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Mar. 3, 1887.

CHAP. 335.—An act authorizing the construction of a bridge across the Red River of the North.

Duluth and Manitoba Railroad Company may bridge Red River of the North between Minnesota and Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the Duluth and Manitoba Railroad Company, a corporation existing under the laws of the State of Minnesota, and to its successors and assigns, to construct and maintain a bridge, and approaches thereto, across the Red River of the North, between the State of Minnesota and the Territory of Dakota, at such point on said river, on the boundary-line between Polk or Marshall County, in the State of Minnesota, and Grand Forks County, in the Territory of Dakota, as may accommodate the lines of railroad which said corporation may build to said point. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the said corporation, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for reasonable rates or tolls to be fixed by said company; and the Secretary of War shall have the right, from time to time, to revise, prescribe, and determine such rates or tolls.

Railway, wagon, and foot bridge.

Draw.

SEC. 2. That any bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel at an accessible and the best navigable point, and with spans giving a clear water-way, measured at the lowest stage of water known at the locality, of not less than eighty feet in the clear on each side of the central or pivot pier of the draw; and provision shall be made in the height of the bridge, and in the location and construction of abutments and approaches, to allow the free passage of flood-water; and the piers of said bridge shall be parallel to and the bridge itself at right angles to the current of said river: *Provided*, That said draw shall be opened promptly upon reasonable signal for the passage of boats and other water-craft, except when trains are passing over said draw; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains; and said corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe; and said corporation shall provide, at its own expense, such sheer-booms, guide-piers, or other device as may be necessary to facilitate the safe passage of boats or other water-craft through the spans of said bridge. The said bridge shall be located and built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge, and a map of the location, giving, for the space of one mile below and one mile above 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 current at all stages, and the soundings, accurately showing the bed and channel of the stream, and shall furnish such other information as shall be required for a full and satisfactory understanding of the subject; and until the said location and plan of the bridge hereby authorized to be constructed are approved by the Secretary of War the said bridge shall not be built; and should any change be made in the plan of such bridge during the progress of construction thereof, such change shall be subject to the approval of the Secretary of War; and in case of any litigation arising from the obstruction or alleged obstruction caused by said bridge to the free navigation of said river, the cause may be tried before the circuit court of the United States in whose jurisdiction any portion of said bridge is located.

Proviso.
Opening draw.

Lights, etc.

Aids to navigation.

Secretary of War to approve plans, etc.

Litigation.

Other companies may use.

SEC. 3. That all railroad companies desiring the use of the bridge constructed under this act shall have and be entitled to equal rights and privileges relative to the passage of railway trains, cars, and locomotives over the same, and over the approaches thereto, upon the payment of a reasonable compensation for such use; and in case the owner or owners of the said bridge and the several railroad companies, or any

Compensation.

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 bridge, all such matters of difference between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

Secretary of War to decide disagreements.

SEC. 4. That the bridge authorized to be constructed under this act shall be a lawful structure and shall be recognized and known as a post-route, and the same is hereby declared to be a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, troops, and munitions of war of the United States, or for through railway passengers or freight passing over said bridge, than the rate per mile for their transmission over the railroads leading to said bridge; and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes.

To be a lawful structure and post-route.

Postal telegraph.

SEC. 5. That the right 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 the said bridge is hereby expressly reserved; and any alterations or changes that may be required by Congress in the bridge constructed under this act shall be made by the corporation owning or controlling the same, at its own expense; and if said bridge shall not be finished within two years from the passage of this act, the rights and privileges hereby granted shall be null and void.

Right to amend, etc., reserved.

Approved, March 3, 1887.

CHAP. 336.—An act to give the assent of Congress to the construction of a free bridge by the county of Davidson, Tennessee, over the Cumberland River.

Mar. 3, 1887.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Davidson, in the State of Tennessee, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Cumberland River near the city of Nashville and between the Hydes Ferry and Buena Vista Ferry Turnpikes, in the county of Davidson, Tennessee. Said bridge shall be constructed to provide for the free passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers.

Davidson County, Tennessee, may bridge Cumberland River, at Nashville.

Wagon and foot bridge.

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, and it shall enjoy the rights and privileges of other post-roads in the United States: *Provided*, That the United States may construct a postal telegraph over said bridge without charge therefor.

To be a lawful structure and post-route.

Postal telegraph.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans, the spans thereof shall not be less than one hundred and sixty-four feet in length in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least thirty-four feet above extreme high-water mark, as understood at the point of location, and the bridge shall be at right angles to and its piers parallel with the current of the river: *Provided*, That if the same shall be constructed as a draw-bridge, the draw or pivot shall be over the main channel at an accessible point, and the spans shall not be less than one hundred and sixty feet in the clear, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge: *Provided also*, That the said draw shall be opened promptly by said county upon reasonable signal for the passage of boats; and said county 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. No bridge shall be erected or maintained under the authority of this act

Construction.

Spans.

Proviso.
Draw.

Opening draw.

Lights, etc.