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August 9, 1888.

CHAP. 820.—An act to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tennessee.

Knoxville Southern Railroad Company may bridge Tennessee River at Knoxville, Tenn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Knoxville Southern Railroad Company, a corporation organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Tennessee River, in or within two miles of the city of Knoxville, Tennessee. 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 transit of animals, and for foot-passengers, for reasonable rates of toll, to be fixed by said company; and the Secretary of War shall have the right, from time to time, to revise, prescribe, and determine such rates or tolls.

Railway, wagon, and foot bridge.

Lawful structure and post-route.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, and it shall enjoy the rights and privileges of other post roads in the United States, and the same is hereby declared to be a post-route, upon which also no higher charge shall be made for the transmission over the same of the mail, troops, and munitions of war of the United States than the rate per mile for their transmission over the railroad 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 across said bridge for postal telegraph purposes; that the said bridge shall be so constructed, either by draw-span or otherwise, that a free and unobstructed passage-way may be secured to all water-craft navigating said river at the point aforesaid: *Provided*, That if said bridge, authorized to be constructed under this act, shall be constructed as a draw-bridge, the draws shall be opened promptly upon the reasonable signals for the passage of boats or vessels; and said 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.

Postal telegraph.

Unobstructed navigation.

Proviso.

Draw.

Lights, etc.

Use by other companies.

SEC. 3. 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 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 the hearing of the allegations and proofs of the parties.

Terms.

Secretary of War to approve plans, etc.

SEC. 4. 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 below and one mile above 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 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 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 submitted to and subject to the approval of the Secretary of War.

Amendment.

SEC. 5. That the right to alter, amend, or repeal this act, is hereby expressly reserved; and any alterations or changes that may be required by the Secretary of War in the bridge constructed under this act, or its entire removal shall be made by the corporation owning or controlling the same, at its own expense. Furthermore, if the construction of said bridge shall not be commenced within two and completed within four years after the passage of this act, all privileges conferred hereby, and this act, shall become null and void.

Commencement and completion.

Approved, August 9, 1888.

August 9, 1888.

CHAP. 821.—An act to authorize the construction and maintenance of a railroad bridge by the Birmingham, Atlantic and Air Line Railroad, and Banking and Navigation Company across the Oconee River in Laurens County, State of Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Birmingham, Atlantic and Air Line Railroad and Banking and Navigation Company, a corporation under the laws of Georgia, be, and said corporation is hereby, authorized and permitted to construct and maintain a railroad bridge across the Oconee River at or near the city of Dublin, in the county of Laurens, in the State of Georgia.

Birmingham, Atlantic and Air Line Railroad, etc., Company may bridge Oconee River at Dublin, Ga.

SEC. 2. That said bridge shall be constructed and built without material interference with the security and convenience of the 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 plan, design, and drawings of the bridge and a map of 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: *Provided* that said bridge shall be built with draw spans giving eighty feet clear width at low water on either side of the pivot pier in main channel and that the draw shall be opened promptly upon reasonable signal for the passage of boats, barges and rafts, and in no case shall unnecessary delay occur; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light House Board shall prescribe.

Secretary of War to approve plans, etc.

Proviso. Draw.

Lights.

SEC. 3. That the Secretary of War is authorized and directed, upon receiving such plan, map, and other information, upon being satisfied that the bridge built upon such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify said company or corporation that he approves the same; and upon receiving such notification said company or corporation may proceed to the erection of said bridge, conforming strictly to the approved plan and location; 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 likewise subject to the approval of the Secretary of War; 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,

Notification of approval.

Litigation.