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inspection, such neglect or refusal shall operate as a forfeiture, in each case of such neglect or refusal, of a sum not less than one thousand dollars nor more than five thousand dollars, to be recovered by the Attorney-General of the United States, in the name and for the use and benefit of the United States; and it shall be the duty of the Interstate Commerce Commission to inform the Attorney-General of all such cases of neglect or refusal, whose duty it shall be to proceed at once to judicially enforce the forfeitures hereinbefore provided.

Amendment, etc.

SEC. 7. That nothing in this act shall be construed to affect or impair the right of Congress, at any time hereafter, to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal as, in the opinion of Congress, justice or the public welfare may require; and nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in the United States, or any authority that the Postmaster-General now has under title sixty-five of the Revised Statutes to fix rates, or, of the Government, to purchase lines as provided under said title, or to have its messages given precedence in transmission.

R. S. Title LXV, p. 1019.

Approved, August 7, 1888.

CHAP. 773.—An act to authorize the construction of a bridge across the Missouri River and to establish it as a post-road.

August 7, 1888.

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 Chicago, Oquawka and Kansas City Short Line Railway Company, a corporation organized under the laws of the State of Illinois, or its successors or assigns, to construct a bridge across the Missouri River at a point opposite or nearly opposite the town of Parkville, in the State of Missouri; that said bridge may be constructed for railway and postal service, with single or double tracks for railway traffic, and which shall be under the conditions and limitations hereinafter specified.

Chicago, Oquawka and Kansas City Short Line Railway Company may bridge Missouri River at Parkville, Mo.
Ante, p. 312.

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 or any part thereof is located.

Unobstructed navigation.

SEC. 3. That the bridge hereby authorized to be constructed must be constructed as a high bridge with unbroken and continuous spans having at least one channel-span of not less than four hundred feet clear channel-way and all other spans over the water-way to have a clear channel-way of not less than three hundred feet; and all spans shall have a clear head-room of not less than fifty feet above high-water mark.

Construction.

SEC. 4. That any bridge constructed under this act shall be a lawful structure, and shall be known as a post-road, and the same is hereby declared to be a post-road, over which no higher charge shall be made for the transmission of mails, troops, and munitions of war of the Government of the United States or for passenger or freight passing over the same than the rate per mile charged for their transportation over the railroad or public highways leading to the said bridge, and equal privileges in the use of said bridge shall be granted to all telegraph companies. The United States shall have also the right of way over said bridge for postal telegraph purposes.

Lawful structure and post-route.

Postal telegraph.

SEC. 5. That all railway companies desiring to use said bridge shall be entitled to equal rights and privileges in using the same, including

Use by other companies.

Terms.

the machinery and fixtures thereto belonging, and also the approaches thereto, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest, in case the parties in interest shall not be able to agree upon such terms and conditions

Secretary of War to approve plans, etc.

SEC. 6. That the said railway company, before entering upon the construction of said bridge, shall submit to the Secretary of War plans and drawings of such structure, together with a map of the location thereof for one mile above and one mile below said location, giving the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current of said river at all stages of water, showing also the bed of the river and the channel, with such other and further information as the Secretary of War may require, which said drawings and other information aforesaid shall be examined by him, and if he shall approve the same he shall so notify the said railway company of such approval, and thereupon 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 said railway company. The said railway 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.

Changes.

Aids to navigation.

SEC. 7. That the said bridge herein authorized to be constructed shall be so kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts under it both by day and night. There shall be displayed on said bridge from sunset to sunrise such lights and signals as may be directed by the Light-House Board. And such changes may be made from time to time in the structure of said bridge as the Secretary of War may direct, at the expense of said railway, in order the more effectually to preserve the free navigation of said river, or the said structure shall be altogether removed if in the judgment of the Secretary of War the public good may require such removal, and without expense or charge to the United States.

Lights, etc.

Commencement and completion.

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 thereof.

Amendment.

SEC. 9. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, August 7, 1888.

August 8, 1888.

CHAP. 785.—An act to authorize the juries of the United States circuit and district courts to be used interchangeably, and to provide for drawing talesmen.

Juries, United States courts.
Vol. 21, p. 43.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress approved June thirtieth, eighteen hundred and seventy-nine, chapter fifty-two, section two, be, and the same is hereby, amended, so that whenever any circuit and district court of the United States shall be held at the same time and place they shall be authorized and required, if the business of the courts will permit, to use interchangeably the juries in either court drawn according to the provisions of said act.

Circuit and district court juries may be used interchangeably.

Approved, August 8, 1888.