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CHAP. 303.—An act to authorize the construction of a bridge across the Missouri River at or near Sioux City Iowa. Aug. 15, 1876.

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 Sioux City Bridge Company, a corporation organized for that purpose under the general corporation laws of the State of Iowa, or its assigns, to construct, under and subject to the conditions and limitations hereafter provided, a bridge across the Missouri River at or near Sioux City, Iowa and lay on and over said bridge railway tracks, for the more perfect connection of any and all railways that now are, or which may hereafter be, constructed to the Missouri River at or near Sioux City, or to the river on the opposite side of the same near Sioux City, and build, erect, and lay on and over said bridge ways for wagons, vehicles of all kinds, and for the transit of animals, and to provide ways for foot-passengers, and to keep up and maintain and operate said bridge for the purposes aforesaid; and that when said bridge is constructed all trains of all railroads terminating at said river, and on the opposite side thereof, at or near Sioux City, Iowa, shall be allowed to cross said bridge for reasonable compensation, to be made to the owners of the same, under the limitations and conditions hereinafter named. The owners of said bridge may also charge and receive reasonable compensation or tolls for the transit over said bridge of all wagons, carriages, vehicles animals and foot-passengers: *Provided*, That Congress may at any time prescribe such rules, regulations and rates of toll for transit and transportation over said bridge as may be deemed proper and reasonable.

Sioux City Bridge Company may construct bridge across Missouri River.

Use of by railways.

Tolls.

Proviso.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the person or persons or corporation building the same, be built as a draw-bridge, with a pivot or other form of draw, or with unbroken or continuous spans: *Provided*, That if the same shall be made of unbroken continuous spans, it shall not be, in any case, of less elevation than fifty feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure, with straight girders, nor shall the spans of said bridge be less than three hundred feet in the clear at low water-mark; and the piers of said bridge shall be parallel with the current of the river; and the main span shall be over the main channel of the river: *And provided also*, That if a bridge shall be built under this act as a draw-bridge, the same shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessable and navagable point and with spans of not less than one hundred and sixty 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 ten feet above extreme high-water mark, measuring to the lowest part of the superstructure of the 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, without unnecessary delay: *And provided further*, That the corporation building said bridge may, subject to the approval of the Secretary of War, enter upon the banks of said river, either above or below the point of location of said bridge, and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said objects, but shall not impede or obstruct the navigation of said river, and shall be liable in damages for all injuries to private property; 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: *And provided further*, That if said company shall elect to construct a pile and pontoon bridge in lieu of that described above, the Secretary of War may, if he deem it advisable and not inconsistent with the free navigation of said river, authorize said company to construct such bridge as a pile or pontoon bridge, subject to the restrictions and requirements relating to the construction thereof contained in the act entitled "An act to legalize and establish a pontoon-bridge across the

How to be built.

Proviso.

Proviso.

Proviso.

Proviso.

Permanent channel may be made.

Proviso.

1874, ch. 224, 18 Stat., 62.

Mississippi River at Prairie du Chien" approved June sixth, eighteen hundred and seventy-four, accept that in the bridge herein authorized one draw only shall be required, which shall not be less than four hundred feet in width in the clear: *And provided further*, That any bridge built under the provisions of this act shall be at right-angles to the current of the river.

Proviso.

Not to obstruct navigation.

SEC. 3. That 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 no bridge shall be commenced or built under this act until the location thereof and the plans and specifications for its construction shall have been submitted to, and approved by, the Secretary of War; and any change in the plan of such construction or any alteration in the bridge after its construction shall be subject to the like approval; and whenever said bridge shall, in the opinion of the Secretary of War, substantially obstruct the free navigation of said river, 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 the Missouri River at or near the crossing of said bridge caused or alleged to be caused thereby, the cause shall be commenced and tried in the district courts of either judicial district of Iowa or Nebraska in which the said bridge or any portion of such obstruction touches.

Approval of plans.

Alterations.

Litigation for obstruction, where tried.

Declared lawful structure and post-route.

Charges for transportation for United States.

SEC. 4. That any bridge built 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 transportation over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for their transportation over the railroads or public highways leading to such bridge. Such lights shall be kept upon said bridge as the Light-House Board shall direct, and said bridge shall moreover be provided with all proper safeguards for the security of person and property.

Lights and safeguards.

Right to amend.

SEC. 5. That Congress may at any time alter, amend, or repeal this act.

Approved, August 15, 1876.

Aug. 15, 1876.

CHAP. 304.—An act to provide for the appointment of commissioners for taking affidavits, &c., for the courts of the United States.

Notaries public may take testimony, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notaries public of the several States, Territories, and the District of Columbia be, and they are hereby, authorized to take depositions, and do all other acts in relation to taking testimony to be used in the courts of the United States, take acknowledgments and affidavits, in the same manner and with the same effect as commissioners of the United States circuit court may now lawfully take or do.

Approved, August 15, 1876.

Aug. 15, 1876.

CHAP. 305.—An act relieving the State of Kansas from charges on account of ordnance-stores furnished to Kansas Territory.

Preamble.

Whereas, it appears from the books of the Ordnance Bureau of the War Department that the State of Kansas stands charged with eleven thousand four hundred and twenty-five dollars for arms issued to the Territory of Kansas; and