

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 should any change be made in the plan of such bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War. And the said structure shall be changed at the cost and expense of the owners thereof, from time to time as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river, and the authority to erect and continue said bridge shall be subject to revocation by the Secretary of War, whenever the public good, in his judgment, so requires.

Changes.

Amendment, etc.

Commencement and completion.
Post, p. 634.

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

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 approval of this Act.

Approved, April 21, 1894.

April 24, 1894.

CHAP. 63.—An Act To amend section one of an Act approved April sixth, eighteen hundred and ninety-four, entitled "An Act to give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals."

Fur seal fishery regulations.

Ante, p. 53.

Error corrected.

Killing, etc., of seals forbidden.

Area included.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the Act entitled "An Act to give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals," approved April sixth, eighteen hundred and ninety-four, be amended by striking out the word "exclusive" where it occurs in said section one and inserting the word "inclusive," so that said section will read: That no citizen of the United States, or person owing the duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue, at any time, or in any manner whatever, outside of territorial waters, any fur seal in the waters surrounding the Pribilof Islands within a zone of sixty geographical miles (sixty to a degree of latitude) around said islands, inclusive of the territorial waters.

Approved, April 24, 1894.

April 24, 1894.

CHAP. 64.—An Act To authorize the construction of a steel bridge over the Saint Louis River, between the States of Wisconsin and Minnesota.

Duluth and Superior Bridge Company may bridge Saint Louis River, Conners Point, Wis., to Rices Point, Minn.

Railway, wagon, and foot bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Duluth and Superior Bridge Company, a corporation organized under the laws of the State of Wisconsin, and its successors in interest be, and is hereby, authorized to construct and maintain and operate a bridge and approaches thereto over the Saint Louis River, between the States of Wisconsin and Minnesota, extending from the northerly end of Conners Point, Wisconsin, to Rices Point, opposite, in the State of Minnesota. Said bridge shall be constructed to provide for the passage of street railway cars, steam cars, on double tracks permitting the passage of trains in opposite directions at the same time, and for the passage of wagons and vehicles

of all kinds, and for the transit of animals, and for foot passengers, under such reasonable rules and regulations as may be prescribed by said company or its successors in interest, and for such reasonable rates of toll as may be agreed upon by the parties in interest and approved by the Secretary of War: *Provided, however,* That the right of passage over said bridge and approaches shall at all times be free to the employees and apparatus of the fire and police departments of the cities of Duluth and Superior, when in actual service. And in case of any litigation concerning any alleged obstruction to the free navigation of said river on account of said bridge the cause shall be tried before the circuit court of the United States in whose jurisdiction any portion of said obstruction or bridge is located.

Toll.
Proviso.
Free passage.

Litigation.

SEC. 2. That any bridge built under the provisions of this Act shall be built and constructed without material interference with the security and convenience of navigation on said river beyond what is necessary to carry into effect the rights and privileges hereby granted, and shall be at least twenty-eight feet in height in the clear above high-water mark, with rafting spans on either side of the draw of not less than two hundred and fifty feet each; and, in order to secure compliance with these conditions, the said corporation shall submit to the Secretary of War a plan of the bridge and accessory works provided for in this Act, together with a detailed map of the river for a distance of one mile above and one mile below the proposed site of said bridge, with such information as may be required by the Secretary of War for a full and satisfactory understanding of the subject; and the Secretary of War is hereby authorized and directed, upon receiving such plan and map and other information and being satisfied that the bridge built upon such plan and with such accessory works and at such locality will conform to the prescribed condition of this Act, to notify the company that he approved the same; and upon receiving such notification the said company may proceed to the erection of said bridge, conforming strictly to the approved plan and location; but until the Secretary of War shall approve the plan and location of said bridge and accessory works, and notify the company of the same, the bridge shall not be built or commenced; and should any change be made or become necessary in the plan of the bridge or accessory works during the progress of construction or after completion such change shall likewise be subject to the approval and direction of the Secretary of War: *Provided, however,* That if, in the opinion of the Secretary of War, the interests of navigation permit it, it shall be within his discretion to reduce the requirement of height in the clear above high-water mark from twenty-eight feet to twenty-six feet.

Unobstructed navigation.

Post, p. 228.

Secretary of War to approve plans, etc.

Changes.
Proviso.
Reduction of height.

Aids to navigation.

SEC. 3. That the accessory works referred to in the preceding section shall be such booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent channel, and for the guiding of steamboats, rafts, and other water craft safely through the draw and rafting spans, as shall be required by the Secretary of War; and in addition thereto, and before the construction of the bridge to be built under this Act, the company or persons owning or holding such bridge shall be required, under the direction of the Secretary of War or such officer as he shall designate, to dredge out to a minimum depth of twenty-one feet the two triangular spaces above and below the proposed site of the bridge included in the interior angles formed by the crossing of the two channels at "the gate," to such an extent as to create a basin, the easterly and westerly limits of which shall be, respectively, at not to exceed one thousand feet from the axis of the bridge, and such basin shall be maintained by the said company or persons owning and holding said bridge, at all times thereafter, in a condition affording safe navigation to all vessels drawing twenty feet of water.

Dredging required.

Post, p. 228.

SEC. 4. That the bridge built under this Act shall be constructed as a pivot drawbridge, with the draw over the main channel of the river at an accessible and navigable point, and with a span of not less than

Draw.

Provisos. Opening draw.	two hundred feet in length in the clear on each side of the central or pivot pier of the draw, measured at right angles to the axis of the channel: <i>Provided</i> , That the said draw shall be opened promptly on reasonable signal for the passage of boats, vessels, and other water craft: <i>And provided further</i> , That said company or corporation shall maintain at its own expense, from sunset to sunrise through the season of navigation, such lights or other signals on said bridge as the Light-House Board shall prescribe. The superstructure of said bridge shall be constructed of iron and steel, and be sufficiently supported by abutments and piers of solid masonry.
Lights, etc.	
Use by other companies.	SEC. 5. That all street and other railway companies, telegraph and telephone companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars and stringing wires 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 said bridge and the several street and other railway companies, or any of them, desiring such use shall fail to agree on the sum or sums to be paid, and on 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 hearing the allegations and proofs of the parties in question. And all owners and persons in charge of wagons and vehicles and animals of all kinds, and all foot passengers, shall have and be entitled to equal rights to passage and transit over said bridge, and over the approaches thereto, upon payment of a reasonable compensation for such use, such rate of compensation to be agreed upon by and between the common councils of the cities of Superior and Duluth and the owner or owners of said bridge; and in case the owner or owners of said bridge and the said common councils fail to agree on the sum or sums to be paid all matters of issue between them shall be decided by the Secretary of War, upon hearing of the allegations and proofs of the parties in question.
Compensation.	
Foot and wagon passage.	
Compensation.	
Sale to Duluth, Minn., or Superior, Wis., authorized.	SEC. 6. That the company or persons owning and holding such bridge shall, at any time after the completion thereof, sell and transfer the same to the city of Duluth, in the county of Saint Louis, in the State of Minnesota, and to the city of Superior, in the county of Douglas, in the State of Wisconsin, or to the said counties jointly, and surrender the entire control and management thereof, with all the rights and privileges and franchises thereto appertaining, upon payment to such holders and owners of the total amount expended up to the time of the transfer in and about the construction, maintenance, and repairs of said bridge and its approaches and accessory works, as well as expended in dredging the channel to and through the draw of such bridge, with interest thereon at the rate of seven per centum per annum, less the net income from the tolls; in which event, and in case of the due consummation of such transfer, the said counties or cities shall thenceforth be subject to all the obligations and conditions imposed by the provisions of this Act, and shall assume and pay at their maturity the unmatured obligations, if any, of the said company or persons, not exceeding in amount the purchase price of said bridge as herein provided, and the amount of such obligations so assumed, with the accrued interest thereon, shall be deducted from the amount of said purchase price, and the remainder only shall be paid to said company or persons: <i>Provided</i> , That said bridge and its approaches thereafter shall be made free of tolls to wagons, teams, and foot passengers, and street-railway cars.
Conditions.	
Proviso. Free passage.	
Lawful structure and post route.	SEC. 7. That the bridge and accessory works constructed under this Act and according to its terms and limitations shall be a lawful structure, and 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, the troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge, and said bridge shall enjoy the rights and privileges of other post routes in the United States, and the United

States shall have the right of way for postal telegraph purposes across said bridge.

Postal telegraph.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved; and the right to require any changes in said structure, at the expense of the owners thereof, whenever Congress shall decide that the public interests require it, is also expressly reserved.

Amendment, etc.

SEC. 9. That this Act shall be null and void if actual construction of the bridge therein authorized be not commenced within one year and completed within three years from the date of the passage of this Act.

Commencement and completion.

Approved, April 24, 1894.

CHAP. 66.—An Act To provide for the division of the eastern district of Michigan into the northern and southern divisions, and for holding the circuit and district courts of the United States therein, and for other purposes.

April 30, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the eastern district of Michigan be, and the same is hereby, divided into two divisions, to be known as the northern division and the southern division, respectively, and that the following-named counties shall be and constitute the northern division: Cheboygan, Presque Isle, Otsègo, Montmorency, Alpena, Crawford, Oscoda, Alcona, Roscommon, Ogeman, Iosco, Clare, Gladwin, Arenac, Isabella, Midland Bay, Tuscola, Huron, Gratiot, Saginaw, Shiawassee, and Genesee; and the following-named counties shall constitute the southern division: Saint Clair, Lapeer, Sanilac, Macomb, Oakland, Livingston, Ingham, Clinton, Jackson, Washtenaw, Wayne, Branch, Hillsdale, Lenawee, Calhoun, and Monroe.

Michigan eastern judicial district.

Two divisions created.

R. S., sec. 538, p. 90, amended.

Northern division.

Southern division.

SEC. 2. That there shall be at least two regular annual sessions of the circuit and district courts begun and held at Bay City in said northern division, commencing on the first Tuesdays of May and October in each year; and all issues of fact shall be tried at the terms of said courts to be held in the division where such suit shall be hereafter commenced. There shall also be held a special or adjourned term of the district court at said Bay City for the hearing of admiralty causes, beginning in the month of February in each year. The time and terms of court at Detroit and Port Huron in the southern division of said district shall remain as now fixed by law.

Terms.

Bay City.

R. S., sec. 572, p. 99; sec. 658, p. 121.

SEC. 3. That all suits and proceedings hereafter to be tried in said circuit and district courts, not of a local nature, shall be brought in the court of the division of the district where the defendant, or one of the defendants if there be several, resides, and if there be several defendants, part of whom reside in one division and part in another of the district, the plaintiff may sue in either division and send a duplicate writ or writs to the other defendants on which the plaintiff or his attorney shall indorse that the writ thus sent is a copy of a writ sued out, in the proper division of said district, and said writs when executed and returned into the office from which they issued shall constitute one suit and be proceeded in accordingly. Actions in rem in admiralty may be brought in whichever division of the district service can be had upon the res.

Jurisdiction.

Admiralty actions.

SEC. 4. That the clerks of the circuit and district courts for the eastern district of Michigan shall each keep his office at the city of Detroit and shall each appoint a deputy clerk for said courts held at Bay City, who shall reside and keep his office at that place, and such deputy clerk or clerks shall keep in his office dockets and full records of all actions and proceedings in said circuit and district courts for the northern division of said district held at that place, and shall have the same power to issue all processes from said courts and perform any other duty that is or may be given to the clerks of other circuit and district courts in like cases.

Clerks.