Mr. STEWART, of Wisconsin.

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