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panies shall submit to the Secretary of War, for his examination and approval, a design and drawing of each bridge, and a map of the location thereof, giving the high and low water lines upon the banks of the river, the direction and strength of the currents at all stages of the water, with soundings accurately showing the bed of the stream, and the location of any other bridge or bridges; such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until such plan and location of the bridge or bridges are approved by the Secretary of War, no bridge shall be built or commenced; and should any change be made in the plan of such bridge or bridges 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, the said alterations shall be at the expense of the company or companies owning the same. The said bridge or bridges shall at all times be so kept and managed as to offer reasonable and proper means for the passage of vessels and other water-craft through or under said structures, and for the safety of vessels passing at night there shall be displayed on said bridge or bridges, from the hours of sunset to sunrise, such lights or other signals as may be prescribed by the Light-House Board.

Secretary of War to approve plans, etc.

Change of plans.

Structural changes.

Unobstructed navigation.

Lights, etc.

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 company or companies desiring to use the same shall fail to agree upon the terms with reference to the use of the same, all matters at issue between them shall be decided by any court of competent jurisdiction, or by the Secretary of War, by agreement of the parties interested, upon a hearing of the allegations and proofs of the parties.

Use by other railroad companies.

Compensation.

Disagreements decided by court, or Secretary of War.

SEC. 5. That this act shall be null and void if actual construction of the bridge or bridges herein authorized be not commenced within two and completed within five years from the date thereof.

Commencement and completion.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Amendment, etc.

Approved, September 30, 1890.

CHAP. 1134.—An act to authorize the building of a bridge at Dardanelle, Arkansas, across the Arkansas River.

September 30, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Cable City Bridge Construction Company, a corporation duly organized and existing under the laws of the State of Missouri, its successors and assigns, be, and are hereby, authorized to construct and maintain a ponton bridge and approaches thereto across the Arkansas River in front of Dardanelle, at a point at least one mile from any other bridge, and which shall not be detrimental to the interest of navigation or of any river improvement. Said bridge shall be constructed so as to provide for the passage of wagons and vehicles of all kinds, animals, and foot-passengers, and for all road travel, for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by said corporation, its successors or assigns and approved from time to time by the Secretary of War.

Cable City Bridge Construction Company may bridge Arkansas River at Dardanelle, Ark.

Ponton bridge.

Wagon and foot-bridge.

Toll.

Regulations.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and

Lawful structure and post-route.

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 than is charged other parties for like privileges; and it shall enjoy the rights and privileges of other post-roads in the United States, and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes; and equal rights as to constructing and maintaining their lines over said bridge shall be granted to all telegraph and telephone companies desiring to use the same.

Postal-telegraph.

Use by telegraph, etc., companies.

Construction.

Ponton draw-span.

SEC. 3. That said bridge shall be constructed as a ponton draw-span bridge, and shall contain a ponton draw-span of not less than three hundred feet in length, which said draw-span shall be maintained on the main channel of the river at an accessible and navigable point; and the piers of said bridge shall be parallel with, and the bridge itself at right angles to, the current of the river: *Provided, also,* That said draw shall be opened promptly by the said company, upon reasonable signal, for the passage of boats and rafts; and said company or corporation shall maintain at their 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 constructed 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 said 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, suit may be brought in the district court of the United States for the western district of the State of Arkansas to remove or remedy the same: *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 rivers, or to exempt this bridge from the operation of the same.

Piers, etc.

Provisos.

Opening of draw.

Lights, etc.

Free navigation.

Obstructed navigation.

Structural changes.

Litigation.

No exemption from existing law.

Security of navigation.

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 together with drawings of the said bridge, and a map of the location, giving, for the space of one-half mile below the proposed location, the high and low water lines upon the banks of the river, the direction and strength of the current at all stages, with the soundings, accurately showing the bed of the stream and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; but 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.

Change of plan.

Amendment, etc.

Structural changes, etc.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in the said structure, or its entire removal, at the expense of the owners thereof, whenever the Secretary of War shall decide that the public interest so requires, is also expressly reserved.

Commencement and completion.

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

Approved, September 30, 1890.