

**CHAP. 309.**—An Act To amend section thirty-two hundred and fifty-five of the Revised Statutes of the United States concerning the distilling of brandy from fruits.

June 3, 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section thirty-two hundred and fifty-five of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:*

Fruit brandy.

“SEC. 3255. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may exempt distillers of brandy made exclusively from apples, peaches, grapes, pears, pine-apples, oranges, apricots, berries or prunes from any provision of this title relating to the manufacture of spirits, except as to the tax thereon, when in his judgment it may seem expedient to do so.”

Distillers exempted from general spirit regulations.  
R. S. sec. 3255, p. 627, amended.

Approved, June 3, 1896.

**CHAP. 310.**—An Act To repeal section sixty-one of an Act to reduce taxation, to provide revenue for the Government, and for other purposes, which became a law August twenty-eighth, eighteen hundred and ninety-four.

June 3, 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section sixty-one of an Act entitled “An Act to reduce taxation, to provide revenue for the Government, and for other purposes,” which became a law August twenty-eighth, eighteen hundred and ninety-four, be, and the same is hereby, repealed.*

Alcohol in the arts.  
Repeal of tax exemption.  
Vol. 28, p. 567.

SEC. 2. That a joint select committee is hereby authorized, to consist of three Senators to be appointed by the presiding officer of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House, which select committee shall consider all questions relating to the use of alcohol in the manufactures and arts free of tax, and to report their conclusions to Congress on the first Monday in December, eighteen hundred and ninety-six.

Congressional committee to examine and report on use of alcohol in the arts, etc.

Post, p. 697.

Said joint select committee is authorized to sit, by subcommittee or otherwise, during the recess or session of Congress, at such times and places as they deem advisable; to summon witnesses, administer oaths, print testimony or other information, and to employ such stenographic, clerical, and other assistance as may be necessary, one half of the expense to be paid from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

Powers, etc.

Approved, June 3, 1896.

**CHAP. 311.**—An Act Authorizing the construction of a wagon and motor bridge over the Missouri River at Saint Charles, Missouri.

June 3, 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Saint Charles and Saint Louis County Bridge Company, a corporation duly created under the laws of the State of Missouri, its successors and assigns, are hereby authorized to construct and maintain a bridge and approaches thereto, across the Missouri River, between the city of Saint Charles, Missouri, and Saint Louis County, Missouri, at a point to be selected consistent with the interests of river navigation. Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, street railway cars, motor cars, animals, foot passengers, and for all road travel, for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by the said corporation, its successors or assigns, and approved from time to time by the Secretary of War: Provided, That the said corporation, or its successors and assigns, shall build and maintain at all times, as accessory works to said bridge, such booms, piers, dikes, guard fences, and similar devices as may be necessary, in the judgment of the Secretary of War, to insure at all times a permanent channel for a sufficient distance above and below*

Saint Charles and Saint Louis County Bridge Company may bridge Missouri River.

Wagon, etc., bridge.

Toll.

Provisos.  
Aids to navigation.

Lights, etc.	the bridge site, and for the guiding of rafts, steamboats, and other water craft safely under said bridge: <i>Provided further</i> , That the said corporation, its successors and assigns, shall maintain on said bridge, from sunset to sunrise, such lights and other signals as the Light-House Board shall prescribe.
Secretary of War to approve plans, etc.	SEC. 2. That said bridge shall not be built or commenced until the location and plans have been approved by the Secretary of War as hereinafter provided for; and any change in the construction or any alteration of said bridge and accessory works, that may be directed at any time by Congress or the Secretary of War, shall be made at the cost and expense of the said corporation, its successors and assigns; that the said bridge shall be constructed without interference with the security and convenience of navigation of said river, and in order to secure that object the said corporation, its successors and assigns, shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and accessory works and a map of the proposed location, giving for the space of one mile above and one mile below such proposed location the topography of the banks of the river, with shore lines and soundings, and direction of current at medium high water, and such other information as may be required for a full understanding of the subject; said map and drawings shall be referred to a board of officers of the Corps of Engineers, United States Army, for examination and report, which board shall personally examine the site of the proposed bridge, and shall hold a public session at some convenient point to hear all objections thereto, of which public session due notice shall be given by public advertisement; and if said board of engineers reports that the location selected or the plans presented are unfavorable to the interests of navigation, the Secretary of War is authorized, upon the recommendation of said board, to require such changes in location or plans as may be deemed necessary to protect the interests of navigation; and said bridge shall not be constructed except in accordance with the plans recommended by said board and approved by the Secretary of War.
Public consideration of plans, etc.	SEC. 3. That said bridge shall be built either as a high or low bridge, and if built as a high bridge it shall be with unbroken and continuous spans, at least three of the spans over the waterway to give a clear channel width of not less than four hundred feet at low-water surface, and clear headroom of not less than fifty-five feet above high-water surface; and the piers of said bridge shall be parallel with the current as near as possible at high stages of the river. If built with pivot drawspan, it shall have one drawspan, affording two clear openings of not less than two hundred feet each, which drawspan shall be maintained over the main channel of the river at an accessible and navigable point, and if with fixed span or spans, they shall be not less than three hundred feet in length in the clear, and the headroom under each span shall not be less than ten feet above the standard high-water grade line, and the piers of said bridge shall be parallel with and the bridge itself at right angles with the river: <i>Provided, also</i> , That said drawspan shall be opened promptly by said corporation, its successors and assigns, upon reasonable signal for the passage of boats and rafts: <i>And provided further</i> , That the said corporation, its successors and assigns, shall, at their own expense, build and maintain, under the direction and supervision of the Secretary of War, when so required, such wing dams, booms, and other necessary work to maintain the channel within the drawspan of said bridge, and shall, at their own expense, maintain a depth of water through said drawspan not less than now existing, as shown by the records of the War Department, at the point where said bridge may be located: <i>And provided further</i> , That said corporation, its successors and assigns, shall maintain, at their own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.
Changes.	
Construction. High bridge.	
Drawbridge.	
Provisos. Opening draw.	
Preserving channel.	
Lights, etc.	
Notification of approval of design.	SEC. 4. That the Secretary of War is hereby authorized and directed, upon receiving the report of the Board of Engineers, and upon being

satisfied that the bridge to be built will conform to the requirements of this Act, to notify the parties authorized to build the same that he approves of the same; and upon receiving such notification the said corporation, its successors or assigns, may proceed to erect said bridge, conforming strictly to the approved plan and location, and should any change in the plan of the bridge or accessory works become desirable during the progress of the work thereon, such change shall only be authorized when recommended by a board of engineer officers and approved by the Secretary of War.

SEC. 5. That any bridge built under this Act and subject to its limitations shall be a lawful structure and shall be recognized and known as a post route, upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the street railways or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post roads in the United States, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes.

SEC. 6. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within five years from the date hereof.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 3, 1896.

Lawful structure and post route.

Postal telegraph.

Commencement and completion.

Amendment, etc.

CHAP. 312.—An Act Relating to commutations of homestead entries, and to confirm such entries when commutation proofs were received by local land officers prematurely.

June 3, 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever it shall appear to the Commissioner of the General Land Office that an error has heretofore been made by the officers of any local land office in receiving premature commutation proofs under the homestead laws, and that there was no fraud practiced by the entryman in making such proofs, and final payment has been made and a final certificate of entry has been issued to the entryman, and that there are no adverse claimants to the land described in the certificates of entry whose rights originated prior to making such final proofs, and that no other reason why the title should not vest in the entryman exists except that the commutation was made less than fourteen months from the date of the homestead settlement, and that there was at least six months' actual residence in good faith by the homestead entryman on the land prior to such commutation, such certificates of entry shall be in all things confirmed to the entryman, his heirs, and legal representatives, as of the date of such final certificate of entry and a patent issue thereon; and the title so patented shall inure to the benefit of any grantee or transferee in good faith of such entryman subsequent to the date of such final certificate: *Provided,* That this Act shall not apply to commutation and homestead entries on which final certificates have been issued, and which have heretofore been canceled when the lands made vacant by such cancellation have been reentered under the homestead Act.

Public lands. Confirmation of homestead entries prematurely commuted. R. S. sec. 2301, p. 421.

Proviso. Exception.

SEC. 2. That all commutations of homestead entries shall be allowed after the expiration of fourteen months from date of settlement.

Allowance of commutation.

SEC. 3. That all Acts and parts of Acts in conflict with any of the provisions of this Act are hereby repealed.

Repeal, etc.

SEC. 4. That this Act shall take effect and be in force from and after its passage and approval.

Effect.

Approved, June 3, 1896.