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the same grades during the fiscal year then current; such appointments to be made from the final graduates of the year, in the order of merit as determined by the Academic Board of the Naval Academy, the assignment to be made by the Secretary of the Navy upon the recommendation of the Academic Board at the conclusion of the fiscal year then current; but nothing contained herein or in the naval appropriation act of August fifth, eighteen hundred and eighty-two, shall reduce the number of appointments of final graduates at the end of their six years course below twelve in each year to the line of the Navy, and not less than two shall be appointed annually to the Engineer Corps of the Navy, nor less than one annually to the Marine Corps; and if the number of vacancies in the lowest grades aforesaid, occurring in any year shall be greater than the number of final graduates of that year, the surplus vacancies shall be filled from the final graduates of following years, as they shall become available; and it is provided that in addition to the appointments to the Engineer Corps of the Navy hereby authorized, there may also be appointed five Assistant Engineers from the graduates, in the order of merit, of the Naval Academy of the class which finished its six years' course in June eighteen hundred and eighty-six, to take rank and receive pay only from the date of their appointment; and said Engineer Corps is hereby enlarged for the purpose of the additional appointments hereby authorized.

Reduction of appointments.
Vol. 22, p. 285.

Filling vacancies.

Five assistant engineers from class of 1886.

SEC. 2. That after the fourth day of March, eighteen hundred and eighty-nine, the minimum age of admission of cadets to the Academy shall be fifteen years and the maximum age twenty years.

Age of admission.
R. S., sec. 1517, p. 361, amended.

Approved, March 2, 1889.

CHAP. 397.—An act to authorize the Natchitoches Railroad Company to construct and maintain a bridge across the Red River, in Louisiana.

March 2, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Natchitoches Railroad Company, a corporation created and existing under and by virtue of the laws of the State of Louisiana, be, and is hereby, authorized to construct and maintain a railroad and wagon bridge across the Red River at such point as may be selected by the said railroad company in the parish of Natchitoches or in the parish of Red River, the said bridge to be so constructed as not to interfere with the navigation of said river, and to be provided with a suitable draw: *Provided*, That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be known an recognized as a post-route, 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 mails, the troops, and the munitions of war of the United States, or for through passengers or freight passing over said bridge, than the rate per mile paid for their transportation over the railroads leading to the 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 for a postal telegraph across said bridge.

Natchitoches Railroad Company may bridge Red River, La.

Railway and wagon bridge.

Unobstructed navigation.
Draw.

Proviso.

Lawful structure and post-route.

Postal telegraph.

SEC 2. That the bridge authorized to be constructed under this act shall be located and built under and subject to such regulations for the security of the 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 proposed 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

Secretary of War to approve plans, etc.

of the currents, 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 no work upon the bridge shall 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. 3. That Congress reserves the right to alter, amend, or repeal this act at any time; and that if at any time navigation of said river shall in any manner be obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said railroad company to alter and change the said bridge at its own expense, in such manner as may be proper to secure free and complete navigation without impediment; and if upon reasonable notice to said railroad company to make such change or improvements the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company, and all the rights conferred by this act shall be forfeited; and Congress shall have power to do any and all things necessary to secure the free navigation of the river.

Changes.

Free navigation.

Toll.

SEC. 4. That said company shall be permitted to charge and take such rates of toll for crossing said bridge, as may be reasonable, subject to the approval of the Secretary of War.

Opening draws.

SEC. 5. That the draw provided for the bridge herein authorized to be constructed 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 till sunrise, such lights or other signals on said bridge as the Light House Board shall prescribe.

Lights, etc.

Use by other companies.

SEC. 6. 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; and if said bridge is not commenced within three years and completed within five years from the passage of this act the rights and privileges hereby granted shall be null and void.

Compensation.

Decision by Secretary of War.

Commencement and completion.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 398.—An act to authorize the construction of a bridge over the Saint John's River in the State of Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Saint John's and Halifax River Bridge Company be, and is hereby, authorized to construct a bridge over the river Saint John's, in the county of Putnam and State of Florida, at or near the city of Palatka.

Saint John's and Halifax River Bridge Company may bridge Saint John's River at Palatka.

Unobstructed navigation.

SEC. 2. That said bridge shall be constructed with a draw, so that a free and unobstructed passage may be secured to all vessels and other water-craft navigating said river.

Lawful structure and post-route.

SEC. 3. 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, 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, or passengers or