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Litigation.

all such obstructions be removed at the expense of the owner or owners of said bridge; 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, the cause may be brought in the circuit court of the United States of the State of Alabama in whose jurisdiction any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

Existing laws.

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 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 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 a 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 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 construction of said bridge shall not be commenced; 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.

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 one year and completed within three years from the date thereof.

Approved, August 6, 1888.

August 6, 1888.

CHAP. 748.—An act to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Hillsborough River, at a point in the town of New Smyrna, in the county of Volusia and State of Florida.

Atlantic and Western Railroad Company may bridge Hillsborough River at New Smyrna, Fla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atlantic and Western Railroad Company, a corporation organized under the laws of the State of Florida, its successors and assigns, be, and are hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Hillsborough River, in the county of Volusia, State of Florida, at the most accessible point on said river, in the town of New Smyrna, in said county and State. 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

Railway, wagon, and foot bridge.

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.

Secretary of War to approve plans, etc.

SEC. 2. That any bridge built under this act shall be constructed without interference with the security and convenience of navigation of said river; and in order to secure a compliance with these conditions the corporation, previous to commencing the construction of the bridge, shall submit to the Secretary of War a plan of the bridge and of any accessory works, together with a detailed map of the river at the proposed site of the bridge and for a distance of a mile above and below the site, together with all other information touching said bridge and river and accessory works as may be deemed requisite by the Secretary of War to determine whether the said bridge when built, will conform to the prescribed conditions of this act: *Provided*, That the piers of said bridge shall be parallel with the current of said river, with clear openings between them, the axis of the bridge as nearly as possible at right angles thereto, and the lowest part of the superstructure at least six feet above the level of the water at its highest stage: *And Provided, also*, That any bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at the most accessible and navigable point, and and with spans of not less than one hundred feet in length in the clear on each side of the central or pivot-pier of the draw, and with the piers adjacent to the draw openings provided with suitable guide cribs or piers: *Provided also*, That said draw shall be opened promptly upon reasonable signal for the passing of boats; and said company or 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.

Provisos.

Piers.

Draw.

Lights, etc.

Notification of approval.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving any such plan and map and other information, and upon being satisfied that a bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves of the same; and upon receiving such notification the said company may proceed to an erection of said bridge, conforming strictly to the approved plan and location, but until the Secretary of War approves of the plan and location of said bridge and accessory works and notifies the company of the same, the bridge shall not be built; and should any change be made in the plan of the bridge or said accessory works during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

Lawful structure and post-route.

SEC. 4. That any bridge and accessory works, when built and constructed under this act and according to the terms and limitations thereof, shall be a lawful structure; and said bridge 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 the transportation over the railroads or public highways leading to said bridge; and said bridge shall enjoy the rights and privileges of other post-routes in the United States; 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; and Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge.

Postal telegraph.

Use by other companies.

SEC. 5. 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

Terms.

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.

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 entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interests require 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 one year and completed within three year from the date thereof.

Approved, August 6, 1888.

August 6, 1888.

CHAP. 749.—An act to authorize the construction and maintenance of a pile bridge over the Halifax River at Daytona, Volusia County, Florida.

Halifax River Bridge and Street Railway Company may bridge Halifax River at Daytona, Fla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to the Halifax River Bridge and Street Railway Company, a body corporate existing by and under the laws of the State of Florida, its successors or assigns, is granted the consent of the Government to construct and maintain a pile bridge provided with a suitable draw, over the Halifax River at Daytona, Volusia County, Florida, to be used for the passage of foot-passengers, animals, and vehicles of all kinds, for reasonable rates of toll, to be approved from time to time by the Secretary of War, and, at the option of the company, to be used for the passage of railway trains and street-cars.

Railway, wagon, and foot bridge.

Opening draw.

SEC. 2. That the draw of said bridge shall be in charge of some person, so that at all times the same may, without unnecessary delay, be opened for the passage of steam and sail boats or other water-craft navigating said river, and said company shall maintain, at its own expense, such lights on the bridge as may be required by the Light-House Board for the safety of navigation.

Lights.

Lawful structure and post-route.

SEC. 3. That the bridge constructed under this act 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 other persons pay for like transportation; 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 a way for postal telegraph across said bridge, and 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 hearing of the allegations and proofs of the parties: *Provided*, That before this act shall take effect the plans therefor and the location of said bridge shall be submitted to and approved by the Secretary of War, and the company shall further submit to him a detailed map of the river at the proposed site, and for one mile above and one mile below the same, giving 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 the soundings accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information

Postal telegraph.

Use by other companies.

Terms

Provisos.

Secretary of War to approve plans, etc.