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Mar. 3, 1887.

CHAP. 383.—An act to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at Fort Madison or Keokuk, or between those points

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chicago, Santa Fé and California Railway Company, its successors and assigns, be, and they are hereby, authorized to construct and maintain a railroad, wagon, and foot-passenger bridge across the Mississippi River at a suitable place between a point at or near the city of Fort Madison and a point at or near the city of Keokuk, in the State of Iowa, and to lay on or over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; 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 circuit court of the United States in and for any district in which any portion of said bridge or obstruction touches. Said bridge shall be constructed to provide for the passage of railroad trains, and for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rates of toll as may be fixed from time to time by the Secretary of War: *Provided*, That the proviso regarding wagons, animals, foot-passengers, and so forth, shall not influence the location of said bridge in its relation to the interests of navigation

Chicago, Santa Fé and California Railway Company authorized to bridge Mississippi River at Fort Madison or Keokuk, Ioa.

Not to obstruct navigation.

Litigation.

Railway, wagon, and foot bridge.

Proviso.

Location.

Construction.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a draw-bridge or with unbroken and continuous spans: *Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall give clear headroom of not less in any case than fifty-five and one-half feet above extreme high-water mark, as understood at the point of location, nor shall the spans of said bridge give a clear width of water-way of less than two hundred and fifty feet, 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 give a clear width of water-way of not less than three hundred feet: *And provided further*, That if any bridge built under the provisions 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 giving a clear width of water-way of not less than one hundred and sixty feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans to the draw shall give a clear width of water-way of not less than two hundred and fifty feet: *Provided*, That if the pivot-pier of said bridge shall be constructed within less than four hundred and ten feet of the west shore of said river, the span constructed west of said pivot-pier may be less than two hundred and fifty feet, and said spans shall give a clear headroom of not less than thirty feet above low-water mark, and not less than ten feet above extreme high-water mark; and the piers of said bridge shall be parallel with the current of the river where said bridge shall be erected: *And provided also*, That said draw shall be opened promptly upon reasonable signal for the passage of boats, except when trains are passing over the draw; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

Provisos.
Spans.

Draw.

Opening draw.

SEC. 3. That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be 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, the troops, and the munitions of war of the United States, or for passengers or freight passing over said bridge, than the rate per

To be a lawful structure and post-route.

mile paid for their transportation over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal-telegraph purposes across said bridge. Postal telegraph.

SEC. 4. 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. Other companies may use. Secretary of War to decide terms.

SEC. 5. That the structure herein authorized shall be built and located 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 or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing 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 current 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 shall be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are decided by the Secretary of War to be such as will not materially affect the interests of navigation, the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War; and the said bridge shall be constructed with such aids to the passage of said bridge, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent channel, and for the guiding of rafts, steamboats and other water-craft safely through the draw and raft spans, as the Secretary of War shall prescribe and order to be constructed and maintained at the expense of the company owning said bridge; 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 or under said structure; and for the safety of vessels passing at night there shall be displayed on said bridge, from the hours of sunset to sunrise, such lights as may be prescribed by the Secretary of War; and the said structure shall be changed, or removed 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 and modification by law when the public good shall, in the judgment of Congress, so require, without any expense or charge to the United States. Secretary of War to approve plans, etc. Aids to navigation. Lights, etc.

SEC. 6. That should said Chicago, Santa Fé and California Railway Company construct said bridge at or near Fort Madison, then it shall be lawful for any corporation authorized under the laws of the State of Iowa to construct a bridge across the said river at a suitable point at or near the city of Keokuk, and subject to all the rights, conditions, and limitations expressed in this act. If built at Fort Madison, another may be built at Keokuk.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, March 3, 1887.

CHAP. 384.—An act authorizing the city of Winona, Minnesota, to construct a bridge across a part of the Mississippi River and a certain island therein. Mar. 3, 1887.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Winona, a municipal corporation in the State of Minnesota, located on the west bank of the Mississippi River, be, and it hereby is, authorized and em- Winona, Minn., authorized to bridge Mississippi to Island No. 72.