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to any taxpayer applying therefor at the office of the said Commissioners, and that if the taxes due, together with the penalties and costs that may have accrued thereon shall not be paid prior to the day fixed for sale, the property will be sold under the direction of the said Commissioners at public auction at the office of the collector of taxes for the District of Columbia, commencing three weeks after the first publication of the said notice and continuing on each following day, Sundays and legal holidays excepted, until all said delinquent property is sold: *Provided, however*, That property which has once been advertised and sold for non-payment of taxes shall not be again advertised for the same tax. The expenses of said advertising and the printing of said pamphlet shall be paid by a charge of twenty cents for each lot or piece of property advertised.

Proviso.

Duplicated advertising prohibited.

Charge for advertising and printing.

SEC. 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

Approved, March 19, 1890.

CHAP. 46.—An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post-road.

March 24, 1890.

Whereas, the act of Congress approved July sixteenth, eighteen hundred and eighty-eight (twenty-fifth Statutes at Large, page two hundred and ninety-six), has become null and void by failure of the Columbia River Bridge Company, the corporation in said act named, or its assigns, to commence the construction of the bridge in said act authorized within one year from date of said act: Therefore

Preamble.
Vol. 25, p. 296.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Oregon and Washington Bridge Company, a corporation organized and existing under the laws of the State of Oregon, its successors and assigns, be, and is hereby, authorized to construct and maintain a bridge across the Columbia River, at a place suitable to commerce and not interfering with navigation at a point at or near La Camas, in the State of Washington, and to lay on or over said bridge a track or tracks for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river, and in case of any litigation arising from any obstruction, or alleged obstruction to the free navigation of said river by reason of the construction of said bridge, the cause may be tried before the circuit court of the United States in and for any district in whose jurisdiction any portion of said obstruction or bridge may be. Said bridge shall be constructed to provide for the passage of railroad trains, and, at the option of the said company or corporation, its successors and assigns, for the safe and convenient passage of wagons and vehicles of all kinds, animals, and foot-passengers, for such reasonable rates of toll as may be fixed from time to time by the Secretary of War.

Oregon and Washington Bridge Company may bridge Columbia River at La Camas, Wash.

Railroad tracks.

Free navigation.

Litigation.

Railroad, or railway, wagon and foot bridge.

Tolls.

SEC. 2. That said bridge shall be provided with two or more draw openings, each having not less than two hundred feet clear channel-way; and in addition to said draw openings one or more fixed channel-spans, each having not less than three hundred and fifty feet clear channel-way; and every part of the superstructure of said bridge shall give a clear head room of not less than ten feet above extreme known high water mark: *Provided*, That all spans shall be so located as to afford the greatest possible accommodation to the river traffic, and a draw-opening shall, if practicable, be located next or near shore: *Provided also*, That if the physical characteristics of the locality so require, and the interests of navigation be not injured

Draw openings.

Fixed channel spans.

Head room.

Provisos.
Location of spans.

Changes in fixed spans and draws.

Adjacent draws, substitution for.

thereby, the length of the fixed spans or the number of draw-openings may be reduced: *Provided, also*, That for any two adjacent draw-openings of two hundred feet each, one draw opening of three hundred feet may be substituted if in the opinion of the Secretary of War the interests of navigation be not injured thereby.

Power to operate draws.

SEC. 3. That all draw-spans authorized by this act shall be operated by steam or other reliable mechanical power, and shall be

Opening draws.

opened promptly upon reasonable signal for the passage of boats, except when trains are passing over said span or spans; but in no

No unnecessary delay after passage of trains.

case shall unnecessary delay occur in opening said draw after the passage of trains; and also, that in case the opening of a draw is delayed by reason of the passing of a train after the signal has been given from a boat ready to pass through, the draw shall be opened for the passage of such boat before another train is allowed to pass

No unnecessary delay in passage of trains.

over the said span or spans; nor shall there be any unnecessary delay in the passage of trains over the bridge.

Construction.

SEC. 4. That all piers shall be built parallel with the current of the river at that stage of water which is most important for navigation, and the bridge itself shall be built as nearly as may be at right

Impediments to navigation prohibited.

angles thereto; and that rip rapping or other protection for imperfect foundations which will lessen the required water-way shall not be permitted; and also that piers which will produce cross-currents or bars dangerous to navigation shall not be constructed; and if after construction any piers or accessory works are found to produce the above mentioned effects, or if any riprapping or other protection

Abatement of nuisance, by Secretary of War.

prohibited by this section is found to exist, the nuisance shall be abated or corrected under the direction of the Secretary of War and at the expense of the company or persons owning, controlling, or operating said bridge.

Free flood discharge.

SEC. 5. That the approaches to said bridge shall be so designed and constructed as not to interfere with the free discharge of said river in seasons of flood; and any encroachment on the high-water cross-section by piers, solid embankments, or otherwise which will

High water current.

result in unduly accelerating the high-water current at the site of the bridge shall not be allowed.

Aids to navigation.

SEC. 6. That any corporation, company, or persons owning, controlling, or operating the bridge built under the authority of this act shall build and maintain at all times, as accessory works to such bridge, such booms, piers, dikes, guard fences, and similar devices as may be necessary to insure at all times a permanent channel for a sufficient distance above and below the bridge site, and for the guiding of rafts, steam-boats, and other water craft safely under or

Subsequent additional aids.

through said bridge; and if at any time after the construction of the bridge and its accessory works the approaches to draw openings, channel-spans, or raft passages in said bridge are found to be dangerous or difficult of access by any important class of river traffic, the Secretary of War may, upon the recommendation of the Chief of Engineers, United States Army, order the corporation, company, or persons owning, controlling, or operating said bridge to construct under his directions, and to maintain such additional sheer-booms, dikes, and other devices as will obviate the difficulty mentioned, which additional sheer-booms, dikes, and other devices shall be built and maintained at their own expense by said company or persons; and that said company or persons shall maintain

Lights, etc.

at their own expense, from sunset to sunrise throughout the season of navigation, such lights and other signals on said bridge as may be required by the Light-House Board for the security of navigation.

Location, etc.

SEC. 7. That the bridge authorized to be constructed by this act shall be located and built 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 said corporation shall submit for his examination a design and drawings of the bridge, piers, approaches, and accessory works, and a map of the location giving, for a space of at least three miles above and one mile below the proposed location the topography of the banks of the river and the shore-lines at high and low water. This map shall be accompanied by others drawn on the scale of one inch to two hundred feet, giving for a space of one-half a mile above the line of the proposed bridge and one-quarter of a mile below an accurate representation of the bottom of the river by contour lines two feet apart, determined by accurate soundings, and also showing over the whole width of this part of the river the force and directions of the currents at low water, at high water, and at least one intermediate stage by triangulated observations on suitable floats. The map shall also show the location of other bridges in the vicinity, and shall give such information as the Secretary of War may require for a full and satisfactory understanding of the subject, and the construction of the proposed bridge shall not be commenced until the location and plans thereof are approved by the Secretary of War.

Plans, maps, etc.

Secretary of War to approve location and plans.

SEC. 8. That any bridge constructed under the authority of this act shall be built under the general supervision of the Secretary of War, and no changes or alterations in plans shall be made during construction of said bridge or after its completion, unless said changes or alterations conform to the provisions of this act and are authorized by the Secretary of War. That such alterations and changes as may be required by the Secretary of War in said bridge so as to preserve free and convenient navigation shall be made, under the direction of the Secretary of War, at their own expense by the company or persons owning, controlling, or operating said bridge. That during original construction or in carrying out any authorized changes or repairs of said bridge a navigable channel shall be preserved at the site of the bridge at all times, and the water-way of the river shall not be obstructed to a greater extent than is absolutely necessary, and such lights and buoys shall be kept on all coffer-dams, piles, and so forth, as may be necessary for the security of navigation.

General supervision of building by Secretary of War.

Changes.

Security of navigation during construction.

Lights and buoys.

SEC. 9. That whenever the Secretary of War has good reason to believe that any of the provisions of sections four, six, and eight of this act have not been complied with by the company or persons owning, controlling, or operating the bridge authorized under its provisions, it shall be the duty of the Secretary of War, on satisfactory proof thereof, to require the said company or persons to comply with the provisions of said sections, and on failure of said persons or company to comply with said requirements within a reasonable time the Secretary of War shall proceed to cause the necessary work, in the form of additions, alterations, repairs, or removals of obstructions, to be made at the expense of the United States, and shall refer the matter, without delay, to the Attorney General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in the circuit court of the United States, in and for the District in which any portion of said obstruction or bridge may be for the recovery of such expenses, and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

On failure of company to comply with sections 4, 6, and 8 work to be done at Government expense, etc.

Suit for expenses, etc.

SEC. 10. That all railroad companies desiring the use of the bridge authorized by this act shall have, and be entitled to, equal rights and privileges relative to the passage of railway trains or cars 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

Use by other railroad companies.

Compensation.

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 equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Secretary of War to decide disagreements.

Use by telegraph companies, etc.

Lawful structure and post-route.

SEC. 11. That the bridge constructed, maintained, and operated under this act and according 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 transportation 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 of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal telegraph and telephone purposes over said bridge.

Postal telegraph and telephone.

Commencement and completion.

SEC. 12. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within four years from the date of approval thereof.

Conditional repeal of former legislation. Vol. 25, p. 296.

SEC. 13. That all former acts or parts of acts granting authority for the erection of any bridge or bridges over the portion of said Columbia River over which the construction of a bridge is authorized by this act be, and the same are hereby, repealed in each and every case where actual construction of said bridge or bridges be not commenced on or before the date of the approval of this act.

Amendment.

SEC. 14. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require the entire removal of the bridge constructed under the provisions of this act at the expense of the owners thereof, whenever Congress shall decide that the public interests require it, is also expressly reserved.

Approved, March 24, 1890.

March 24, 1890.

CHAP. 47.—An act to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia.

Anacostia and Potomac River Railroad, in D. C., amended. Vol. 18, p. 328. Vol. 19, p. 26. Vol. 25, p. 353.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act giving the sanction and approval of Congress to the route and termini of the Anacostia and Potomac River Railroad, approved February eighteenth, eighteen hundred and seventy-five, amended March twenty-fourth, eighteen hundred and seventy-six, and August first eighteen hundred and eighty-eight, be, and the same is hereby, amended so as to authorize the said company to lay tracks and run cars thereon from the intersection of its tracks on M street south with Eleventh street east; along Eleventh street to its tracks on G street south. That the time for the completion of its track is extended one year. That in the construction of the tracks herein authorized the pattern of rail used shall be approved by the Commissioners of the District of Columbia, and that all rails laid under authority of this act shall be on a level with the surface of the street: *Provided* so much of the act of August first eighteen hundred and eighty-eight as authorized the company herein named to lay its tracks on Seventh street east between M street and G is hereby repealed.

Change of route.

Extension of time.

Approval of rail, etc.

Proviso. Repeal, part sec. 1, vol. 25, p. 353.

Right to amend, etc., reserved.

SEC. 2. That Congress may at any time amend, alter, or repeal this act.

Approved, March 24, 1890.