

Penalty.

and measures in this Act provided for within the limit of tolerance so allowed may be seized by the sealer of weights and measures, and when so seized shall be destroyed by him, and a record of the same shall be duly entered on the books of his office. Failure to comply with the provisions of this section, or the use of any weights, measures, scales, or other instruments described in this section, before the payment of the fees fixed by the said Commissioners for examinations, shall render the person so failing or using liable to a fine of not more than twenty dollars and costs of prosecution for each offense, to be recovered in the police court of the District of Columbia; and the said court may make a further sentence that the offender be imprisoned in the District jail for any period not exceeding six months until the payment of such fine and costs."

Approved, March 28, 1896.

March 28, 1896.

CHAP. 75.—An Act To authorize the construction of a bridge across the Calumet River.

Hammond and Blue Island Railroad Company may bridge Calumet River, Hammond, Ill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Hammond and Blue Island Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, or its successors and assigns, to construct and maintain a bridge and approaches thereto across the Calumet River, in Cook County, in the State of Illinois, at a point on and opposite lot six in Snyderacker and Aumb's Illinois addition to Hammond, in section eight, township thirty-six north, range fifteen east of the third principal meridian; that said bridge may be constructed for railway and postal service, with single and double track for railway traffic, and which shall be under the conditions and limitations hereinafter specified.

Railroad bridge.

Unobstructed navigation.

Litigation.

SEC. 2. That said bridge shall not interfere with the free navigation of said river beyond what may be necessary to carry into effect the rights and privileges herein granted, and in case of any litigation arising under the provisions of this Act such litigation may be tried and determined by the circuit court of the United States within whose jurisdiction said bridge is located.

Lawful structure and post route.

SEC. 3. That any bridge built under the provisions of 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, or passengers or freight passing over the said bridge, than the rate per mile paid for the transportation over the railroad 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 the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes, and all telegraph and telephone companies shall have equal rights and privileges in constructing and maintaining their lines across said bridge.

Draw.

SEC. 4. That said bridge shall be constructed as a drawbridge of such character of construction and having such width of draw openings and such elevation above high water as the Secretary of War may prescribe; and the draw openings of said bridge shall be so protected and arranged that water craft can be worked through them at any and all times; and the piers of said bridge shall be parallel with, and the bridge itself at right angles to, the current of the river: *Provided,* That said draw shall be opened promptly upon reasonable signals for the passage of boats, and said company or corporation shall maintain, at its own expense, from sunset until sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe. If any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such

Postal telegraph. Use by telegraph, etc., companies.

Proviso.
Opening draw.

Lights, etc.

change or alteration of said bridge to be made as will effectually obviate such obstruction. And all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge, and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the cause may be brought in the circuit court of the United States for the State of Illinois in whose jurisdiction any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or exempt this bridge from the operation of the same.

Changes.

Litigation.

Existing laws.

Use by other companies.

Compensation.

Secretary of War to approve plans, etc.

SEC. 5. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and over approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

SEC. 6. That any bridge authorized to be constructed under this Act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War for his examination and approval a design and drawing of the bridge, and a map of location, giving for the space of one-half mile above and one-half mile below the proposed location the topography of the banks of the river, the shore lines at high and low water, the directions and strength of currents at all stages, and soundings, accurately showing the bed of the stream, and the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built, and when said plan is approved said company may proceed to the erection of said bridge. The Secretary of War may make such alterations in such plans as he may deem necessary to the better protection of navigation, and such alterations shall be adopted by the said railroad company. The said railroad company may at any time make any alterations deemed advisable to be made in said bridge, but must first submit such proposed alterations to the Secretary of War, and his approval shall be first had before they shall be authorized or made; the cost of such change shall be paid by the company owning or controlling said bridge.

Alterations.

Amendment, etc.

Commencement and completion.

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

SEC. 8. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

Approved, March 28, 1896.

CHAP. 76.—An Act To authorize the Kansas City, Fort Scott and Memphis Railroad Company to extend its line of railroad into the Indian Territory, and for other purposes.

March 28, 1896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kansas City, Fort Scott and Memphis Railroad Company be, and the same is hereby, authorized and empowered to construct, maintain, and operate a railroad and telegraph line from a point on the south line of the State of Kansas near the city of Baxter Springs to the town of Miami, in the

Kansas City, Fort Scott and Memphis Railroad Company granted right of way, Indian Territory.

Location.