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Secretary of War to approve plans, etc.

SEC. 2. That any bridge 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 shall submit to the Secretary of War, for his examination and approval, a design of the drawings of the bridge and piers, and a map of the location, giving, for the space of at least 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, and the direction and strength of the currents at all stages, and the 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 said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and if any change be made in the plan of construction of said bridge during the progress of the work thereon, or before the completion of said bridge, such change shall be subject to the approval of the Secretary of War; and the said structure shall be at all times so kept and managed as to offer reasonable and proper means for the passage of vessels through or under said structure; and the said structure shall be changed, at the cost and expense of the owners thereof, from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river; and the authority to erect and continue said bridge shall be subject to the revocation or modification by law whenever the public good shall, in the judgment of the Secretary of War, so require, without any expense or charge to the United States; 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, suit may be brought in the circuit courts of the United States of Texas or Arkansas, in whose jurisdiction any portion of said bridge may be located.

Unobstructed navigation.

Litigation.

Amendment, etc.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this act at any time; and that if at any time navigation of the said river shall in any manner be obstructed or impaired by the bridge authorized by this act to be constructed, the Secretary of War shall have authority, and it shall be his duty, to require the said railway company to alter and change the said bridge, at its own expense, in such manner as may be proper to secure free and complete navigation without impediment, and if, upon such reasonable notice to said railway company to make such change or improvements, the said company fails to do so, the Secretary of War shall have the authority to make the same, and all the rights conferred by this act shall be forfeited; and the Secretary of War shall have power to do any and all things necessary to secure the free navigation of the river.

Commencement and completion.

SEC. 4. 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.

Approved, June 29, 1888.

June 29, 1888.

CHAP. 498.—An act to authorize the construction of a bridge across Trail Creek, in the city of Michigan City, Indiana.

Michigan City, Ind., may bridge Trail Creek.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and is hereby, granted to the city of Michigan City, a corporation duly organized under the laws of the State of Indiana, to construct, use, operate, and maintain a swing-bridge, with the necessary appurtenances, across Trail Creek, at the intersection of Franklin street in the city of Michigan City with said creek, for

the passage of foot-passengers, animals, and vehicles of all kinds: *Provided*, That the plans and specifications, with the necessary drawings of said bridge shall be submitted to the Secretary of War for his approval; and until he approves the plan and location of said bridge it shall not be commenced; and should any change be made in the plan of said bridge during the progress of the work thereon such change shall likewise be subject to the approval of the Secretary of War; and said bridge shall be constructed in accordance with the plans and specifications as approved: *Provided, also*, That no bridge shall be commenced under authority of this act until the Secretary of War shall have certified in writing that in his opinion the construction and maintenance of such bridge will not at any time substantially or materially obstruct the ordinary navigation of the said creek: *Provided also*, That if tolls shall be collected for passage or transportation across said bridge, the rates thereof shall be subject to the approval of the Secretary of War, who shall have power to fix said rates at reasonable amounts.

Provisos.

Secretary of War to approve plans, etc.

Unobstructed navigation.

Tolls.

SEC. 2. 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.

Commencement and completion.

SEC. 3. That the right to alter, amend, or repeal this act so as to prevent or remove any material obstructions to the navigation of said creek, and so as to enforce any of the conditions of this act, is hereby expressly reserved; and any change needful to prevent or remove any such material obstructions shall be made at the expense of said city of Michigan City.

Amendment, etc.

Approved, June 29, 1888.

June 29, 1888.

CHAP. 499.—An act authorizing the construction of a bridge across the Red River of the North by the Duluth Rainy Lake River and Southwestern Railway Company.

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 Duluth, Rainy Lake River and Southwestern Railroad Company, a corporation existing under the laws of the State of Minnesota, and to its successors and assigns, to construct and maintain a pivot draw-bridge, and approaches thereto, across the Red River of the North, between the State of Minnesota and the Territory of Dakota, at such point on said river, on the boundary-line between Marshal County or Kittson County, in the State of Minnesota, and the Territory of Dakota, as may accommodate the lines of railroad which said corporation may build to said point. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the said corporation, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for reasonable tolls to be fixed by the Secretary of War; and the Secretary of War shall have the right, from time to time to revise such tolls.

Duluth, Rainy Lake River and Southwestern Railway Company may bridge Red River of the North, Minnesota and Dakota.

Railway, wagon, and foot bridge.

Draw.

SEC. 2. That the bridge authorized by this act shall be constructed as a pivot-draw-bridge, with a draw over the main channel at an accessible and the best navigable point, and with spans giving a clear width of water-way measured at the lowest stage of water known at the locality, of not less than eighty feet in the clear on each side of the central or pivot pier of the draw, and the bottom chord of said bridge shall not be of less elevation than one foot above the plane of the highest known flood at the locality; and provision shall also be made in the location and construction of abutments and approaches to allow the free passage of flood water; and the piers of said bridge