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PUBLIC ACTS OF THE FIFTIETH CONGRESS

OF THE

UNITED STATES

Passed at the second session, which was begun and held at the city of Washington, in the District of Columbia, on Monday, the third day of December, 1888, *and was adjourned without day on Saturday, the second day of March*, 1889.

GROVER CLEVELAND, President; JOHN J. INGALLS, President of the Senate *pro tempore;* JOHN G. CARLISLE, Speaker of the House of Representatives.

CHAP. 1.—An act to authorize the building of a bridge or bridges across the Mississippi River at La Crosse, Wisconsin. December 10, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the La Crosse and Minnesota Bridge and Ferry Company, a corporation created by or under the laws of the State of Wisconsin, its successors or assigns, be, and is hereby, authorized to construct and maintain a bridge or bridges, for the passage of vehicles of all kinds, animals, and foot-passengers, across that part of the Mississippi River west of the main channel of said river at a point opposite the said city of La Crosse: *Provided*, That it shall not be lawful to construct said bridge or bridges until the Secretary of War shall certify that the same will not materially obstruct the navigation of said river: *And provided further*, That the location and plan or manner of constructing said bridge or bridges shall be subject to the approval of the Secretary of War, and until approved by him the bridge or bridges shall not be built. And there shall be submitted to the Secretary of War for his examination and approval, a design and drawing 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 all other information required.

La Crosse and Minnesota Bridge and Ferry Company may bridge Mississippi River at La Crosse, Wis.

Wagon and foot bridge.

Provisos.

Unobstructed navigation.

Secretary of War to approve plans, etc.

SEC. 2. That said La Crosse and Minnesota Bridge and Ferry Company shall have the right to charge and collect a reasonable rate of toll, not exceeding the amount limited by the laws of Minnesota or Wisconsin, and approved by the Secretary of War.

Tolls.

SEC. 3. That this act shall be null and void if actual construction of the bridge or bridges herein authorized be not commenced within one year and completed within three years from the date of the passage hereof.

Commencement and completion.

SEC. 4. That any bridge or bridges built under this act and subject to its limitations shall be a lawful structure or structures, and shall be recognized and known as a post-route, upon which no higher charge shall be made for the transmission over the same of the mails, troops, and the munitions of war of the United States passing over

Lawful structure and post-route.

said bridge or bridges than the rate per mile paid for the transportation over the railroad or other public highway 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 and its approaches for postal-telegraph purposes.

Postal telegraph.

Amendment.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, December 10, 1888.

December 10, 1888.

CHAP. 2.—An act to authorize the construction of bridges across the Kentucky River and its tributaries by the Richmond, Nicholasville, Irvine and Beattyville Railroad Company.

Richmond, Nicholasville, Irvine and Beattyville Railroad Company may bridge Kentucky River and tributaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Richmond, Nicholasville, Irvine and Beattyville Railroad Company, a corporation organized under act of the general assembly of the Commonwealth of Kentucky, be, and it is hereby, authorized to construct and maintain a bridge or bridges, and approaches thereto, over the Kentucky River, in the State of Kentucky, and also a bridge or bridges over the tributaries or forks of said river, at such point or points as said company may deem suitable for the passage of its said road over said river, or its tributaries or forks. Said bridge or bridges shall be constructed to provide for the passage of railway trains and, at the option of the company by which it or they 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: *Provided*, That the rates of toll charged by said company shall be first approved by the Secretary of War.

Railway, wagon, and foot bridge.

Proviso. Toll.

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 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.

Postal telegraph.

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 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 drawing of the bridge, and a map of the location thereof; 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 the Secretary of War shall at any time think any changes necessary in the plans of said bridge or bridges, or that the said bridge or bridges should be entirely removed, the said alterations or removal shall be at the expense of the company.

Use by other companies.

SEC. 4. That all railroad companies desiring the use of said bridge or bridges 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 reasonable compensation therefor; and in case the owner or owners of said bridge or bridges and the railroad company or companies desiring to use the same shall fail to agree upon the terms with reference to the use of same, all matters of issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Terms.