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any cow which is known to be suffering from tuberculosis, splenic fever, anthrax, or any general or local disease which is liable to render the milk from said cow unwholesome.

Health officer to make dairy regulations, etc.

SEC. 11. That it shall be the duty of the health officer of the District of Columbia, under direction of the Commissioners of said District, to make and enforce regulations to secure proper water supply, drainage, ventilation, air space, floor space, and cleaning of all dairies and dairy farms within said District; to secure the isolation of cattle suffering from any contagious disease, and to carry into effect the provisions of this Act.

Inspection of dairies.

SEC. 12. That the health officer of the District of Columbia, or his duly appointed assistants, shall have the right to enter without previous notice, for the purpose of inspection, any dairy or dairy farm within said District.

Analyses.

SEC. 13. That in all cases of sampling, in the District of Columbia, milk taken for analysis shall be taken, examined, and analyzed in the presence of at least two witnesses, one of whom may be the owner of the milk or his agent; and in all cases such sampling shall be made according to the Babcock method, to wit, dumping the milk from one can to another not less than twice before sampling.

Prosecutions of violations.

SEC. 14. That prosecutions under this Act shall be in the police court of said District, on information signed by the attorney of the District or one of his assistants, and any person or persons violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished for the first offense by a fine of not less than five dollars nor more than twenty-five dollars, to be collected as other fines and penalties, or by imprisonment in the workhouse for a period of not more than thirty days, and for the second offense and each subsequent offense, by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the workhouse for ninety days, or by both such fine and imprisonment, in the discretion of the court, and if the person so convicted of a second or subsequent offense hold a permit under this Act, the same shall be canceled and no permit shall be issued to said person for a period of six months: *Provided*, That any person or persons under this Act shall have the privilege, when demanded, of a trial by jury as in other jury cases in the police court.

Punishment.

Proviso.
Jury trials.

Repeal.

SEC. 15. That all laws and parts of laws inconsistent with the foregoing be, and the same are hereby, repealed.

Approved, March 2, 1895.

March 2, 1895.

CHAP. 165.—An Act To authorize the Wisconsin and New Duluth Bridge Company to construct a bridge over the Saint Louis River, between the States of Wisconsin and Minnesota.

Wisconsin and New Duluth Bridge Company may bridge St. Louis River, Minn. and Wis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wisconsin and New Duluth Bridge Company, a corporation organized and existing under the laws of the State of Wisconsin, and its successors in interest be, and is hereby, authorized to construct, maintain, and operate a bridge, with the approaches thereto, over the Saint Louis River, between the States of Minnesota and Wisconsin, at such point as the Secretary of War may determine, within the limits of section two, township forty-eight north, of range fifteen west of the fourth principal meridian, Minnesota, and of sections one and two, township forty-eight north, of range fifteen west of the fourth principal meridian, Wisconsin.

Location.

Railway, wagon, and foot bridge.

Said bridge shall be constructed to provide for the passage of cars, locomotives, and trains of railway companies, and shall have laid thereon and thereover railroad tracks for the more perfect connection of any railroads that are or may be constructed to said bridge, or the place of its location, to the end that interchange of traffic may be

encouraged and interstate commerce promoted and facilitated; and the same shall be so built as to provide for or permit of the passage thereover of the cars and rolling stock of street railway companies, wagons, carriages, and vehicles of all kinds, animals, foot passengers, and travelers, under such reasonable rules and regulations as may be prescribed by the said company authorized hereby to construct the same, or its successors in interest, and for such reasonable rates of toll as may be fixed by said company, to be approved from time to time by the Secretary of War.

Toll.

Drawbridge.

SEC. 2. That the bridge to be built under this Act shall be constructed as a pivot drawbridge, with a draw over the main channel of said river at an accessible and navigable point, to be approved by the Secretary of War, and with spans of not less than one hundred and twenty-five feet in length in the clear on each side of the central or pivot pier of the draw; and also a fixed span with a clear length of not less than two hundred feet between piers at the low-water line, to permit the passage of rafts under said bridge; and the clear height of said fixed and draw spans above low water shall be determined by the Secretary of War: *Provided*, That said draw shall be opened promptly, at reasonable signal, for the passage of boats, vessels, and other water craft, whose construction shall be such as not to admit of their passage under the draw of said bridge when closed, but in no case shall unnecessary delay occur in the opening of said draw: *And provided further*, That there shall be maintained by said corporation, at its own expense, from sunset to sunrise, such lights or other signals upon said bridge as the Light-House Board may prescribe, and there shall also be maintained, at its own expense, sheer booms, or other proper protection to safely guide rafts, boats, vessels, and water craft through said draw-spans; and the said company may do any dredging necessary for confining the flow of water to a permanent channel or to the maintenance thereof at navigable depths; and that the approaches to said bridge which cross the marshy flats adjoining the channel and which are overflowed at high water shall be upon open pile work consisting of bents not less than fifteen feet between centers measured parallel to the axes of the approaches.

Provisos.
Opening draw.

Lights, etc.

Aids to navigation.

Lawful structure and post route.

SEC. 3. That the bridge and accessory works and improvements constructed under this Act and according to its terms and limitations shall be a lawful structure, and such bridge shall be recognized and known as a post route, upon which no higher charge shall be made for the transmission over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for their transmission over railroads and public highways leading to said bridge, and the United States shall have the right of way for postal and telegraph purposes across said bridge free of charge.

Use by railway companies.

SEC. 4. That all railroad and street railway companies desiring to use said bridge shall have and be entitled to equal rights and privileges in the passing over the same and in the use of the machinery and fixtures thereof, and of the approaches thereto, for a reasonable compensation, to be paid to the owner or owners thereof; and if the owner or owners of said bridge and the several railroad and street railway companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid and the rules or conditions to which each shall conform in using the same, 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, of which hearing each party shall have due notice, and the determination of the Secretary of War thereof shall be binding upon the parties to such controversy.

Compensation.

Secretary of War to approve plans, etc.

SEC. 5. That in order that any bridge built under the authority of this Act may be constructed and built without any material interference with the security and convenience of the navigation of said river beyond which is necessary to carry into effect the rights and privileges hereby granted, and in order to secure compliance with the conditions

herein specified, the said corporation so constructing the same shall, previous to commencing the work of construction of said bridge, submit the plans and location thereof with a detailed map of the river at the proposed site of the bridge and near thereto, exhibiting the depths and currents of such river, to the Secretary of War for his approval, together with such other information concerning said bridge and said river as may be deemed requisite by him, and until he approves the plans and location of the said bridge it shall not be built. The Secretary of War upon receiving such map and plans shall proceed with due diligence to consider the same, and being satisfied that the same conform to the prescribed conditions of this Act, shall notify said company that he approves the same, and shall notify said company of any changes or modifications necessary in order that the same be made to conform to said conditions, and the said company, upon receiving such notification, may proceed to erect the said bridge in conformity with the approved plans and location and the conditions herein prescribed, and no change shall be made therein without the consent of the Secretary of War and his approval thereof: *Provided, however*, That the Secretary of War shall give or cause to be given to said corporation reasonable notice of the time and place of the consideration of said plans and maps by him or by any officer of his Department, and the said corporation shall have the right to appear with its engineer and attorney, or either, before such officer and be heard on behalf of said plans before him, as well as before any officer authorized by him to report upon the same.

Changes.

Proviso. Notification of examining plans.

SEC. 6. That in case of any litigation arising by reason of any obstruction of the free navigation of said river by reason of said bridge, the cause may be tried before the circuit court of the United States for the States of Minnesota or Wisconsin. And the said corporation, its successors or assigns in interest, for the purpose of acquiring necessary rights of way for the construction of necessary abutments and approaches for said bridge, and the lines and tracks of railroad thereon, shall have the power to acquire the same by purchase, gift, or conveyance, or by the exercise of the power of eminent domain, and for such latter purposes may institute proceedings in the proper court having jurisdiction in each or either of the States wherein the premises sought to be condemned are located, or in the circuit court of the United States in the proper district or division of either of said States; said proceedings to be conducted in all respects in conformity with the provisions of law in such State or States for the acquisition by condemnation of private property and appropriating the same to public use by corporations authorized to exercise the power of eminent domain.

Litigation.

Condemnation proceedings.

SEC. 7. That if such bridge hereby authorized to be constructed shall not be commenced within one year and finished in three years from the date of the approval of this Act the rights and privileges hereby granted shall determine and cease.

Commencement and completion.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment, etc.

Approved, March 2, 1895.

CHAP. 166.—An Act To amend an Act entitled "An Act to incorporate the Maryland and Washington Railway Company," approved August first, eighteen hundred and ninety-two, and for other purposes.

March 2, 1895.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of the Act entitled "An Act to incorporate the Maryland and Washington Railway Company," approved August first, eighteen hundred and ninety-two, be, and it is hereby, amended so as to read as follows:

Maryland and Washington Railway Company.
Vol. 27, p. 341, amended.

"SEC. 5. That the said railway shall be constructed of good materials and in a substantial and durable manner, with the rails of the most approved pattern, all to be approved by the Commissioners of

Construction.
Vol. 27, p. 342.