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this act, and be completed in four years from the same date, the rights and privileges hereby granted shall cease and be determined.

Amendment.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, August 6, 1888.

August 6, 1888.

CHAP. 742.—An act authorizing the erection of a bridge across the Missouri River at Ponca, Nebraska.

Nebraska and Dakota Bridge Company may bridge Missouri River at Ponca City, Nebr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That is shall be lawful for the Nebraska and Dakota Bridge Company, a corporation organized under the laws of Nebraska, or its successors or assigns, to construct, under and subject to the conditions and limitations hereinafter provided, a bridge across the Missouri River at or near Ponca City, Nebraska, and lay on or over said bridge railway tracks for the more perfect connection of any and all railways that now are or which may hereafter be constructed to the Missouri River at or near Ponca City, or to the river on the opposite of the same near Ponca City, and

Railway, wagon, etc., bridge.

build, erect, and lay on and over said bridge ways for wagons and vehicles of all kinds, and for the transit of animals, and to keep up and maintain and operate said bridge for the purposes aforesaid; and that when said bridge is constructed all trains of all railroads terminating at said river and on the opposite side thereof, at or near Ponca City, Nebraska, shall be allowed to cross said bridge for reasonable compensation to be made to the owners of the same under the conditions and limitations hereinafter named.

Tolls.

The owners of said bridge may also charge and receive reasonable compensation or tolls for the transit over said bridge of all wagons, carriages, vehicles, animals and foot-passengers: *Provided*,

Proviso.

Regulations.

That the Secretary of War, may at any time prescribe such rules, regulations and rates of toll for transit and transportation over said bridge as may be deemed proper and reasonable.

Spans.

SEC. 2. That any bridge built under the provisions of this act, shall be built as a high bridge, with unbroken and continuous spans, all spans over the water-way to have a clear channel-way of not less than three hundred feet and a clear head-room of not less than fifty feet above high-water mark, and the piers of said bridge shall be parallel with the current of the river and the bridge itself at right angles

Proviso.

Channel.

thereto: *Provided*, That the person or persons or corporation building said bridge, may, subject to the approval of the Secretary of War, enter upon the banks of said river either above or below the point of location of said bridge and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said objects, but shall not impede or obstruct the navigation of said river, and shall be liable in damages for all injuries to private property; and all plans for such work or erections upon the banks of the river shall first be submitted to the Secretary of War for his approval.

Free navigation.

SEC. 3. That no bridge shall be erected or maintained under the authority of this act which shall at any time obstruct the free navi-

Secretary of War to approve plans, etc.

gation of said river; and no bridge shall be commenced or built under this act until the location thereof and the plans and specifications for its construction shall have been submitted to and approved by the Secretary of War; and any change in the plan of such construction, or any alteration in the bridge after its construction, shall be subject to the like approval.

Changes.

And whenever said bridge shall, in the oppinion of the Secretary of War, substantially obstruct the free navigation of said river, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction, or its entire removal; and all such alterations shall be made and such obstructions

be removed at the expense of the owners of said bridge; and in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of the Missouri River at or near the crossing of said bridge, caused, or alleged to be caused, thereby, the case shall be commenced and tried in the district courts of either judicial district of Nebraska or Dakota Territory in which said bridge or any portion of such obstruction touches. Litigation.

SEC. 4. That any bridge built 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 transportation over the same of the mails, the troops and munitions of war, of the United States than the rate per mile paid for their transportation over the railroads or public highway leading to such 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. Such lights shall be kept upon said bridge as the Light-House Board shall direct, and said bridge shall moreover be provided with all proper safeguards for the security of person and property. Lawful structure and post-route. Postal telegraph. Lights, etc.

SEC. 5. 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.

SEC. 6. That Congress may at any time alter, amend, or repeal this act. Amendment.

Approved, August 6, 1888.

CHAP. 743.—An act to authorize the construction of a bridge across the Missouri River in Montana. August 6, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Benton Bridge Company, a corporation existing under the laws of the Territory of Montana, and having authority to construct and maintain a bridge across the Missouri River at or near Fort Benton, in the county of Choteau in said Territory, be, and is hereby, authorized to construct and maintain, for the purpose of making a more perfect crossing of said river at all times during the year, a bridge across the said Missouri River at or near said Fort Benton, to be used by the said company, its successors or assigns, for all purposes of rail and other transportation over said river. Benton Bridge Company may bridge Missouri River at Fort Benton, Mont. Railway, etc., bridge.

SEC. 2. That any bridge built under this act shall be constructed and built without material interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted. And in order 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 of all accessory works for its protection, and a map of the location, for the space of one-half mile above and the same below the proposed location, showing the topography of the banks of the river, the shore-line at high and low water, the direction and strength of the current at all stages, and the soundings, accurately showing the bed of the stream, 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 building of the bridge shall not be commenced; that the said bridge shall be at right angles to and the piers parallel with the current of said river; and if it be found hereafter that the said bridge or accessory works materially interfere with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and Secretary of War to approve plans, etc.