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stream: *Provided, also,* that the said draw, or draws, shall be opened promptly upon reasonable signal, for the passage of boats, and said board of county commissioners of said Hennepin County shall maintain at the expense of said Hennepin County such lights or other signals thereon as the light-House Board may prescribe, and said Hennepin County shall provide at its own expense such sheer-booms, guide-piers, or other device as may be at any time deemed necessary by the Secretary of War to facilitate the safe passage of boats or other water craft through the spans of said bridge. No bridge shall be erected or maintained under 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 said navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstructions, at the expense of said county of Hennepin, 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 bridges, or either, the case may be brought in the circuit court of the United States of the district in which said obstruction or bridges are 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 rivers, or to exempt any bridge or bridges constructed by virtue thereof from the operation of the same.

Provisos.
Opening draws.
Lights, etc.
Aids to navigation.
Free navigation.
Changes or alterations in bridges.
Litigation.
No repeal of existing law.

SEC. 4. That any bridge or bridges 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 board of county commissioners of said Hennepin County shall submit to the Secretary of War, for his examination and approval, designs and drawings of the proposed bridges and a map of the location, giving for the space of one mile above and one mile below the proposed locations 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 surroundings, accurately showing the bed of the stream, the location of any other bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and should any change be made in the plan of said bridge or bridges such change shall be subject to the approval of the Secretary of War.

Secretary of War to approve plans, 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 such structure or structures, or the entire removal thereof, at the expense of the owners, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

Amendment, etc.

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

Commencement and completion.

Approved, April 28, 1890.

CHAP. 170.—An act authorizing the construction of a bridge across the Red River of the North.

April 28, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the Crookston, Fort Stevenson and Montana Railroad Company, a corporation existing under the laws of the State of Minnesota, and to its successors and assigns, to construct and maintain a pivot draw-bridge, and approaches thereto, across the Red River of the North, between the State of Minnesota and the State of North Dakota, at such point on said river, on the boundary

Crookston, Fort Stevenson and Montana Railroad Company may bridge Red River of the North at Polk County, Minn.

line between Polk County, in the State of Minnesota, and the State of North Dakota, as may accommodate the lines of railroad which said corporation may build to said point. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the said corporation, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of tolls as may be fixed by the Secretary of War; and the Secretary of War shall have the right, from time to time, to revise such rates.

Railway, wagon, and foot bridge.

Tolls.

Construction.

SEC. 2. That the said bridge shall be constructed as a pivot draw-bridge, and shall be so constructed that a free and unobstructed passage may be secured to all water-craft, rafts, or logs navigating said river at the point aforesaid: *Provided*, That the draw of said bridge shall be opened promptly upon reasonable signals for the passage of boats or vessels; and said corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Secretary of War shall prescribe. The said bridge shall be located and built under and subject to such regulations for the security of the navigation of said river and such requirements as to location and direction of piers and spans clear headway at high water and clear spans at low water, as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, drawings of said bridge and piers, and a map of the location, giving, for the space of one mile below and one mile above 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 current at all stages, and the soundings, accurately showing the bed and channel of the stream, and shall furnish such other information as shall be required for a full and satisfactory understanding of the subject; and until the said location and plan of the bridge hereby authorized to be constructed are approved by the Secretary of War the said bridge shall not be built; and should any change be made in the plan of such bridge during the progress of construction thereof, such change shall be subject to the approval of the Secretary of War.

Proviso.
Opening of draw.

Lights, etc.

Secretary of War to approve plans, etc.

Location, etc.

Approval to precede construction.

Changes.

Use by other companies.

SEC. 3. That all railroad companies desiring the use of the bridge constructed under this act shall have and be entitled to equal rights and privileges relative to the passage of railway trains, cars, and locomotives over the same, and over the approaches thereto, upon the payment of a reasonable compensation for such use, to be fixed by the Secretary of War, in case the owner or owners of the said bridge 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 the Secretary of War shall prescribe the rules and conditions to which each shall conform in using said bridge, and all matters of difference between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Secretary of War to prescribe terms, etc.

Lawful structure and post-route.

SEC. 4. That the bridge authorized to be constructed under this act shall be a lawful structure, and shall be recognized and known 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, troops, and munitions of war of the United States, or for through railways passengers or freight passing over said bridge, than the rate per mile for their transmission over the railroads leading to said bridge; and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes and all telegraph or telephone companies shall have equal rights and privileges in constructing and maintaining their lines across said bridge.

Postal telegraph.

Use by telegraph and telephone companies.

Amendment, etc.

SEC. 5. That the right to alter, amend, or repeal this act, so as to prevent or remove all material and substantial obstructions to the navigation of said river by the construction of the said bridge, is

hereby expressly reserved; and any alterations or changes that may be required by Congress in the bridge constructed under this act shall be made by the corporation owning or controlling the same, at its own expense. Expense of changes.

SEC. 6. That the time within which the construction of said bridge shall be commenced shall be one year and it shall be completed within three years from and after the passage of this act. Commencement and completion.

Approved, April 28, 1890.

CHAP. 171.—An act to create a customs district of the Territory of Arizona. April 29, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new customs collection district, to be called the district of Arizona, be, and the same is hereby, established, which shall embrace all the territory now included in the Territory of Arizona; and a collector shall be appointed for the same, to reside at Nogales, which shall be the port of entry for the district; and the said collector shall receive in full for all services as collector a compensation at the rate of two thousand dollars per annum, which compensation shall be in lieu of salary, fees, commissions, storage, and all perquisites of every name and nature. Arizona customs district established. Collector; residence, Nogales. Compensation.

Approved, April 29, 1890.

CHAP. 172.—An act to amend the charter of the Eckington and Soldiers' Home Railway Company. April 30, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Eckington and Soldiers' Home Railway Company of the District of Columbia is hereby authorized to extend its tracks and to run its cars thereon through and along the following-named streets: Beginning at the intersection of New York avenue and Fifth street northwest, south along Fifth street northwest to G street northwest, and thence west along G street northwest to the east line of Fifteenth street northwest; and also beginning at the present terminus of its Cemetery Branch on the east side of Lincoln avenue, and thence northerly along Lincoln avenue to a point opposite the entrance to Glenwood Cemetery, and also beginning at the intersection of New York avenue and North Capitol street; thence north along said street to the south boundaries of the grounds of the Soldiers' Home: *Provided*, That if electric wires or cables are used to propel its cars over said streets from New York avenue and Fifth to Fifteenth street northwest, the same shall be placed underground: *And provided further*, That the said company shall not be permitted to stop its cars at its western terminus, or at any point within the city limits, for a longer time than is necessary to take on and let off its passengers. Said company shall charge not exceeding five cents fare for one continuous ride from any point on its line to the terminus of its main line or any of its branches. And said company is authorized to use overhead wires on its North Capitol Street Branch. Eckington and Soldiers' Home Railway Company, District of Columbia. Amendments to charter. Vol. 25, p. 190. Extension of tracks. *Provisos.* Underground wires or cables. Stoppages. Fare. North Capitol street route; overhead wires.

SEC. 2. That so much of the original charter of the Eckington and Soldiers' Home Railway Company, granted by act approved June nineteenth, eighteen hundred and eighty-eight, as authorized the construction of a branch on First street west, from New York avenue to the south boundary of the Soldiers' Home be, and the same is hereby, repealed. Vol. 25, p. 190. First street route abolished.