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

Aids to navigation.

SEC. 7. That it shall be the duty of the Secretary of War, on satisfactory proof that a necessity exists therefor, to require the company or persons owning said bridge to cause such aids to the passage to be constructed, placed, and maintained, at their own cost and expense, in the form of booms, dikes, piers, or other suitable and proper structures for the guiding of rafts, steam-boats, and other water-craft safely through the passage-way, as shall be specified in his order in that behalf; and on failure of the company or persons aforesaid to make and establish such additional structures within a reasonable time, the said Secretary shall proceed to cause the same to be built or made at the expense of the United States, and shall refer the matter without delay to the Attorney-General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in any circuit court of the United States within whose jurisdiction such bridge, or any part thereof is located, for the recovery of the amount so expended by the Government and all costs of such proceedings; and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

Commencement and completion.

SEC. 8. That if the construction of the bridge hereby authorized shall not be commenced within one year from the time this act takes effect, and be completed within three years after its commencement, then this act shall be void, and all rights hereby conferred shall cease and determine.

Approved, June 19, 1888.

June 19, 1888.

CHAP. 423.—An act to authorize the construction of a bridge across Rock Creek, at the Woodley Lane Road, in the District of Columbia.

Bridge across Rock Creek at Woodley Lane Road, District of Columbia, to be built.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to cause to be constructed across Rock Creek, on the Woodley Lane Road, in the District of Columbia, a substantial stone or iron bridge, with necessary approaches; and the sum of thirty-five thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, which said sum shall be available immediately upon the passage of this act, for the construction of said bridge and approaches, and for such investigation and surveys and such contingencies as the Commissioners of the District of Columbia shall deem necessary, the same to be maintained as a free bridge for travel.

Appropriation.

Free bridge.

One-half from District of Columbia funds.

SEC. 2. That the sum which shall be expended under the provisions of this act shall be treated and regarded as part of the general expenses of the District of Columbia, and the United States shall be credited with the amount which it may pay under this act upon the fifty per centum of the expenses of the District of Columbia, as provided in the act of June eleventh, eighteen hundred and seventy-eight, entitled "An act providing a permanent form of government for the District of Columbia."

Vol. 20, p. 104.

Survey, etc.

SEC. 3. That the Commissioners of the District of Columbia shall, as soon as practicable, cause a survey of said creek to be made to determine the length, width, and height of said bridge and the approaches thereto, and shall cause plans and specifications to be prepared for such bridge and such approaches, and when the same are completed said board shall advertise for sealed proposals for the construction of such bridge and such approaches, which advertisement shall be inserted for at least one week in one or more daily papers in such cities as the said Board of Commissioners shall designate, and shall let such

Proposals.

Proviso.
Limit of cost.

contract to the lowest responsible bidder, as provided by law: *Provided*, That the aggregate cost for the construction of such bridge and the approaches thereto, including the incidental expenses connected therewith, shall not exceed the amount herein appropriated.

Received by the President, June 7, 1888.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

June 22, 1888.

CHAP. 472.—An act to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebraska.

Nebraska Central Railway Company may bridge Missouri River at Omaha, Nebr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Nebraska Central Railway Company, a corporation existing under the laws of the State of Nebraska, be, and is hereby, authorized to construct, operate, and maintain a bridge over the Missouri River at or near the city of Omaha, in said State of Nebraska; said bridge when built shall not be located less than one-third of one mile from any other bridge across said river, then built or in process of construction. Said

Railway, wagon, and foot bridge.

bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom 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, for such reasonable rates of toll as may be approved from time to time by the Secretary of War; and in

Litigation.

case of any litigation concerning any alleged obstruction to the free navigation of said river on account of said bridge, the cause may be tried before the circuit court of the United States in whose jurisdiction any portion of said obstruction or bridge is located.

Lawful structure and post-route.

SEC. 2. That any bridge constructed under this act and according 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 made for the transmission over the same for the mails, the troops, and the munitions of war of the United States than the rate per mile paid for their transportation over railroads or public highways leading to said bridge; and the United States and all companies and individuals

Postal telegraph.

shall have the right of way for telegraph, postal telegraph, and telephone purposes across said bridge.

Construction.
Spans.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans it shall not be of less elevation in any case than fifty feet above high-water mark, as understood at the point of location, to the lowest member of the bridge superstructure, nor shall the spans of said bridge over the main channel of said river be less than three hundred and fifty feet in length, and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right

Provisos.
Draw.

angles thereto: *Provided*, That if said bridge be constructed as a draw-bridge, it shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and the best 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 said spans shall not be less than ten feet above low-water mark, measuring to the lowest member of the bridge superstructure. *And*

Opening draw.

provided also, That said draw shall be opened promptly upon reasonable signal, except when trains are passing over the said bridge, for the passage of the boats whose construction shall not be such as to admit of their passage under the draw of said bridge when closed; but in no case shall unnecessary delay occur in opening the said draw after