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which the Secretary of War may require at any time in the said structure shall be promptly made by the said company at its own expense.

Use by other roads.

SEC. 3. That all railroad companies desiring the use of the bridge authorized by 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 the payment of a reasonable compensation for such use; and in case the owner or owners of the 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; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Compensation.

Telegraph, etc., rights.

Lights, etc.

SEC. 4. That on any bridge constructed under the provisions of this Act there shall be maintained, at the expense of the company or corporation owning or controlling the same, such lights and other signals as may be prescribed by the Light-House Board.

Time of construction.

SEC. 5. 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.

Amendment.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 17, 1906.

March 19, 1906.
[H. R. 122.]

[Public, No. 53.]

CHAP. 957.—An Act To require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes.

District of Columbia.
Fire escapes required for tenement houses, etc., in.
Post, p. 1247.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the owner, lessee, occupant, or person having possession, charge, or control of any building three or more stories in height, or over thirty feet in height, constructed or used or intended to be used as a tenement house, apartment house, flat, hotel, office building, store, hospital, seminary, academy, school, college, institute, dormitory, asylum, sanitarium, hall, or place of amusement, to provide and cause to be erected and fixed to every such building, connecting with each floor above the first floor by easily accessible and unobstructed openings, one or more suitable fire escapes, in such location and numbers and of such material, type, and construction as the Commissioners of the District of Columbia may determine.

Buildings occupied by ten or more persons above the second stories.

SEC. 2. That it shall be the duty of the owner, lessee, occupant, or person having possession, charge, or control of any building already erected, or which may hereafter be erected, in which ten or more persons are employed at the same time in any of the stories above the second story, to provide and cause to be erected and affixed thereto a sufficient number of the aforesaid fire escapes, the location and number of the same to be determined by the said Commissioners, and to keep the hallways and stairways in every such building as is used and occupied at night properly lighted, to the satisfaction of the Commissioners of the District of Columbia, from sunset to sunrise.

Night lights.

Guide signs, etc.

SEC. 3. That it shall also be the duty of the owner, lessee, occupant, or person having possession, charge, or control of any building used or intended to be used as set forth in section one of this Act, or any building in which ten or more persons are employed, as set forth in section two of this Act, to provide, install, and maintain therein proper and sufficient guide signs, guide lights, exit lights, hall and stairway lights, fire hose, and fire extinguishers, in such location and numbers and of such type and character as the Commissioners of the District of Columbia may determine.

Additional fire escapes, etc.

SEC. 4. That the Commissioners of the District of Columbia are hereby authorized and directed to require any alterations or changes that may become necessary in buildings now or hereafter erected, in order to properly locate or relocate fire escapes or to afford access to fire escapes, and to require any changes or alterations in any building that may be necessary in order to provide for the erection of additional fire escapes, when in the judgment of said Commissioners additional fire escapes are necessary.

Fireproof inclosures for elevator shafts, etc.

SEC. 5. That each elevator shaft and stairway extending to the basement of the buildings heretofore mentioned shall terminate in a fireproof compartment or inclosure, separating the elevator shaft and stairs from other parts of the basement, and no opening shall be made or maintained in such compartment or inclosure unless the same be provided with fireproof doors.

Unobstructed hallways, etc.

SEC. 6. That it shall be unlawful to obstruct any hall, passageway, corridor, or stairway in any building mentioned in this Act with baggage, trunks, furniture, cans, or with any other thing whatsoever.

Obstacles upon fire escapes, etc., prohibited.

SEC. 7. That no door or window leading to any fire escape shall be covered or obstructed by any fixed grating or barrier, and no person shall at any time place any incumbrance or obstacle upon any fire escape or upon any platform, ladder, or stairway leading to or from any fire escape.

Issuance of license restricted.

SEC. 8. That no license shall be issued to any person to conduct any business for which a license is required in any building mentioned in this Act until such building has been provided and equipped with a sufficient number of fire escapes and other appliances required by this Act.

Violating law after notice.

SEC. 9. That any person failing or neglecting to provide fire escapes, alarm gongs, guide signs, fire hose, fire extinguishers, or other appliances required by this Act, after notice from the Commissioners of the District of Columbia so to do, shall, upon conviction thereof, be punished by a fine of not less than ten dollars nor more than one hundred dollars, and shall be punished by a further fine of five dollars for each day that he fails to comply with the notice aforesaid. Any person violating any other provision of this Act shall be punished, upon conviction thereof, by a fine of not less than ten dollars nor more than one hundred dollars for each offense.

Penalty.

Scope of notice.

SEC. 10. That the said notice requiring the erection of fire escapes and other appliances mentioned in this Act shall specify the character and number of fire escapes or other appliances to be provided, the location of the same, and the time within which said fire escapes or other appliances shall be provided, and in no case shall more than ninety days be allowed for compliance with said notice unless the Commissioners of the District of Columbia shall, in their discretion, deem it necessary to extend their time.

Personal service.

SEC. 11. That said notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or if no such office can be found in said District by reasonable search if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities, or if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on ten consecutive days in a daily newspaper published in the District of Columbia, or if by reason of an outstanding unrecorded transfer of title the name of the owner in

Notice by mail.

Publication of notice.

fact can not be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia: *Provided*, That in case of failure or refusal of the owner, lessee, occupant, or person having possession, charge, or control of any buildings specified in this Act, to comply with the requirements of the notice provided for in section ten, then, and in that event, the Commissioners are hereby empowered and it is their duty to cause such erection of fire escapes and other appliances mentioned in the notice provided for, and they are hereby authorized to assess the costs thereof as a tax against the buildings on which they are erected and the ground on which the same stands, and to issue tax-lien certificates against such building and grounds for the amount of such assessments, bearing interest at the rate of ten per centum per annum, which certificates may be turned over by the Commissioners to the contractor for doing the work.

Notice to corporations.

Proviso. Failure to comply with notice. *Ante*, p. 71.

Injunction to restrain use, etc., of buildings.

SEC. 12. That the supreme court of the District of Columbia, in term time or in vacation, may, upon a petition of the District of Columbia, filed by its said Commissioners, issue an injunction to restrain the use or occupation of any building in the District of Columbia in violation of any of the provisions of this Act.

Repeal.

SEC. 13. That all Acts or parts of Acts inconsistent herewith be, and the same are hereby, repealed.

Approved, March 19, 1906.

March 19, 1906. [H. R. 4459.]

[Public, No. 54.]

CHAP. 958.—An Act Authorizing the Commissioners of the District of Columbia to make regulations respecting the rights and privileges of the fish wharf.

District of Columbia. Sale of fish wharf rights, etc., in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to make such regulations as they may deem proper for the sale of the rights and privileges of the fish wharf in the District of Columbia: *Provided*, That no letting or sale of such rights or privileges shall be for a longer term than one year.

Proviso. Time limit.

Approved, March 19, 1906.

March 19, 1906. [H. R. 4469.]

[Public, No. 55.]

CHAP. 959.—An Act Authorizing the Commissioners of the District of Columbia to make regulations respecting the public hay scales.

District of Columbia. Sale of use of public hay scales, etc., in.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to make such regulations as they may deem proper for the sale of the use of the public hay scales of the District of Columbia, and to place public weighmasters in charge of such scales when deemed necessary, and to prescribe the fees to be paid by the persons using such scales to the said weighmasters for services rendered by them.

Fees.

Approved, March 19, 1906.