

Right to amend,
 etc., reserved.
 Free navigation
 not to be obstruct-
 ed.

struct or impair the navigation of said Red River: *Provided further*, 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 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 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 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.

Approved, May 17, 1886.

May 17, 1886.

CHAP. 355.—An act to authorize the construction of a bridge across the Missouri River at some accessible point within two miles north and two miles south of the city of Atchison, in the county of Atchison, in the State of Kansas.

Atchison Bridge
 Company author-
 ized to build a rail-
 road and wagon
 bridge across the
 Missouri River at
 Atchison, Kans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atchison Bridge Company, an incorporation organized under the laws of the State of Kansas, 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 two miles north and two miles south of the city of Atchison, in the county of Atchison, in the State of Kansas, 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.

Tolls.

Plans, etc., to be
 approved by Sec-
 retary of War.

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 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 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

Provisos.
 Spans.

Draw.

accessible and navigable point, and with spans of not less than two hundred 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.

Lights, etc.

Other companies to have right of way.

Secretary of War to decide disagreements as to terms, etc.

Secretary of War to notify company 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 Kansas or State of Missouri in which any portion of said obstruction or bridge may be 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 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.

To be a lawful structure and post-route.

Charges.

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 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.

Right to amend, etc., reserved.

Approved, May 17, 1886.

CHAP. 356.—An act to authorize the construction and maintenance of a bridge by the Dakota Central Railway Company across the Missouri River, at Pierre, Dakota.

May 17, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Dakota Central Railway Company, a corporation duly organized under the general incorporation laws of the Territory of Dakota, its successors and assigns, is hereby authorized to construct and maintain a bridge across the Missouri River at or near the city of Pierre, Hughes County, Dakota, and

Dakota Central Railway Company authorized to bridge the Missouri River at Pierre, Dak.