

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War may 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 currents at all stages, and the soundings, accurately showing the bed of the stream, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be 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.

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

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 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.

Other companies may use.

Compensation decided by Secretary of War.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved without any liability of the United States on account of the alteration, amendment, or repeal of this act.

Amendment, etc.

SEC. 8. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date of approval of this act.

Commencement and completion.

Approved, May 14, 1888.

CHAP. 250.—An act to authorize the building of a railroad bridge at Little Rock, Arkansas.

May 14, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Little Rock Bridge and Terminal Railroad Company, a corporation organized under the laws of the State of Arkansas, to construct and maintain a bridge, and approaches thereto, over the Arkansas River, at a point on said river at or near the city of Little Rock, in the State of Arkansas, and to lay on and over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall hereafter be constructed to the said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; said bridge shall be constructed to provide for the passage of railway trains, and at the option of the builders and owners thereof, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals of all kinds, and for foot-passengers for such reasonable rates of toll as may be approved, from time to time, by the Secretary of War as to railway trains; and as to wagons, vehicles, animals, and foot-passengers, such rates as may be provided by the laws of Arkansas.

Little Rock Bridge and Terminal Railroad Company may bridge Arkansas River at Little Rock, Ark.

Railway, wagon, and foot bridge.

Tolls.

SEC. 2. That any bridge built under this act is subject to its limitations, shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be

To be a lawful structure and post-route.

Privileges to telegraph companies.

Draw.

Proviso.

Opening draw.

Lights, etc.

Other companies may use.

Compensation decided by Secretary of War.

Secretary of War to approve plans, etc.

Amendment, etc.

made for the transmission over the same of the mails, troops, and the munitions of war, or other property of the United States, than the rate per mile paid for the transportation of the same over the railroads or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States. Equal privileges in the use of said bridge shall be granted to all telegraph companies; and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes.

SEC. 3. That the said bridge shall be constructed with a draw or pivot span which shall be over the main channel of the river at an accessible navigable point, and the openings on each side of the pivot pier shall not be less than one hundred and sixty feet in the clear, and, as nearly as practicable, both of said openings shall be accessible at all stages of water; that the spans be not less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest point of the superstructure of said bridge; that the piers and draw rests of said bridge shall be built parallel with the current at that stage of the river which is most important for navigation, and the bridge itself at right angles thereto; and that no riprap or other outside protection for imperfect foundations be permitted to approach nearer than four feet to the surface of the water at its extreme low stage, or otherwise to encroach upon the channel-ways provided for in this act: *Provided*, That said draw shall be opened by the company or persons owning said bridge upon reasonable signal for the passage of boats; and there shall be maintained, at the expense of the owners thereof, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

SEC. 4. 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 over the same, and over the approaches to the same, 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 of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and condition which each shall perform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon hearing of the allegations and proofs of the parties.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to the regulations for the security of said river, as the Secretary of War shall prescribe; and to secure that object the owner or owners thereof 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-line at high or low water, the direction and strength of the current at all stages, and the soundings, actually 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 the full and satisfactory understanding of the subject, and until such plan and location of the bridge are approved by the Secretary of War, 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.

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 the Congress shall decide that the public interest requires it, is also expressly reserved.

SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date thereof.

Commencement and completion.

Approved, May 14, 1888.

CHAP. 251.—An act to create and organize the county of Latah.

May 14, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of Nez Perce County, in the Territory of Idaho, lying north of the following line, to wit: Commencing at a point where the middle line of township thirty-eight north intersects the line between Nez Perce and Shoshone Counties in said Territory; thence west to Big Potlatch Creek, where it first intersects the said middle line of township thirty-eight; thence down said creek southwesterly to a point where it intersects the middle line of township thirty-seven; thence due west to the line between the Territories of Idaho and Washington be, and the same is hereby, formed and organized into a county, to be known and designated as the county of Latah, with all the rights, power, and privileges of counties under the existing laws of the Territory of Idaho.

Latah County, Idaho, organized.

Boundaries.

SEC. 2. That W. W. Langdon, J. L. Nailer, and William Frazier are hereby appointed commissioners of said county of Latah, and their annual compensation shall be the same as now provided by law for the commissioners of Nez Perce County.

Commissioners.

SEC. 3. That the county commissioners above named are hereby authorized, within twenty days after the approval of this act, to qualify before a justice of the peace and enter upon the discharge of their duties as such commissioners, and are hereby empowered to appoint all necessary county officers to perfect the organization of said county of Latah under the laws of the Territory of Idaho, and the said county commissioners and other county officers appointed as aforesaid shall hold their offices until the next general election provided by the laws of said Territory, and until their successors are elected and qualified according to law.

Appointing county officers.

SEC. 4. That the justices of the peace, constables, road supervisors, and other precinct and school officers heretofore elected and qualified and now acting as such, residing in said county of Latah, are hereby continued as such officers in said county of Latah until the next general election aforesaid and until their successors are duly elected and qualified.

Justices of the peace, etc.

SEC. 5. That the county of Latah shall pay to the county of Nez Perce a just proportion of the net indebtedness of said Nez Perce County, the same to be determined as follows, to wit: The county treasurer, recorder, and present county assessor of Nez Perce County are hereby constituted a board of adjusters, who shall proceed to ascertain the net indebtedness of said county of Nez Perce, which shall be done as follows, namely: Ascertain all the county justly owes in warrants, scrip, or other just debts, which amount shall constitute the gross indebtedness of said county, from which deduct the amount of the unpaid portion of the assessment-roll of eighteen hundred and eighty-seven and the amount of all delinquent assessment-rolls which are considered collectable up to that date, and the amount of all moneys, and other credits due the county then; and the balance so found shall constitute the net indebtedness of said county of Nez Perce; and the net indebtedness of said county of Nez Perce, ascertained as aforesaid, shall be divided equally between the counties of Nez Perce and Latah in proportion to the taxable property of said counties as it legally appears on the assessment-roll for the year

Indebtedness.

Ascertainment of proportion.