Court may allow witnesses for defence to be paid as, &c.

supreme court, or the judge trying the case, may allow such number of witnesses on behalf of the defendant as may appear necessary, and the fees thereof, with the costs of service, to be paid in the same manner as government witnesses are now paid.

Repealing clause.

When act takes effect.

SEC. 13. *And be it further enacted*, That all laws of said District inconsistent with the provisions of this act be, and the same are hereby, repealed; and that this act shall take effect from and after its passage.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXVI. — *An Act to restore Lieutenant Joseph P. Fyffe to his Grade in Active Service of the Navy.*

Lieut. Joseph P. Fyffe may be appointed to the active list of the navy, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate, and with the advice and consent of the Senate to appoint, Lieutenant Joseph P. Fyffe to the active list of the navy, and to restore him to the rank to which he may be entitled thereon.

APPROVED, February 22, 1867.

Feb. 22, 1867.

CHAP. LXVII. — *An Act fixing the Compensation for the Bailiffs and Criers of the Courts of the District of Columbia.*

Pay of bailiffs and criers of the courts of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bailiffs and criers, who are required by the marshal or courts of the District of Columbia to attend upon the district, circuit, or criminal court of said District, shall be paid by said marshal three dollars and fifty cents per day for each day's attendance, (instead of two dollars, as now provided by law,) commencing with the first of January, eighteen hundred and sixty-six.

APPROVED, February 22, 1867.

Feb. 25, 1867.

CHAP. LXXVI. — *An Act to authorize the Construction of a submerged Tubular Bridge across the Mississippi River at the City of Saint Louis.*

A submerged iron tubular bridge may be built and maintained across the Mississippi river at Saint Louis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "Mississippi Submerged Tubular Bridge Company," a corporation organized under the laws of the State of Missouri, be, and the same is hereby, empowered to construct, maintain, and operate a submerged iron tubular bridge across the Mississippi river, between the city of Saint Louis, in the State of Missouri, and the city of East Saint Louis, in the State of Illinois, subject to all the conditions contained in said act of incorporation and not inconsistent with the provisions of this act. And in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of said waters, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

Questions of obstructing the free navigation of the river may be tried in what courts.

Top of bridge to be below the bed of the river, &c.

SEC. 2. *And be it further enacted*, That any bridge built under the provisions of this act shall be tubular in construction, and sunk below the bed of said river, so that the top of said structure shall be below the bed of the channel of the Mississippi river, and so that the same shall in no wise interfere with or obstruct navigation when completed, or prevent a safe and expeditious transit for all classes of vessels upon said river during construction.

Any such bridge to be a lawful structure and a post-route.

Charges for transportation.

SEC. 3. *And be it further enacted*, That any bridge erected under the provisions of this act 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, the munitions of war of the United States, than the rate per mile which the railroad companies terminating at either end receive for such services.

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