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Strike out section three of said act and insert in lieu thereof the following:

Construction. Spans.

"SEC. 3. That if said bridge shall be made with unbroken and continuous spans, the spans thereof shall not be less than three hundred feet in length in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least fifty feet above high-water mark, as understood at the point of location, and the bridge shall be at right angles to and its piers parallel with the current of the river: *Provided*, That if the same shall be constructed as a draw-bridge, the draw or pivot shall be over the main channel of the river at an accessible point, and the spans shall not be less than one hundred and sixty feet in length in the clear, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location to the lowest part of the superstructure of said bridge: *Provided, also*, That said draw shall be opened promptly upon reasonable signal for the passage 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. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and 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 case may be brought in the district court of the United States of the State of Missouri, in which 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 the river, or to exempt this bridge from the operation of the same.

Provisos. Draw.

Opening draw. Lights, etc.

Unobstructed navigation.

Litigation.

Existing laws.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 409.—An act to authorize the construction of bridges over Green and Barren Rivers, in the State of Kentucky, by the Henderson State Line Railroad Company.

Henderson State Line Railroad Company may bridge Green and Barren Rivers, Ky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Henderson State Line Railroad Company, organized under an act of the general assembly of the Commonwealth of Kentucky, be, and is hereby, authorized to construct and maintain one or more bridges, and approaches thereto, over Green River and Barren River, in the State of Kentucky, at such points as said company may deem suitable for the passage of its said road over said rivers. Said bridges shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which 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.

Railway, wagon, and foot bridges.

Lawful structures and post-routes.

SEC. 2. That any bridges built under this act and subject to its limitations shall be lawful structures and shall be recognized and known as post-routes, and they shall enjoy the same rights and privileges as other post-roads in the United States. Equal privileges in the use of said bridge shall be granted to all telegraph and telephone

companies and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes. Postal telegraph.

SEC. 3. That all railroad companies desiring the use of said 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 a reasonable compensation for such use; and in case the owner or owners of said bridges 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 bridges, 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. Use by other companies. Compensation. Decision by Secretary of War.

SEC. 4. That any bridges authorized to be constructed under this act shall be built and located 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 drawing of the bridges and a map of the location thereof, and until the said plan and location of the bridges are approved by the Secretary of War the bridges shall not be commenced or built; and should any changes be made in the plan of said bridges during the progress of construction such changes shall be subject to the approval of the Secretary of War, and all changes in said bridges required by the Secretary of War at any time or their entire removal shall be at the expense of the corporations or persons owning or operating said bridges. Secretary of War to approve plans, etc.

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

SEC. 6. That this act shall be null and void if actual construction of the bridges herein authorized are not commenced within one year and completed within three years from the date thereof. Commencement and completion.

Approved, March 2, 1889.

CHAP. 410.—An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, and for prior years and for other purposes. March 2, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year eighteen hundred and eighty-nine; and for prior years, and for other objects hereinafter stated, namely: Deficiencies appropriations.

STATE DEPARTMENT. State Department.

ASCERTAINMENT OF ELECTORAL VOTE: To pay the expenses of printing, in compliance with the requirements of the act of February third, eighteen hundred and eighty-seven, the certified copies of the final ascertainment of the electors for President and Vice-President, as transmitted by the executive of each State to the Secretary of State, one thousand three hundred and fifty-three dollars and ten cents. Printing electoral vote. Vol. 24, p. 373.

ELECTORAL VOTE OF FLORIDA: To pay the expenses of special messenger sent to Florida for the electoral vote of that State, as authorized by section one hundred and forty-one of the Revised Statutes of the United States as amended by the act approved October nineteenth, eighteen hundred and eighty-eight, two hundred and eleven dollars and seventy-five cents Messenger for Florida electoral vote. R. S., sec. 141, p. 23. *Ante*, p. 613.