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Interior of such payment, it shall be the duty of the Secretary of the Interior to cause to be issued to the Leavenworth City and Fort Leavenworth Water Company a patent to the said lands, and on such deposit being made and notice to the Secretary of the Interior being given, the said company may enter upon, possess, use, and occupy the said lands.

Approved, June 6, 1888.

June 6, 1888.

CHAP. 363.—An act authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina.

Cape Fear and Yadkin Valley Railway Company may bridge Cape Fear, Black, and Northeast Rivers, North Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the Cape Fear and Yadkin Valley Railway Company, a corporation duly organized and existing under the laws of the State of North Carolina, its successors and assigns, to construct and maintain bridges, and approaches thereto, over the Cape Fear River at or near the town of Fayetteville, in the State of North Carolina, over the Black River, in the county of Bladen, and over the Northeast River, in the County of New Hanover, in said State, at such point or points as said railway company may desire or find most practicable in the final location of its road to the city of Wilmington

Unobstructed navigation to be secured.

SEC. 2. That said bridges shall be so constructed either by draw, span, or otherwise, that a free and unobstructed passage may be secured to all vessels, boats, or other water craft navigating said rivers.

To be lawful structures and post-routes.

SEC. 3. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, and shall enjoy all the rights and privileges of other post-roads of the United States. And 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.

Draws.

SEC. 4. That if either of said bridges authorized to be constructed by this act shall be constructed as a draw-bridge the draw shall be opened promptly by said corporation upon reasonable signal for the passage of boats, and said company or corporation shall maintain,

Lights.

at its own expense, from sunset to sunrise, such lights or other signals on said bridge or bridges as the Light-House Board shall prescribe. No bridge shall be erected or maintained under the authority of this act, which shall at any time substantially or materially obstruct the free navigation of said river or rivers; and if any bridge or bridges erected under such authority, shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction, and all such obstructions shall be removed and alterations made at the expense of the owner or owners of said bridge: *Provided*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt any bridge erected under this act from the operations of the same.

Proviso. Existing laws.

Other companies may use.

SEC. 5. That all railroad companies desiring the use of the bridge constructed under this act shall have, and be entitled to, equal rights and privileges, relative to the passage of railway trains, cars, and locomotives over the same, and over the approaches thereto, upon the payment of a reasonable compensation for such use; and in case the owner or owners of the 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 such matters of difference

Secretary of War to decide compensation.

between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Secretary of War to approve plans, etc.

SEC. 6. That any bridge erected or 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 rivers as the Secretary of War shall prescribe, and to secure that object, said company or corporation shall submit to the Secretary of War a design and drawing of said bridge or bridges, for his examination and approval, and a map of its location, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject, and in all things shall be subject to such rules and regulations as may be prescribed by the Secretary of War, and until such plan and location of said bridge or bridges are approved, they shall not be built.

Amendment.

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

Effect.

SEC. 8. That this act shall take effect and be in force from and after its passage.

Commencement and completion.

SEC. 9. That this act shall be null and void if actual construction of the bridges herein authorized be not commenced within one year and completed within three years from the date of the approval of this act.

Approved June 6, 1888.

June 6, 1888.

CHAP. 364.—An act to authorize the construction of bridges across the Kentucky River, and its tributaries, by the Louisville, Cincinnati and Virginia Railway Company.

Louisville, Cincinnati and Virginia Railway Company may bridge Kentucky River and tributaries, Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Louisville, Cincinnati and Virginia Railway Company, a corporation organized under act of the general assembly of the Commonwealth of Kentucky, be, and it is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Kentucky River, in the State of Kentucky; and also a bridge or bridges over the tributaries or forks of said river, at such point or points as said company may deem suitable for the passage of its said road over said river, or its tributaries or forks. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the company by which it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals and for foot-passengers; and all tolls charged for the passage of vehicles, animals, and foot-passengers over said bridge shall be subject to modification and approval of the Secretary of War.

Railway, wagon, and foot bridge.

Tolls.

Lawful structure and post-route.

SEC. 2. That any bridge built under this act, and subject to its limitations, shall be a lawful structure, and shall be recognized and known as a post-route, and it shall enjoy the rights and privileges of other post-roads in the United States.

Secretary of War to approve plans, etc.

SEC. 3. 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 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 thereof; and until the 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. All changes required by the Secretary of War in the structure of said bridge, or its entire removal after the same is constructed, shall be at the expense of the company owning or controlling said bridge; and in event of any litigation in