

Penalty for
falsely certifying
checks.
15 Stat., 355.
R. S. 5208, 1007.

SEC. 13. That any officer, clerk, or agent of any national-banking association who shall willfully violate the provisions of an act entitled "An act in reference to certifying checks by national banks," approved March third, eighteen hundred and sixty-nine, being section fifty-two hundred and eight of the Revised Statutes of the United States, or who shall resort to any device, or receive any fictitious obligation, direct or collateral, in order to evade the provisions thereof, or who shall certify checks before the amount thereof shall have been regularly entered to the credit of the dealer upon the books of the banking association, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof in any circuit or district court of the United States, be fined not more than five thousand dollars, or shall be imprisoned not more than five years, or both, in the discretion of the court.

SEC. 14. That Congress may at any time amend, alter, or repeal this act and the acts of which this is amendatory.

Approved, July 12, 1882.

July 12, 1882.

CHAP. 291.—An act authorizing the New Orleans and Northeastern Railroad to construct bridges over the channels of Pearl River and Lake Pontchartrain.

New Orleans
and Northeastern
Railroad to con-
struct bridge over
East Pearl River,
West Pearl River,
and Lake Pont-
chartrain, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Orleans and Northeastern Railroad Company, a corporation organized for the purpose of constructing a railroad between New Orleans, Louisiana, and Meridian, Mississippi, be, and is hereby, authorized and empowered to construct, build, and maintain bridges over and across the navigable waters of the United States on the route of said railroad from New Orleans, Louisiana, to Meridian, Mississippi, as now located, or as said route may hereafter be located, for the use of said company, and the passage of its engines, cars, passengers, mails, and merchandise thereon: *Provided, however,* That said company shall construct its bridges over and across the waters known as East Pearl River, West Pearl River, and Lake Pontchartrain, in accordance with such plans devised for the safe passage of vessels as shall be approved by the Secretary of War; and that said company shall construct and maintain such facilities and be governed by such regulations for the passage of vessels as the Secretary of War shall approve.

Proriso.

Declared a law-
ful structure and
post-route.

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 for passengers and 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.

Tolls.

Spans.

SEC. 3. That if said bridges shall be made with unbroken and continuous spans, the spans thereof shall not be less than three hundred feet in length in the clear, and the main spans shall be over the main channels of the rivers and lakes across which said bridges may be constructed, and the bridges shall be at right angles to and their piers parallel with the current of said rivers and lakes: *Provided,* That if the same shall be constructed as draw bridges, the draws or pivots shall be over the main channels of said rivers and lakes at accessible points, and the spans shall not be less than one hundred and sixty feet in length in the clear, and the piers of said bridges shall be parallel with and the bridges at right angles to the current of the channels, and the spans shall not be less than ten feet above high water mark, as understood at the point of location, to the lowest part of the superstructure of said bridges: *Provided,* That said draws shall be opened promptly by said company, upon reasonable signal, for the passage of boats; and said

Proriso.

Draw-bridge.

Proriso.

company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridges 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 rivers and lakes; 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 bridges. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said rivers caused or alleged to be caused by said bridges, the case may be brought in the district court of the United States of the States of Louisiana and Mississippi in which any portion of said obstruction or bridge may be located: *Provided, further,* 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 these bridges from the operation of the same.

Lights.

Not to obstruct free navigation.

Proviso.

SEC. 4. That all railroad companies desiring the use of said bridges 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 payment of a reasonable compensation for such use; and in case the owner or owners of said bridges 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 bridges, all matters at issue between them shall be decided by the Secretary of War, upon hearing of the allegations and proofs of the parties: *Provided,* That the provisions of section two in regard to charges for passengers and freight across said bridges shall not govern the Secretary of War in determining any question arising as to the sum or sums to be paid to the owners of said bridges by said companies for the use of said bridges.

Railroad companies to have use of bridge for reasonable compensation.

Proviso.

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 rivers and lakes 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 bridges 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 or lake, 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 or lake, the location of any 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 bridges are approved by the Secretary of War the bridges shall not be built; and should any change be made in the plan of said bridges during the progress of construction, such change shall be subject to the approval of the Secretary of War.

Secretary of War to make regulations for security of navigation.

Plan and location to be submitted to Secretary of War for approval.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structures, or their entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

Special rights reserved to United States.

Approved, July 12, 1882.