

and the Secretary of the Treasury to confirm, an assistant appraiser or other officer of the customs in the same customs collection district, who shall perform the functions of the appraiser, without additional compensation, during such absence: *Provided*, That in no case shall any person enter upon or discharge the duties of the appraiser or assistant appraiser of merchandise until he shall have taken the oath required by law of such officer.

Approved, March 3, 1905.

*Proviso.*  
Oath.

March 3, 1905.  
[S. 4156.]

[Public, No. 147.]

**CHAP. 1414.**—An Act For the establishment of public convenience stations in the District of Columbia.

*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 construct and establish, in the city of Washington, District of Columbia, two public convenience stations, each of the same to afford accommodations for twenty males and ten females.

District of Columbia.  
Establishment of  
public convenience  
stations in.

Location of sites.

Right of control  
transferred to Com-  
missioners.

**SEC. 2.** That the said public convenience stations shall be located on public space to be selected by the said Commissioners of the District of Columbia. And the jurisdiction and control of such portion of any public reservation so selected as shall be required for the location of such stations and their approaches is hereby transferred from the Chief of Engineers of the United States Army to the Commissioners of the District of Columbia, such transfer to take effect from the date of notice by the said Commissioners to the Chief of Engineers of the United States Army of the location of sites of such stations.

Regulations.

**SEC. 3.** That upon the construction and establishment of said public convenience stations the said Commissioners are further authorized and empowered to make all necessary rules and regulations for the management of the same, as well as to fix the charge, if any, to be made for the use of these conveniences.

Appropriation im-  
mediately available.

**SEC. 4.** That for the purpose of constructing and establishing the said public convenience stations, the sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, to be immediately available, and to be expended by said Commissioners. And for the purpose of care and maintenance of the same during the fiscal year ending June thirtieth, nineteen hundred and six, the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, and to be expended by said Commissioners, one half of the entire sum herein appropriated to be paid out of any money in the Treasury of the United States not otherwise appropriated, the other half to be paid out of the revenues of the District of Columbia.

Approved, March 3, 1905.

Appropriation for  
maintenance, etc.

Half from District  
revenues.

March 3, 1905.  
[S. 4938.]

[Public, No. 148.]

**CHAP. 1415.**—An Act Regulating the use of telegraph wires in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all telegraph poles and the wires attached thereto, not the property of the United States or the District of Columbia, now upon the streets, avenues, and alleys within the fire limits of the District of Columbia, except as hereinafter provided, shall from time to time, as may be prescribed by the Commissioners of said District, be taken down and removed. The work of taking down and removing said poles and wires shall be done under the direction of said Commissioners, and it is hereby made the duty of said Commissioners to enforce compliance with the provisions of this

District of Columbia.  
Removal of tele-  
graph poles and wires.  
Area of removal.

Duty of the Commis-  
sioners.

Act as expeditiously as may be consistent with the public interests; and the said Commissioners are hereby empowered, from time to time, to authorize any company or corporation now or hereafter operating and maintaining a telegraph plant or system in the District of Columbia to locate and construct a system of underground conduits, subsidiaries, and manholes in or under any or all of the streets, avenues, alleys, lanes, or other public highways in said District, as may be requisite and necessary for the purpose of this Act and for the reception of such other conduits, cables, and wires as may be reasonably required in the future by the growth of such company or corporation or its assigns, or to adequately meet the requirements of the public for telegraph service.

Underground conduits, etc.

SEC. 2. That upon the approval of this Act, and from time to time thereafter, any company or corporation, or its assigns, now or hereafter maintaining and operating a telegraph plant or system in said District, shall prepare and submit to the said Commissioners a plan or plans or application or applications, in writing, showing the streets, avenues, alleys, lanes, and other public highways in or under which it is proposed to construct conduits, subsidiaries, or manholes, and giving the general dimensions, length, and course thereof; and before any such conduit, subsidiary, or manhole is constructed it shall be necessary to obtain the approval and permission of said Commissioners. Said Commissioners are empowered to require that all proposed conduits, subsidiaries, and manholes shall be constructed in accordance with the approved plan or permit; and upon the approval by said Commissioners of any such plan, or the issuing of any such permit, providing for the construction of underground conduits, subsidiaries, or manholes within the said limits described in section one of this Act, or in such part thereof as said Commissioners shall require and direct, the construction therein provided for shall be proceeded with diligently, and upon the completion thereof, or as soon thereafter as may be without impairing the efficiency of the telegraph service in said District, the company or corporation constructing such conduits, subsidiaries, or manholes shall place its cables and wires therein and take down and remove from the streets and avenues in which such conduits are constructed all poles and the wires thereon, except such as said Commissioners may, in accordance with the provisions of this Act, permit to remain for the purpose of distributing wires for house or other connections.

Commissioners to approve plans, etc.

Diligent prosecution of work required.

SEC. 3. That any company or corporation now or hereafter owning and maintaining such poles and wires attached thereto on or over any street or avenue within the said limits described in section one of this Act, which shall willfully neglect or refuse to remove the same, as provided in section two hereof, shall be liable to a penalty of not more than twenty-five dollars for each and every day during which such failure to remove said poles and wires shall continue, which amount may be recovered by the District of Columbia in any court of competent jurisdiction.

Penalty for refusal to remove.

SEC. 4. That said Commissioners be, and they are hereby, empowered to authorize the erection and maintenance of poles in the alleys of said District, and the stringing thereon of wires or conductors for telegraph purposes from alley poles or house-top fixtures in one square to alley poles or house-top fixtures in another square for the purpose of enabling house connections to be made, and to authorize the erection of poles and the stringing thereon of wires on and upon the streets and avenues of said District in the parts thereof in which there are no public alleys and in such places as the public interests do not require that the lines be placed underground, or in places where it shall be deemed by said Commissioners impracticable to advantageously place or operate such lines underground. During the progress of the work

Erection and maintenance of poles in alleys, etc.

In certain streets.

Temporary permits.

provided for in section one of this Act said Commissioners are also empowered to issue temporary permits for the erection and maintenance of poles and overhead conductors in places where the lines are ultimately to be placed underground, where the work can not be immediately done because of the greater urgency of work in other localities, or for other reasons satisfactory to said Commissioners; but in issuing such temporary permits said Commissioners shall bear in mind the purpose and policy of this Act, which is to cause to be removed from the streets and avenues within the said limits described in section one of this Act all poles and wires attached thereto, except as hereinbefore provided, as expeditiously as may be without interfering with or impairing the efficiency of the telegraph service in said District and without denying to the public reasonable telegraph facilities.

Conduits, etc., in parks and reservations.

SEC. 4a. That any officer of the United States Government charged with the care, maintenance, and supervision of any public park or reservation may grant permission to any company or corporation now or hereafter maintaining and operating a telegraph plant or system in said District, upon application being made therefor, to construct conduits, subsidiaries, or manholes in said park or reservation, under such reasonable regulations as said officer may prescribe, unless, in the judgment of said officer, said construction will result in injury to the United States or its properties.

Regulations.

SEC. 5. That all subways, conduits, manholes, and overhead lines constructed or erected under the provisions of this Act shall be subject to such reasonable regulations as the Commissioners of the District of Columbia may from time to time prescribe as to inspection, location, character of conduit construction, and height of poles and wires: *Provided*, That in all underground conduits so constructed such space shall be furnished to the said District of Columbia and the United States as may be necessary for their telegraph, fire-alarm, and police-patrol wires or cables carrying low potential currents of electricity, free of charge: *And provided further*, That the number of ducts so reserved in any one conduit shall not be more than two.

Provisos. Fire alarm, etc., wires.

Maximum ducts reserved.

Repairs and renewals outside fire limits.

SEC. 6. That the said Commissioners are empowered to authorize any such company or corporation now or hereafter owning and operating lines of street poles and wires, and any alley poles or alley-pole line or house-top wires within the said District and outside of the limits described in section one of this Act to continue to maintain the same, with such repairs and renewals as may be necessary to keep them in good order and condition of repair, and to add thereto such poles and wires as may be necessary for their telegraphic purposes.

Amendment.

Prior rights not affected. R.S., sec. 5263, p. 1019.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this Act, but nothing herein shall abridge or lessen the rights granted telegraph companies under title sixty-five, section fifty-two hundred and sixty-three and the following, United States Revised Statutes.

Government ownership.

SEC. 8. That if at any time the District of Columbia or the National Government shall acquire, by purchase, condemnation proceedings, or otherwise, the property of any telegraph company in the District of Columbia, nothing shall then be paid for the rights accorded under this bill to build and lay such conduits.

Approved, March 3, 1905.

March 3, 1905.  
[S. 5094.]

[Public, No. 149.]

CHAP. 1416.—An Act To promote the efficiency of the reserve militia and to encourage rifle practice among the members thereof.

Reserve militia. Sale of army rifles to States and Territories for use of, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is hereby authorized to sell, at the prices at which they are listed for the Army, upon the request of the governors of the several States and