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May 17, 1886.

**CHAP. 350.**—An act to authorize the construction of a bridge across the Missouri River at a point to be selected either in the counties of Clay and Jackson, in the State of Missouri, or in the county of Clay or Platte, in said State, and the county of Wyandotte, in the State of Kansas, and to make the same a post-route.

Chicago, Milwaukee and Saint Paul Railway Company authorized to bridge the Missouri River, in Missouri and Kansas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Chicago, Milwaukee and Saint Paul Railway Company, a corporation organized under the laws of the State of Wisconsin, and authorized by the laws of the State of Missouri to locate and construct its railway into and through said State, is hereby authorized to construct and maintain a bridge across the Missouri River, on such line as its railway may hereafter be located, either in the counties of Clay or Jackson, in the State of Missouri, or in the county of Clay or Platte, in said State, and the county of Wyandotte, in the State of Kansas; 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 such bridge a railway track for the more perfect connection of its railway when constructed to said river.

Free navigation not to be obstructed.

SEC. 2. That said bridge shall be constructed and built without material interference with the security and convenience of the 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 plan, 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 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 of not less than three hundred feet each in the clear, 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, 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 in the clear; *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 the 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 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 the 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 bridges as the Light-House Board shall prescribe.

Plans, etc., to be approved by the Secretary of War.

*Provisos.*

Spans.

Draw.

Lights, etc.

Secretary of War to notify company of approval.

SEC. 3. That the Secretary of War is authorized and directed, upon receiving such plan, map, and other information, and upon being satis-

fied that the bridge built upon such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify said company or corporation that he approves the same; and upon receiving such notification said company or corporation 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 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 district where said bridge or any part thereof is located.

Litigation.

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, or for passengers and freight passing over said bridge, 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.

To be a lawful structure and post-route.

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.

Postal telegraph.

SEC. 6. That 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 shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties: *Provided*, That the provisions of section four in regard to charges for passengers and freight across said bridge shall not govern the Secretary of War in determining any question arising as to the sum or sums to be paid to the owners of said bridge by said companies for the use of said bridge.

Other companies to have right of way.

Secretary of War to decide disagreements as to terms.

*Proviso.* Charges.

SEC. 7. That Congress shall have power at any time to alter or amend 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 borne by the owners of or persons controlling such bridge.

Right to amend, etc., reserved.

Approved, May 17, 1886.

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**CHAP. 351.**—An act to authorize the construction of a pile and pontoon railway and wagon bridge across the Mississippi River from the city of Red Wing Minnesota, to the opposite shore, in the State of Wisconsin.

May 17, 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Red Wing Pontoon Bridge Company, a corporation existing under the laws of the State of Minnesota, is hereby authorized to construct and maintain a pile and pontoon railway and wagon bridge across the Mississippi River, from the city of Red Wing, State of Minnesota, so as to connect with the opposite shore of said river, in the State of Wisconsin; said bridge to built subject, except as herein provided, to all the terms, requirements, and limitations contained in the act entitled "An act to legalize and

Red Wing Pontoon Bridge Company authorized to bridge the Mississippi River, at Red Wing, Minn.

Subject to terms of Vol. 18, ch. 224, p. 62.