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head room under such span shall not be less than ten feet above local 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 the bridge built upon such plan, 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 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 any court of the United States of the Territory of Dakota, of competent jurisdiction, in which any portion of said bridge may be located.

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 such 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.

Charges.

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 may construct or control.

Right to amend, etc., reserved.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

Approved, May 17, 1886.

May 18, 1886.

CHAP. 361.—An act granting the right of way through the Fort Selden Military Reservation, in New Mexico, to the Rio Grande, Mexico and Pacific Railroad Company.

Right of way through Fort Selden Reservation, New Mex., granted to Rio Grande, Mexico and Pacific Railroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way to the extent of one hundred feet, and no more, in width, through the Fort Selden Military Reservation, New Mexico, be, and the same is hereby, confirmed to the Rio Grande, Mexico and Pacific Railroad.

Approved, May 18, 1886.