

1938—Act June 25, 1938, substituted provisions requiring any person importing merchandise from a contiguous country otherwise than in a vessel to report his arrival at the nearest customhouse and present such merchandise for inspection for provisions setting penalties of \$100 for for the failure of the master of any vessel to report its arrival in the United States, forfeiture of vessel and goods for unloading without a permit, and \$500 for the unloading of any passenger without a permit.

EFFECTIVE DATE OF 1938 AMENDMENT

Amendment by act June 25, 1938, effective on thirtieth day following June 25, 1938, except as otherwise specifically provided, see section 37 of act June 25, 1938, set out as a note under section 1401 of this title.

§ 1460. Repealed. Pub. L. 99-570, title III, § 3115(b), Oct. 27, 1986, 100 Stat. 3207-83

Section, acts June 17, 1930, ch. 497, title IV, § 460, 46 Stat. 717; June 25, 1938, ch. 679, § 10(b), 52 Stat. 1082, related to penalties for failure to report or file manifest.

§ 1461. Inspection of merchandise and baggage¹

All merchandise and baggage imported or brought in from any contiguous country, except as otherwise provided by law or by regulations of the Secretary of the Treasury, shall be unladen in the presence of and be inspected by a customs officer at the first port of entry at which the same shall arrive; and such officer may require the owner, or his agent, or other person having charge or possession of any trunk, traveling bag, sack, valise, or other container, or of any closed vehicle, to open the same for inspection, or to furnish a key or other means for opening the same.

(June 17, 1930, ch. 497, title IV, § 461, 46 Stat. 717.)

CODIFICATION

As enacted by act June 17, 1930, the catchline for this section was “Same—inspection”, as this section was intended to be read as a continuation of the provisions introduced in section 1459 of this title. When first enacted, section 1459 of this title related to arrival in the United States from a contiguous country but has since been amended by Pub. L. 99-570 to relate to arrival more generally.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in R.S. §3100, as amended by act Feb. 18, 1875, ch. 80, §1, 18 Stat. 319, and act Feb. 27, 1877, ch. 69, §1, 19 Stat. 248, which was superseded by act Sept. 21, 1922, ch. 356, title IV, § 461, 42 Stat. 956, and was repealed by section 642 thereof. Section 461 of the 1922 act was superseded by section 461 of act June 17, 1930, comprising this section, and repealed by section 651(a)(1) of the 1930 act.

§ 1462. Forfeiture¹

If such¹ owner, agent, or other person shall fail to comply with his demand, the officer¹ shall retain such trunk, traveling bag, sack, valise, or other container or closed vehicle, and open the same, and, as soon thereafter as may be practicable, examine the contents, and if any article subject to duty or any article the importation of which is prohibited is found therein, the whole contents and the container or vehicle shall be subject to forfeiture.

¹ See Codification note below.

¹ See Codification note below.

(June 17, 1930, ch. 497, title IV, § 462, 46 Stat. 718.)

CODIFICATION

As enacted by act June 17, 1930, the catchline for this section was “Same—forfeiture”, as this section was intended to be read as a continuation of the provisions introduced in section 1459 of this title. When first enacted, section 1459 of this title related to arrival in the United States from a contiguous country but has since been amended by Pub. L. 99-570 to relate to arrival more generally. The uses of “such” and “the officer” in text are meant to refer back to section 1461 of this title.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in R.S. §3101, which was superseded by act Sept. 21, 1922, ch. 356, title IV, § 462, 42 Stat. 956, and was repealed by section 642 thereof. Section 462 of the 1922 act was superseded by section 462 of act June 17, 1930, comprising this section, and repealed by section 651(a)(1) of the 1930 act.

§ 1463. Sealed vessels and vehicles¹

To avoid unnecessary inspection of merchandise imported from a contiguous country at the first port of arrival, the master of the vessel or the person in charge of the vehicle in which such merchandise is imported may apply to the customs officer of the United States stationed in the place from which such merchandise is shipped, and such officer may seal such vessel or vehicle. Any vessel or vehicle so sealed may proceed with such merchandise to the port of destination under such regulations as the Secretary of the Treasury may prescribe.

(June 17, 1930, ch. 497, title IV, § 463, 46 Stat. 718.)

CODIFICATION

As enacted by act June 17, 1930, the catchline for this section was “Same—sealed vessels and vehicles”, as this section was intended to be read as a continuation of the provisions introduced in section 1459 of this title. When first enacted, section 1459 of this title related to arrival in the United States from a contiguous country but has since been amended by Pub. L. 99-570 to relate to arrival more generally.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Sept. 21, 1922, ch. 356, title IV, § 463, 42 Stat. 957. That section was superseded by section 463 of act June 17, 1930, comprising this section, and repealed by section 651(a)(1) of the 1930 act.

Provisions somewhat similar to those in this section, and further provisions requiring the vessel, car, or vehicle sealed to proceed without unnecessary delay to the port of destination and be there inspected, and providing that nothing contained therein should exempt the vessel, car, or vehicle from examinations to prevent frauds, were contained in R.S. §3102, and provisions authorizing and requiring the Secretary of the Treasury to make regulations for sealing vessels, cars, etc., were contained in section 3103, prior to repeal by act Sept. 21, 1922, ch. 356, title IV, § 642, 42 Stat. 989.

§ 1464. Penalties in connection with sealed vessels and vehicles¹

If the master of such¹ vessel or the person in charge of any such vehicle fails to proceed with reasonable promptness to the port of destination

¹ See Codification note below.

¹ See Codification note below.