

CHAP. 728.—An act to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

August 8, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory or remaining therein for use, consumption, sale or storage therein, shall upon arrival in such State or Territory be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

Intoxicating liquors, etc., transported into any State, etc., made subject to laws of such State, etc.

Original packages, etc., not exempt.

Approved, August 8, 1890.

CHAP. 729.—An act to increase the compensation of the assistants to the attorney of the United States for the District of Columbia, and to amend section nine hundred and seven of the Revised Statutes of the United States, relating to said District.

August 8, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section nine hundred and seven of the Revised Statutes of the United States, relating to the District of Columbia, be amended to read as follows:

District of Columbia. Pay of assistants to United States attorney.

“**SEC. 907.** He shall pay to his deputies or assistants not exceeding in all ten thousand dollars per annum; also his clerk hire, not exceeding two thousand four hundred dollars per annum; office rent, fuel, stationery, printing, and other incidental expenses out of the fees of his office.”

R. S. D. C. sec. 907, p. 106, amended. Increased compensation, etc.

Approved, August 8, 1890.

CHAP. 735.—An act amendatory of the act entitled “An act to provide for taking the Eleventh and subsequent censuses.”

August 14th, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section seventeen of said Act be so amended that the Superintendent of the Census shall require and obtain from the owners, proprietors or managers of every unincorporated express company, the same class of facts which by said section he is now obliged to require and obtain from the owners, proprietors or managers of every incorporated express company; and, further,

Eleventh Census. Vol. 25, pp. 765, 766, amended.

Reports from unincorporated express companies.

That Section fifteen of the Act entitled “An Act to provide for taking the Eleventh and subsequent Censuses” shall be so amended that the penalties provided for in said section shall apply in case the President, Treasurer, Secretary, Agent or Director, of an unincorporated express company shall wilfully neglect or refuse to give true and complete answers to any inquiries authorized by the said Act, if thereto requested by the Superintendent of the Census.

Vol. 25, p. 765, amended.

Penalties for refusing to give information.

Approved, August 14, 1890.

CHAP. 736.—An act authorizing the construction of a bridge over the Tennessee River at or near Guntersville or Deposit, Alabama, and for other purposes.

August 15, 1890.

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 Tennessee and Coosa Railroad Company of Alabama, a corporation duly and legally incorporated under the laws of the State of Alabama, its successors or assigns, to construct and main-

Tennessee and Coosa Railroad Company of Alabama may bridge Tennessee River at Guntersville or Deposit, Ala.

Railway, wagon, or foot bridge.	tain a bridge over the Tennessee River at or near Guntersville or at or near Deposit, Alabama. Said bridge shall be constructed to provide for the passage of railway trains, and at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.
Tolls.	<p>SEC. 2. That any bridge built 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, or passengers or freight passing over said bridge, than the rate per mile paid for the transportation over the railroad or public highways leading to the 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 companies upon such terms as may be agreed upon by the parties, and if they can not agree, then as the same shall be determined by the Secretary of War; and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes, and all telegraph and telephone companies shall have equal rights and privileges in constructing and maintaining their lines across said bridge.</p>
Lawful structure and post-route.	<p>SEC. 3. That the said bridge shall be constructed as a draw-bridge; the draw or pivot-pier shall be at such point in the channel of the river as the Secretary of War may direct, and the opening or passage-way of said draw-pier shall be so protected and arranged that water craft can be worked through it at any and all times; and the draw-span shall not be of less width, nor shall the lowest part of the same be of less elevation above high-water, than are the widest and highest of those authorized by Congress for any bridge over the Tennessee River, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river: <i>Provided</i>, That in said bridge there shall be one span of not less than three hundred feet in the clear: <i>Provided, also</i>, That said draw shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the cause may be brought in the circuit court of the United States of the State of Alabama in whose jurisdiction any portion of said obstruction or bridge may be located: <i>Provided further</i>, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.</p>
Use by other companies.	<p>SEC. 4. 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</p>
Postal telegraph.	
Use by telegraph, etc., companies.	
Draw.	
Protection of passage-way.	
Draw-span.	
Piers, etc.	
Proviso.	
Minimum width of one span.	
Opening of draw.	
Lights, etc.	
Unobstructed navigation.	
Structural changes, etc.	
Litigation.	
Existing laws.	
Use by other railroad companies.	
Terms.	

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.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge, and a map of the location, giving, for the space of one mile above and one mile below the proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built. And if any change is required by the Secretary of War in the plan of said bridge, whilst the same is in process of construction, or after its completion, or if the entire removal of said bridge is required by him at any time, the cost of such change or removal shall be paid by the company owning or controlling said bridge.

Secretary of War to approve plans, etc.

Change of plan, etc.

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within three years from the date of the approval of this act.

Commencement and completion.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Amendment, etc.

Approved, August 15, 1890.

CHAP. 796.—An act to amend an act approved August sixth, eighteen hundred and eighty-eight, authorizing the construction of bridges by the Houston, Central Arkansas and Northern Railway Company.

August 18, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved August sixth, eighteen hundred and eighty-eight, entitled "An Act authorizing the Houston, Central Arkansas and Northern Railway Company to construct and maintain bridges across Bayou Bartholomew and across Ouachita, Red, Little and Sabine Rivers in Louisiana," be and is hereby amended so that the time within which the actual construction of said bridges may be commenced is hereby extended for the period of one year from the date of the approval of this Act.

Bridges across Bayou Bartholomew and Ouachita, Red, Little, and Sabine Rivers, La.

Vol. 25, p. 377, amended.

Commencement extended.

Approved, August 18, 1890.

CHAP. 797.—An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

August 18, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sums of money herein provided for be, and the same are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available until expended, namely:

Fortifications appropriations.

Available until expended. Preservation and repair.

PRESERVATION AND REPAIR OF FORTIFICATIONS: For the protection, preservation, and repair of fortifications for which there may be no special appropriations available, eighty thousand dollars.