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thereon, such change shall be subject likewise to the approval of the Secretary of War.

Declared a lawful structure and post-route.

SEC. 4. That any bridge and accessory works, when built and constructed under this act and according to the terms and limitations thereof, shall be a lawful structure; and said bridge 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 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 Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge.

Charges for freight and passengers.

Right of way for postal telegraph.

SEC. 5. That the United States shall have the right of way for postal telegraph across said bridges.

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

Approved, June 12, 1884.

CHAP. 82.—An act to authorize the construction of a bridge across the Missouri River at a point to be selected between the north and the south line of the county of Douglas, State of Nebraska, and to make the same a post-route.

June 12, 1884.

Bridge across the Missouri River, Douglas County, Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Nebraska Central Railway Company, an incorporation organized under the laws of the State of Nebraska, is hereby authorized to construct and maintain a bridge across the Missouri River at such a point as may be hereafter selected by said corporation between the north and the south line of the county of Douglas, in the State of Nebraska, and at least one-third of a mile from any other bridge, as shall best promote the public convenience and welfare and the necessities of business and commerce, and also to construct accessory works to secure the best practicable channel-way for navigation and confine the flow of the water to a permanent channel at such point, and also to lay on and over said bridge a railway track for the more perfect connection of any railroads that are or shall be constructed to said river at or opposite said point; and said corporation shall construct and maintain ways for wagons, carriages, and for foot-passengers, charging and receiving reasonable toll therefor as may be approved from time to time by the Secretary of War: *Provided* said bridge and all property belonging to or connected with the bridge shall be constructed, maintained and used as a combined railway and wagon bridge for the safe and convenient passage of wagons, carriages, stock, steam cable and street-cars and all road travel; but the same track, shall not be upon the same space, as used for railroad track and cars.

Proviso.

Navigation of river preserved.

SEC. 2. That said bridge shall be constructed and built without material interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order to secure that object the said company or corporation shall submit to the Secretary of of War, for his examination and approval, a design and drawings of the bridge 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, 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, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and

Plan to be submitted to and approved by the Secretary of War.

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: *Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall have three or more channel spans, and shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than three hundred 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 any bridge built under this act shall be constructed 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 accessible and navigable 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 span or spans to the draw shall not be less than three hundred feet, and the head-room under such span shall not be less than ten feet above high water mark: *Provided also*, That said draw shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light House Board shall prescribe: *Provided also*, That all railway companies desiring to use 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.

Proviso.
Spans.

Proviso.
Pivot-draw bridge.

Spans.

Proviso.
Lights and signals.

Proviso.
Privileges to other railroads.

Notice of approval.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving such plan and map and other information, and upon being satisfied that a bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an erection of said bridge, conforming strictly to the approved plan and location; and should any change be made in the plan of the bridge or said accessory works, during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river caused or alleged to be caused by said bridge the case may be brought in the circuit court of the United States of the State of Nebraska or State of Iowa in which any portion of said obstruction or bridge may be located.

Declared a lawful structure, and a post-route.

SEC. 4. That the said bridge and accessory works, when built and constructed under this act and according to the terms and limitations thereof, shall be lawful structures; and said bridge 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 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 Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge.

Charges for freight and passengers.

Right of way for postal telegraph.

SEC. 5. That the United States shall have the right of way for such postal-telegraph lines across said bridge as the Government may construct or control.

SEC. 6. That Congress shall have power at any time to alter, amend, or repeal this act so as to prevent or remove all material and substantial obstructions to the navigation of said river by the construction of said bridge and its accessory works; and the expense of altering said

bridge or removing such obstructions shall be at the expense of the owners of or persons controlling such bridge.

Received by the President, May 31, 1884.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. 98.—An act authorizing the President of the United States to appoint Assistant Engineer John W. Saville a passed assistant engineer on the retired-list of the Navy. June 18, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and is hereby, authorized to nominate, and by and with the advice and consent of the Senate, to appoint Assistant Engineer John W. Saville, of the United States Navy, a passed assistant engineer in the Navy, to date with his class on the active-list; and that he be placed on the retired-list of the Navy with the highest rate of retired pay of that grade, to date from and after the passage of this act. John W. Saville appointed a passed assistant engineer, U. S. Navy, and placed on retired-list.

Received by the President, June 6, 1884.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. 99.—An act to authorize the construction of a bridge across the Missouri River at some accessible point within ten miles north and ten miles south of the town of Rulo, in the county of Richardson, in the State of Nebraska. June 18, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atchison and Nebraska Railway Company, an incorporation organized under the laws of the State of Nebraska, is hereby authorized to construct and maintain a bridge across the Missouri River at such a point as may be hereafter selected by said corporation within ten miles north and ten miles south of the town of Rulo, in the county of Richardson, in the State of Nebraska, as shall best promote the public convenience and welfare and the necessities of business and commerce, and also to construct accessory works to secure the best practicable channel-way for navigation and confine the flow of the water to a permanent channel at such point, and also to lay on and over said bridge a railway track for the more perfect connection of any railroads that are or shall be constructed to said river at or opposite said point; and said corporation may construct and maintain ways for wagons, carriages, and for foot-passengers, charging, and receiving reasonable toll therefor as may be approved from time to time by the Secretary of War. Bridge across the Missouri River, Richardson County, Nebraska. Construction. Tolls.

SEC. 2. That said bridge shall be constructed and built without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order 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 bridge, 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, 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 Plans to be submitted to Secretary of War for his approval.