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Additional justice.

SEC. 2. That it shall be the duty of the President, by and with the advice and consent of the Senate, to appoint one additional associate justice of said supreme court, who shall hold his office for the term of four years, and until his successor is appointed and qualified.

Term.

Assignment of justices.

SEC. 3. That temporarily, and until otherwise ordered by law, the additional associate justice to be appointed under this act shall from time to time, as the business of the courts may require, be assigned by the governor of said Territory of Utah, to either of the judicial districts thereof as an associate of the judge already assigned to such district, and each of said judges may hold separate hearings and trials, or sit and act together for the expedition of the business of such district, as they may deem expedient, and the times and places as now fixed by the statutes of said Territory for holding court therein shall remain until changed by law.

Approved, June 25, 1888.

June 25, 1888.

CHAP. 487.—An act to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tennessee.

Carolina, Knoxville and Western Railway Company may bridge Tennessee River at Knoxville, Tenn

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Carolina, Knoxville and Western Railway Company, organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Tennessee River, at or near the city of Knoxville, Tennessee, in the county of Knox. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation 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, for reasonable rates or tolls, to be fixed by said company; and the Secretary of War shall have the right, from time to time, to revise, prescribe, and determine such rates or tolls.

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. That the bridge authorized to be constructed under this act shall be a lawful structure and shall be recognized and known as a post-route, and the same is hereby declared to be a post-route, upon which also no higher charge shall be made for the transmission over the same of the mail, troops, and munitions of war of the United States, or for through railway passengers or freight passing over said bridge, than the rate per mile for their transmission over the railroad leading to said bridge, 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; that the said bridge shall be so constructed either by draw, span, or otherwise, that a free and unobstructed passage-way may be secured to all water-craft navigating said river at the point aforesaid: *Provided*, That if said bridge authorized to be constructed under this act shall be constructed as a draw-bridge, the draw shall be opened promptly upon the reasonable signals for the passage of boats or vessels; and said corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Postal telegraph.

Unobstructed navigation.

Proviso.

Draw.

Lights, etc.

Other companies may use.

SEC. 3. 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 thereto, upon the 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 one 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 the hearing of the allegations and proofs of the parties.

Secretary of War to decide terms, etc.

SEC. 4. 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 drawings of the bridge, and a map of the location, giving, for the space of one mile below and one mile above 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 current at all stages, and 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; and should any change be made in the plan of said bridge during the progress of construction, such change shall be submitted to and subject to the approval of the Secretary of War.

Secretary of War to approve plans, etc.

SEC. 5. That the right to alter, amend, or repeal this act, so as to prevent or remove all material and substantial obstruction to the navigation of said river by the construction of the said bridge, is hereby expressly reserved; and any alterations or changes that may be required by Secretary of War in the bridge constructed under this act, or its entire removal shall be made by the corporation owning or controlling the same, at its own expense; and if any litigation shall arise in regard to said bridge, the same may be had in the circuit court of the United States within whose territorial jurisdiction any part of said bridge is located. Furthermore, if the construction of said bridge shall not be commenced within two and completed within four years after the passage of this act, all privileges conferred hereby, and this act, shall become null and void.

Amendment, etc.

Litigation.

Commencement and completion.

Approved, June 25, 1888.

CHAP. 494.—An act to authorize the Paris, Choctaw and Little Rock Railway Company to construct and operate a railway, telegraph and telephone line through the Indian Territory, and for other purposes.

June 26, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paris, Choctaw and Little Rock Railway Company, a corporation duly created under and by virtue of the laws of the State of Texas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway and telegraph and telephone line through the Indian Territory, beginning at a point, to be selected by said company, on Red River, at the most convenient crossing of said river, at or near the point known as Hooks' Ferry, a crossing of said river from the south bank of the same in Red River County, Texas, near the northwest corner thereof; thence in a northeasterly direction, in the general direction of Hot Springs and Little Rock, Arkansas, to a point on the east boundary line of the Indian Territory in the Choctaw Nation, which is the west boundary line of the State of Arkansas, with the right to construct, use, and maintain such tracks, turnouts, branches, sidings, and extensions as said company may deem it to their interest to construct along and upon the right of way and depot grounds herein provided for.

Paris, Choctaw and Little Rock Railway Company may build railway, telegraph, and telephone line through Indian Territory.

Location.