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SEC. 7. 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. Commencement and completion.

Approved, July 23, 1888.

CHAP. 700.—An act to authorize the construction of a bridge across the Arkansas River at or near Cummings' Landing, Lincoln County, Arkansas. July 24, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Kansas City, Arkansas and New Orleans Railway, a corporation organized, chartered, and duly perfected under and in full accordance with the Statutes of the State of Arkansas, or its successors or a signs, to construct and maintain a bridge, and approaches thereto, over the Arkansas River, at a point on said river at or near Cummings' Landing, Lincoln County, in the State of Arkansas, and to lay on and over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall hereafter, be constructed to the said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the builders and owners thereof, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals of all kinds, and for foot-passengers for such reasonable rates of toll as may be approved from time to time by the Secretary of War as to railway trains; and as to wagons, vehicles, animals, and foot-passengers, such rates as may be provided by the laws of the State of Arkansas. Kansas City, Arkansas and New Orleans Railway may bridge Arkansas River at Cummings' Landing, Arkansas. Railway, wagon, and foot bridge.

SEC. 2. That any bridge built under this act is subject 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, troops, and the munitions of war, or other property of the United States, than the rate per mile paid for the transportation of the same over the railroad or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States. 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. Lawful structure and post-route. Postal telegraph.

SEC. 3. That said bridge shall be constructed with a draw or pivot span, which shall be over the main channel of the river at an accessible navigable point, and the openings on each side of the pivot-pier shall be of such width as the Secretary of War shall prescribe, and, as nearly as practicable, both of said openings shall be accessible at all stages of water; that the spans shall be of such height above extreme high-water mark, as understood at the point of location, to the lowest point of the superstructure of said bridge as may be directed by the Secretary of War in the interests of navigation; that the piers and draw rests of said bridge shall be built parallel with the current at that stage of the river which is most important for navigation, and the bridge itself at right angles thereto; and that no riprap or other outside protection for imperfect foundations be permitted to approach nearer than four feet to the surface of the water at its extreme low stage, or otherwise to encroach upon the channel-ways provided for in this act: *Provided*, That said draw shall be opened by the Company or persons owning said bridge upon reasonable signal for the passage of boats; and there shall be maintained, at the expense of the owners thereof, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe. Construction. Spans. *Proviso.* Opening draw. Lights, etc.

Use by other companies.

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 to the same, 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 condition which each shall perform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon hearing of the allegations and proofs of the parties.

Terms.

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 the regulations for the security of said river as the Secretary of War shall prescribe; and to secure that object the owner or owners thereof 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-line at high or low water, the direction and strength of the current at all stages, and the soundings, actually 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 the full and satisfactory understanding of the subject; and until such plan and location of the bridge are approved by the Secretary of War, the bridge shall not be commenced or 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.

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.

Commencement and completion.

SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within eighteen months and completed within four years from the date thereof.

Approved, July 24, 1888.

July 24, 1888.

CHAP. 701.—An act to authorize the building of a bridge across the Mississippi River at Wabasha, Minnesota.

Wabasha, Minn., may bridge Mississippi River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Wabasha, in the State of Minnesota, be, and is hereby, authorized to construct and maintain a bridge for the passage of vehicles of all kinds, animals, and foot-passengers, across that part of the Mississippi River east of the main channel of said river, at a point opposite or nearly opposite the said city of Wabasha, and to charge for such use

Tolls.

such reasonable rates of toll as may be approved from time to time by the Secretary of War.

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 shall have the right of way for telegraph, postal-telegraph, and

Postal telegraph.

telephone purposes across said bridge.

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