unauthorized by the provisions of its charter of incorporation, enter upon the banks of said river, either above or below the point of the location of said bridge, for a distance of seven miles, and erect and maintain breakwaters, or use such other means as may be necessary to make a channel for said river, and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said object, but shall not impede or obstruct the navigation of the said river; and all plans for such works or erections upon the banks of the river shall first be submitted to the Secretary of War for his approval.

make a channel for the river, &c.

Plans to be approved by the Secretary of War.

SEC. 4. That any bridge constructed under this act, and according to its limitations, shall be a lawful structure, and shall be known and recognized 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 than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

Bridge to be a lawful structure, and a post-route.

Charges.

SEC. 5. That all railway companies desiring to use the said bridge shall have and be entitled to equal rights and privileges in the passage of the same, and in the use of the machinery and fixtures thereof, and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War, upon hearing the allegations and proofs of the parties in case they shall not agree.

All railway companies to have equal rights to use the bridge.

Terms, &c., of use.

SEC. 6. That the plan and specifications, with the necessary drawings of said bridge, shall be submitted to the Secretary of War, for his approval, and until he approve the plan and location of said bridge it shall not be built or commenced; and should any change be made in the plan of said bridge, during the progress of the work thereon, such change shall be subject to the approval of the Secretary of War; and all changes in the construction of said bridge that may be directed by Congress shall be made at the cost and expense of the owners thereof.

Plans, &c., to be approved by the Secretary of War.

Bridge not to be built, until, &c.

Changes.

SEC. 7. That the right to alter or amend this act, so as to prevent or remove all material obstructions to the navigation of said river by the construction of bridges, is hereby expressly reserved.

Act may be altered, &c.

APPROVED, June 4, 1872.

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CHAP. CCXCII. — *An Act authorizing the Construction of a Bridge across the Missouri River at Brownville, Nebraska.*

June 4, 1872.

*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 Brownville, Fort Kearney, and Pacific Railroad Company, a corporation organized under the laws of the State of Nebraska, having authority for that purpose from the States of Nebraska and Missouri, to build a bridge across the Missouri river at Brownville, Nebraska, and to lay on and over said bridge railway tracks for the more perfect connection of any railroads that are or shall be constructed to the said river, at or opposite said point; and that when constructed, all trains of all roads terminating at said river, at or opposite said point, shall be allowed to cross said bridge for a reasonable compensation to the owners of said bridge, under the limitations and conditions hereinafter provided. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district court of the United States of either State in or opposite to which any portion of said obstruction or bridge may be.

Brownville, Fort Kearney and Pacific R.R. Co. may build a bridge across the Missouri River at Brownville, Nebraska.

All railroads may use the bridge.

In case of litigation, cause to be tried where.

SEC. 2. That said Brownville, Fort Kearney, and Pacific Railroad Company may, at their option, build said bridge as a drawbridge, with a pivot or other form of draw, or with unbroken and continuous spans: *Provided*, That if the said bridge shall be made with unbroken and continuous spans it shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location,

Bridge may be built with a draw or with unbroken spans; if with unbroken spans.

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to the bottom chord of the bridge, nor shall the spans of said bridge be less than two hundred and fifty feet in length; and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river and not less than three hundred feet in length: *And provided also*, That if said bridge, built under this act, be constructed as a drawbridge the same shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than two hundred feet in length, in the clear, on each side of the central or pivot pier of the draw, and the next adjoining spans to the draw shall not be less than two hundred and fifty feet; and said spans shall not be less than thirty feet above low-water mark and not less than ten feet above extreme high-water mark, measuring to the bottom chord of said bridge; and the piers of said bridge shall be parallel with the current of the river: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, for the passage of boats; and in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

If bridge is built as a drawbridge.

Spans and piers.

Draw to be opened promptly.

Bridge to be a lawful structure and post-route.

SEC. 3. That said bridge constructed under this act, and according 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, troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge.

Charges.

All railway companies to have equal rights to use the bridge.

Terms, &c., of use.

SEC. 4. That all railway companies desiring to use the said bridge shall have and be entitled to equal rights and privileges in the passage of the same, and in the use of the machinery and fixtures thereof, and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War, upon hearing the allegations and proofs of the parties in case they shall not agree.

Secretary of War to prescribe regulations for building and managing the bridge.

Changes.

SEC. 5. That the structure herein authorized shall be built under and subject to such regulations for the security of the navigation of said river and lake as the Secretary of War shall prescribe, and the said structure shall be at all times so kept and managed as to offer reasonable and proper means for the passage of vessels through and under said structure; and the said structure shall be changed at the cost and expense of the owners thereof, from time to time, as Congress 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 law whenever the public good shall, in the judgment of Congress, so require.

Act may be altered.

SEC. 6. That the right to alter or amend this act so as to prevent or remove all material obstructions to the navigation of said river by the construction of said bridge is hereby expressly reserved.

APPROVED, June 4, 1872.

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June 4, 1872.

CHAP. CCXCIII.—*An Act granting the Right of Way through the public Lands for the Construction of a Railroad and Telegraph in Florida.*

Right of way through public lands in Florida, granted to the Great Southern Railway Co. for railroad and telegraph.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the right of way through the public lands be, and the same is hereby, granted to the Great Southern Railway Company, a corporation created under the laws of the State of Florida, its successors and assigns, for the construction of a railroad and telegraph from the Saint Mary's river, in the State of Florida, to Key West, in said State, together with a branch road from the most eligible point on said road to Tampa Bay and Caloosa Entrance, in said State; and the right, power, and authority are hereby given to said corporation to take, from the public lands adjacent to the line of said road, materials for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of the central line of

Extent of grant.