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Secretary of War to decide terms.

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. 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 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 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, 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 l cation 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; and if said bridge is not commenced within two years and completed within three years from the passage of this act, the rights and privileges hereby granted shall be null and void.

Commencement and completion.

Amendment.

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 Secretary of War shall decide that the public interest requires it, is also expressly reserved.

Approved, July 16, 1888.

July 16, 1888.

CHAP. 626.—An act to authorize the construction of a bridge over the Caney Fork River, between Rock Island and Carthage, in Tennessee.

Cincinnati and Birmingham Railroad Company may bridge Caney Fork River between Rock Island and Carthage, Tenn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Cincinnati and Birmingham Railroad Company, a corporation existing under the laws of the State of Tennessee, be, and is hereby, authorized to construct, operate and maintain a bridge over the Caney Fork River, between Rock Island and Carthage, in the State of Tennessee. Said 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 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.

Railway, wagon, and foot bridge.

Litigation.

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 of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for their transportation over the railroads or public highways 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 for postal telegraph and telephone purposes across said bridge.

Postal telegraph.

Construction.

SEC. 3. That said bridge shall be made under such specifications and plans as to the spans, draw-bridge, and so forth as may be approved by the Secretary of War.

Other companies may use.

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 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.

Secretary of War to decide terms.

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 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 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, 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 subject to the approval of the Secretary of War; and if said bridge is not commenced within two years, and completed within four years from the passage of this act, the rights and privileges hereby granted shall be null and void.

Secretary of War to approve plans, etc.

Commencement and completion.

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 Secretary of War shall decide that the public interest requires it, is also expressly reserved.

Amendment.

Approved, July 16, 1888.

CHAP. 627.—An act to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Clinton, Iowa.

July 16, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Clinton and Illinois Bridge Company, a corporation organized and existing under the laws of the State of Iowa, its successors and assigns, be, and they are hereby, authorized to construct and maintain, if in the opinion of the Secretary of War the same be a public necessity, a railroad, wagon, and foot-passenger bridge across the Mississippi River, at a place suitable to the interests of navigation, at a point at or near the city of Clinton, Iowa, and to lay on or over said bridge a track or tracks for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river, and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the circuit court of the United States in and for any district in whose jurisdiction any portion of said bridge or obstruction may be. Said bridge shall be constructed to provide for the passage of railroad trains, and for the safe and convenient passage of wagons and vehicles of all kinds, animals, and foot-passengers, for such reasonable rates of toll as may be fixed from time to time by the Secretary of War: *Provided*, That the proviso regarding wagons, animals, foot-passengers, and so

Clinton and Illinois Bridge Company may bridge Mississippi River at Clinton, Iowa.

Free navigation.

Railway, wagon, and foot bridge.

Proviso.