

Penalty.
Proviso.
Marking on bow.

or gilded, or consist of cut or carved or cast roman letters in light color on a dark ground, or in a dark color on a light ground, secured in place, and to be distinctly visible. The smallest letters used shall not be less in size than four inches. If any such vessel shall be found without these names being so marked the owner or owners shall be liable to a penalty of ten dollars for each name omitted: *Provided, however,* That the names on each bow may be marked within the year eighteen hundred and ninety-seven.

Draft to be marked.

“SEC. 2. That the draft of every registered vessel shall be marked upon the stem and stern post, in English feet or decimeters, in either arabic or roman numerals. The bottom of each numeral shall indicate the draft to that line.”

Approved, January 20, 1897.

January 20, 1897.

CHAP. 68.—An Act To withdraw from the Supreme Court jurisdiction of criminal cases not capital and confer the same on the circuit courts of appeals.

United States courts.
Appeals in criminal
cases not capital with-
drawn from Supreme
Court to circuit courts
of appeals.
Vol. 26, p. 827.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section five of the Act entitled “An Act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes,” approved March third, eighteen hundred and ninety one, as reads “in cases of conviction of a capital or otherwise infamous crime,” be amended by striking out the words “or otherwise infamous,” so that the same will read “in cases of conviction of a capital crime;” and that appeals or writs of error may be taken from the district courts or circuit courts to the proper circuit court of appeals in cases of conviction of an infamous crime not capital: *Provided,* That no case now pending in the Supreme Court or in which an appeal or writ of error shall have been taken or sued out before the passage of this Act shall be hereby affected, but in all such cases the jurisdiction of the Supreme Court shall remain, and said Supreme Court shall proceed therein as if this Act had not been passed.

Proviso.
Pending cases not
affected.

Approved, January 20, 1897.

January 20, 1897.

CHAP. 69.—An Act To approve and ratify the construction of a bridge across the Red River, between the States of Arkansas and Texas, at a point above the town of Fulton, in Arkansas, on said river, built by the Texarkana Northern Railway Company, but now owned and operated by the Texarkana and Fort Smith Railway Company, and to authorize the latter company to maintain said bridge over said waterway, subject to certain stipulations and conditions.

Bridge across Red
River, Fulton, Ark.,
by Texarkana and
Fort Smith Railway
Company approved.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the construction by the Texarkana Northern Railway Company, a corporation formed for the purpose of constructing and operating a railroad northward from the town of Texarkana, in the States of Texas and Arkansas, but which has been merged into and succeeded by the corporation known as the Texarkana and Fort Smith Railway Company, of the bridge over the Red River, between the States of Arkansas and Texas, above the town of Fulton, in Arkansas, on the said river, be, and the same hereby is, approved and ratified, subject to the stipulations and conditions hereinafter set forth.

Lawful structure
and post route.

SEC. 2. That said bridge, so long as maintained according to the limitations of this Act, shall be a lawful structure, and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which 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, or for through passengers or freight passing over the same, than the rate per mile paid for their transportation over

the railroads leading to said bridge; and the United States shall have the right of way across said bridge for a postal telegraph.

Postal telegraph.

SEC. 3. That said bridge shall always be provided with a suitable draw, which shall be maintained by said railroad company, and at its expense, so as not to interfere with the navigation of said river, and in such way as to render navigation through the same free, easy, and unobstructed.

Unobstructed navigation.

SEC. 4. That the draw provided for the said bridge shall be opened promptly, upon reasonable signal, for the passing of boats and rafts; and said railroad company shall maintain, at its own expense, from sunset until sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Opening draw.

Lights.

SEC. 5. That said bridge shall be under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe, and the present plan and structure of said bridge shall not be altered or changed except by consent of the Secretary of War, and with his approval of the proposed change or alteration: *Provided*, That any change or alteration in the said bridge which the Secretary of War may deem necessary in the interest of navigation shall be made by the said railroad company at its own expense. And if, after thirty days' notice from the Secretary of War to the president of the railroad company, or to other parties owning or controlling said bridge, the changes or alterations required shall not be made, the Secretary may cause such changes to be made, and the cost thereof shall be recovered by suit in the name of the United States against said company in the circuit court of the United States within whose jurisdiction said bridge or any part thereof is situated.

Secretary of War to approve changes, etc.

Proviso.
Changes.

SEC. 6. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon 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.

Use by other companies.

Compensation.

SEC. 7. 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 of approval thereof.

Commencement and completion.

SEC. 8. That Congress reserves the right to alter, amend, or repeal this Act at any time.

Amendment, etc.

Approved, January 20, 1897.

CHAP. 70.—An Act To validate the appointments, acts, and services of certain deputy United States marshals in the Indian Territory, and for other purposes.

January 20, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointments of deputy United States marshals in the Indian Territory made by the marshal in either district of said Territory since the first day of March, eighteen hundred and ninety-five, and prior to April fifteenth, eighteen hundred and ninety-six, and all oaths taken by such deputy United States marshals in good faith, and all acts and services rendered by such deputy United States marshals in pursuance of law and in good faith, are hereby ratified and validated. All accounts for the payment of such deputy United States marshals shall be subject to the approval of the Attorney-General.

Indian Territory. Appointments and acts of deputy marshals ratified.

Accounts.

SEC. 2 That hereafter United States marshals in said Territory shall give bond, with two or more sureties to be approved by the judge of said district, in the sum of twenty thousand dollars, conditioned as by

Marshals' bonds.