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CHAP. 181.—An Act To authorize the construction of a bridge across the Mississippi River at or near Grays Point, Missouri. January 26, 1901.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Southern Illinois and Missouri Bridge Company, a corporation created and organized under and by virtue of the laws of the State of Illinois, its successors and assigns, be, and the same are hereby, authorized and empowered to erect, construct, maintain, and operate a bridge and approaches thereto over the Mississippi River from a point on the Mississippi River in Alexander County, in the State of Illinois, opposite the terminus of the Saint Louis Southwestern Railway, at or near Grays Point, in Scott County, in the State of Missouri, or from some other convenient point on said river in said Alexander County, Illinois, to some opposite point on said river in the State of Missouri, within the distance of three miles above or below the terminus of said railway. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of said corporation, its successors or assigns, may be so constructed as to provide for and be used also for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable tolls as may be approved from time to time by the Secretary of War.

Southern Illinois and Missouri Bridge Company may bridge Mississippi River.

—location.

Transit, etc.

Tolls.

SEC. 2. That the bridge built, operated, and maintained 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 of the same over the railroads or public highways leading to 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 or for telephone purposes.

Lawful structure and post route.

Telegraph, etc., companies.

SEC. 3. That any bridge built under this Act shall be a high bridge, with unbroken and continuous spans, and shall have at least one channel span, with a clear channel way at low water of not less than six hundred and fifty feet, and all other spans over the waterway, at a bank full stage, shall each have a clear channel way at low water of not less than five hundred feet, and all said spans shall have a clear headroom of not less than sixty-five feet, measured from extreme high water as determined at the location of the bridge, to the lowest part of the superstructure of the bridge or anything attached thereto: *Provided*, That such number of channel spans shall be built as may be recommended for the approved location by the board of engineers hereinafter provided, and that all channel ways shall be measured at right angles to the current of the river at the stage of water that is most important to navigation.

Spans, etc.

Proviso.
Channel spans.

SEC. 4. That all piers shall be built parallel to the current of the river at the stage of water that is most important to navigation; and the bridge itself shall be built as nearly as may be at right angles thereto; and that riprapping or other protection from imperfect foundations, which will lessen the required waterway, shall not be permitted; also that piers which would produce cross currents or bars dangerous to navigation shall not be constructed; and, if after construction, any piers or accessory works are found to produce the above-mentioned effects, or if any riprapping or other protection prohibited by this section is found to exist, the nuisance shall be abated or corrected in accordance with existing law.

Piers, etc.

SEC. 5. That the approaches to the bridge built under this Act shall be so designed and constructed as not to interfere with the free dis-

charge of the river in seasons of flood; and any encroachment on the high-water cross sections by piers, solid embankments, or otherwise, which might result in unduly accelerating the high-water current at the site of the bridge shall not be allowed. If, by reason of the location of a bridge in or near a city harbor, or from any other cause, the channel span next the shore shall appear or become difficult of access at any season, because of the proximity of the river craft which are or may be moored at the bank, or from any other cause, then the person, company, or corporation owning, controlling, or operating said bridge shall either increase the width of the opening or span sufficiently, or shall, by purchase or otherwise, extinguish the right to obstruct the entrance to said span for a distance of from five hundred to one thousand feet above and below the bridge, as may appear necessary to the Secretary of War.

Aids to navigation.

SEC. 6. That any person, company, or corporation constructing any bridge under authority of this Act shall build and maintain at all times, as accessory works to such bridge, such booms, piers, dikes, guard fences, and other devices as may be necessary to insure at all times a permanent channel for a sufficient distance above and below the bridge site, and for the guiding of rafts, steamboats, and other water craft safely under said bridge; and if at any time after the construction of the bridge and its accessory works the approaches to the channel spans in the bridge built under this Act are found to be dangerous or difficult of access by any important class of river traffic the nuisance shall be abated or corrected in accordance with existing law.

Plans, examination of, etc.

SEC. 7. That the said company shall submit in triplicate to the Secretary of War, for his examination, upon a convenient scale, a design and drawings of the bridge, piers, approaches and accessory works, and a map of the location, giving, for the space of at least two miles above and one mile below the proposed site, the topography of the banks of the river and the shore lines at high and low water, and this map shall be accompanied by another drawn on a scale of one inch to two hundred feet, giving, for a space of one-half mile above the proposed site and a quarter of a mile below, an accurate representation of the bottom of the river by contour lines two feet apart determined by accurate soundings, and also showing over the whole width of this part of the river the force and direction of the currents at low water, at high water, and at least one intermediate stage, by triangulated observations on suitable floats; and these maps shall also show the location of other bridges, coal tipples, cribs, and all other structures projecting into the river at bank-full stage, in the vicinity, and shall give such other information as the Secretary of War may require for a full and satisfactory understanding of the subject. Said maps and drawings shall be referred to the 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 in the city of St. Louis, Missouri, to hear all objections thereto, of which public session due notice and invitation to be present shall be given to all interested parties by advertising, and such parties shall be allowed sufficient time for a full examination and consideration of the plans; and if said board of engineers reports that the location selected is unsuitable for a bridge, the bridge shall not be built at that location, or if said board reports that the plans presented are unfavorable to the interests of navigation at the site proposed the Secretary of War shall be authorized, on recommendation of said board, to refuse permission for the construction of a bridge at the proposed site until such changes in the design of the bridge or the location of its piers as may be deemed necessary shall have been made, and to require, in the same way, at the expense of the parties constructing such bridge, the construction of such dikes and other auxiliary struc-

Board to examine site, etc.

tures as may be needed for confining the flow of water to a permanent channel for a distance of not less than one mile above the bridge site for a proper distance below, but in no case shall there be a reduction in the width or headroom of channel or other spans, or in the arrangement and length of accessory works required by this Act, unless such reduction is made necessary by the physical characteristics of the river in the locality where the bridge is proposed, or is shown clearly to be not injurious to the interests of navigation; and the proposed bridge shall be a lawful structure only when built in accordance with the plans as recommended by the said board of engineers and approved by the Chief of Engineers, United States Army, and the Secretary of War, and while so managed and kept in repair as to offer at all times reasonable and proper means for the passage of rafts, steamboats, and other water craft under said bridge, and while all the requirements of this Act are observed.

Approval.

SEC. 8. That all persons, companies, or corporations owning, controlling, or operating the bridge authorized by this Act, shall maintain at their expense such lights and other signals on the bridge as may be required by the Light-House Board, as well as such other lights and signals as may be necessary for the security of navigation in the vicinity of the bridge; and shall also be required to maintain such indications of the stage of water and the headroom under the bridge as the Secretary of War may direct.

Lights.

SEC. 9. That all railroad companies desiring the use of any bridge constructed under this Act shall have, and be entitled to, equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the parties interested 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, upon the application of either party, be determined by the circuit court of the United States in and for any district in which any portion of said bridge may be.

Rights of railroads to use.

SEC. 10. That such alterations and changes as may be required by the Secretary of War, in accordance with existing law, in the bridge constructed under the provisions of this Act, so as to preserve free and convenient navigation, shall be made under the direction of the Secretary of War at the expense of the persons, companies, or corporations owning, controlling, or operating said bridge; and the fact that said bridge was constructed under the supervision of the United States shall not be held to be a bar to the enforcement of this requirement.

Changes.

SEC. 11. That the bridge constructed under the authority of this Act shall be built under the general supervision of the Secretary of War, and no changes or alterations in plans shall be made during construction of said bridge or after its completion unless said changes or alterations conform to the provisions of this Act and are recommended by the Chief of Engineers and approved by the Secretary of War. That during the original construction of said bridge, or in carrying out any authorized changes or repairs of said bridge, a navigable channel sufficient to accommodate the commerce of the river shall be preserved at all times at the site thereof, and the waterway of the river shall not be obstructed to a greater extent than is absolutely necessary, and such lights and buoys shall be kept on all cofferdams, piles, and other structures as may be necessary for the security of navigation; and any temporary obstruction or closing of any channel in customary use shall not be commenced until after due notice to navigation; and all cofferdams, piles, and other structures used in the construction or repair of said bridge shall be removed within a reasonable time after the completion or repair of said bridge.

Secretary of War to supervise construction.

Changes.

Securing navigation during construction.

Amendment

SEC. 12. That the right to alter, amend, or repeal this Act is hereby expressly reserved, and the right to require, at the expense of the owners, the entire removal of any bridge constructed under the provisions of this Act whenever Congress shall decide that the public interests so require is also expressly reserved; and the United States shall not be liable for damages arising from the exercise of the rights thus expressly reserved.

Commencement and completion.

SEC. 13. That if the construction of the bridge hereby authorized shall not be commenced within one year and be completed within three years from the date of approval of this Act, then this Act shall be null and void, and all rights hereby conferred shall cease and determine.

Approved, January 26, 1901.

January 28, 1901.

CHAP. 183.—An Act To amend the Act entitled "An Act to amend the criminal laws of the District of Columbia," approved July eighth, eighteen hundred and ninety-eight.

District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of an Act entitled "An Act to amend the criminal laws of the District of Columbia," approved July eighth, eighteen hundred and ninety-eight, be, and the same is hereby, amended so that the same shall read:

Police court.
Security for appearance for trial.
Vol. 30, p. 724, amended.

"That every person charged with an offense triable in the police court of the District of Columbia may give security for his appearance for trial or for further hearing either by giving bond to the satisfaction of the court or by depositing money as collateral security in such amount as the court, the assistant attorney for the United States, the special assistant attorney for the District of Columbia, or the lieutenant or acting lieutenant of police of the precinct in which the person is detained may determine with the clerk of the police court, or the lieutenant or acting lieutenant of police, or the station keeper of the police precinct within which such person may be apprehended. And whenever any sum of money shall be deposited as collateral security as hereby provided it shall remain, in contemplation of law, the property of the person depositing it until duly forfeited by the court; and when forfeited it shall be, in contemplation of law, the property of the United States of America or of the District of Columbia, according as the charge against the person depositing it is instituted on behalf of the said United States or the said District; and every person receiving any sum of money deposited as hereby provided shall be deemed in law the agent of the person depositing the same or of the said United States or the said District, as the case may be, for all purposes of properly preserving and accounting for such money. And all fines payable and paid under judgment of the said police court shall, upon their payment, immediately become, in contemplation of law, the property of the said United States or the said District, according to the charge upon which such fine may be adjudged; and the person receiving any such fine shall be deemed in law the agent of the said United States or the said District as aforesaid, as the case may be; and any person, being an agent as hereinbefore contemplated and defined, who shall wrongfully convert to his own use any money received by him as hereinbefore provided shall be deemed guilty of embezzlement, and upon conviction thereof be punished by a fine not exceeding five thousand dollars or by imprisonment not exceeding five years, or both: *Provided*, That nothing herein contained shall affect the ultimate rights under existing law of the Washington Humane Society, or the policeman's fund (by whatever name the same may be called or known), or the firemen's relief fund, of the District of Columbia, in or to any fines or forfeitures paid and collected in the said police court."

—amount.

—property in.

Fines.

—property in, etc.

—penalty for conversion, etc.

Proviso.
Rights of Washington Humane Society.
Policeman's fund.
Fireman's relief fund.

Approved, January 28, 1901.