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the said company may proceed to the erection of said bridge, conforming strictly to the approved plan and location; and should any change be made in the plan of the bridge 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 for the State of Iowa or the State of Nebraska in which any portion of said obstruction or bridge may be located.

Changes.

Litigation.

To be a lawful structure and 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 of 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; all railroad companies desiring the use of said bridge 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 bridge 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 bridge, all matters at issue between them, including the fixing of compensation for the use of said bridge, shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

Other companies may use.

Compensation.

Secretary of War to decide disagreements.

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 of the United States may construct and control.

Right to amend, etc., reserved.

SEC. 6. That Congress shall have power, at any time, to alter, amend, or repeal this act; and to 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; 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.

Approved, March 3, 1887.

Mar. 3, 1887.

CHAP. 357.—An act to authorize the East and West Railroad Company of Alabama to maintain a bridge across the Coosa River.

East and West Railroad Company authorized to bridge Coosa River, Ala.

Location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the East and West Railroad Company of Alabama, a corporation created and existing under and by virtue of the laws of the State of Alabama, be and is hereby, authorized to maintain a bridge across the Coosa River, in the Coosa Land-district, at the point in or near township fourteen, range six East, which has been selected by the said railroad company for crossing said river with their railroad line, and where a bridge is now constructed, the said bridge to be of such height as not to interfere with the navigation of said river, and to be provided with a suitable draw: *Provided*, 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, and the same is hereby declared to be a post-route, upon

Proviso.

To be a lawful structure and post-route.

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 through passengers or freight passing over said bridge, than the rate per mile paid for their transportation over the railroads leading to the said bridge; and the United States shall have the right of way for postal telegraph and telephone lines across said bridge; and in case of any litigation concerning any alleged obstruction to the free navigation of said river on account of said bridge, the cause may be tried before the circuit court of the United States of either of said States in which any portion of said obstruction or bridge touches; and that all railway companies desiring to use the said bridge shall have and be entitled to equal rights and privileges in the passage over the same, and in the use of the machinery and fixtures thereof and of all the approaches thereto, for a reasonable compensation to be paid to the owners of said bridge, 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.

Postal telegraph.
Litigation.
Other companies may use.
Compensation.
Secretary of War to decide disagreements.

SEC. 2. That said bridge 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 seventy-five feet in length in the clear on each side of the central or pivot pier of the draw; and said spans shall not be less than ten feet above high-water mark, measuring to the lowest member of the bridge superstructure: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, except when trains are passing over the said bridge, for the passage of the boats whose construction shall not be such as to admit of their passage under the draw of said bridge when closed; but in no case shall unnecessary delay occur in opening the said draw after the passage of trains; and the said company or 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.

Draw.
Proviso.
Opening draw.
Lights.

SEC. 3. That the plan and location of said bridge, with a detailed map of the sound at the proposed site of the bridge and near thereto, exhibiting the depths and currents, 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; but upon the approval of said by the Secretary of War the said company or corporation may proceed to the erection of said bridge in conformity with said approved plan; and should any change be made in the plan of said bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

Secretary of War to approve plans, etc.
Changes.

SEC. 4. That Congress reserves the right to alter, amend or repeal this act at any time; and that if at any time navigation of the said river shall in any manner be obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said railroad company to alter and change the said bridge at its own expense, in such manner as may be proper to secure free and complete navigation without impediment; and if upon reasonable notice to said railroad company to make such change or improvements the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company, and all the rights conferred by this act shall be forfeited; and Congress shall have power to do any and all things necessary to secure the free navigation of the river; 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.
Not to obstruct navigation.

Approved, March 3, 1887.