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the machinery and fixtures thereto belonging, and also the approaches thereto, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest, in case the parties in interest shall not be able to agree upon such terms and conditions. Terms.

SEC. 6. That the said railway company, before entering upon the construction of said bridge, shall submit to the Secretary of War plans and drawings of said structure, together with a map of the location thereof for one mile above and one mile below said location, giving the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current of said river at all stages of the water, showing also the bed of the river and the channel, with such other and further information as the Secretary of War may require; which said drawings and other information aforesaid shall be examined by him, and if he shall approve the same he shall so notify the said railway company of such approval, and thereupon said company may proceed to the erection of said bridge. The Secretary of War may make such alterations in such plans as he may deem necessary to the better protection of navigation, and such alterations shall be adopted and paid for by the said railway company or its successors and assigns. The said railway company may at any time make any alterations deemed advisable to be made in said bridge, but must first submit such proposed alterations to the Secretary of War, and his approval shall be first had before they shall be made. Secretary of War to approve plans, etc. Alterations.

SEC. 7. That the said bridge herein authorized to be constructed shall be so kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts under it both by day and night. There shall be displayed on said bridge from sunset to sunrise such lights and signals as may be directed by the Light-House Board, and such changes may be made from time to time in the structure of said bridge as the Secretary of War may direct, at the expense of said company or its successors and assigns, in order the more effectually to preserve the free navigation of said river, or the said structure shall be altogether removed, if in the judgment of the Secretary of War the public good may require such removal, and without expense or charge to the United States. Aids to navigation. Lights, etc.

SEC. 8. 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 the approval of this act. Commencement and completion.

SEC. 9. That the right to alter, amend, or repeal this act is hereby specially reserved. Amendment, etc.

Approved, May 12, 1892.

CHAP. 69.—An act to authorize the construction of a bridge across the Osage River, between the town of Warsaw and the mouth of Turkey Creek, in Benton County, Missouri. May 12, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Springfield, Sedalia, Marshall and Northern Railroad Company, a corporation organized under the laws of the State of Missouri, or its successors or assigns, to construct a bridge across the Osage River at a point between the town of Warsaw and the mouth of Turkey Creek, in the county of Benton and State of Missouri; that said bridge may be constructed for railway, wagon, and postal service, with single or double track for railway traffic, and which shall be under the conditions and limitations hereinafter specified. Springfield, Sedalia, Marshall and Northern Railroad Company may bridge Osage River between Warsaw and mouth of Turkey Creek, Mo. Railway and wagon bridge.

SEC. 2. That said bridge shall not interfere with the free navigation of said river beyond what may be necessary to carry into effect the rights and privileges herein granted, and in case of any litigation arising under the provisions of this act such litigation may be tried and Unobstructed navigation. Litigation.

determined by the circuit court of the United States within whose jurisdiction said bridge is located.

Construction.

SEC. 3. That the bridge hereby authorized to be constructed must be constructed as a high bridge, with unbroken and continuous spans, having at least one channel span of not less than four hundred feet clear channel way and all other spans over the water way to have a clear channel way of not less than three hundred feet, and all spans shall have a clear headroom of not less than fifty feet above high water mark.

Spans.

Lawful structure and post route.

SEC. 4. That any bridge constructed under this act shall be a lawful structure and shall be known as a post road, and the same is hereby declared to be a post road, over which no higher charge shall be made for the transmission of mails, troops and munitions of war of the Government of the United States or for passengers or freight passing over the same than the rate per mile charged for their transportation over the rail road or public highways leading to the said bridge; and equal privileges in the use of said bridge shall be granted to all telegraph companies. The United States shall have also the right of way over said bridge for postal-telegraph purposes.

Postal telegraph.

Use by other companies.

SEC. 5. That all railway companies desiring to use said bridge shall be entitled to equal rights and privileges in using the same, including the machinery and fixtures thereto belonging, and also the approaches thereto, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest, in case the parties in interest shall not be able to agree upon such terms and conditions.

Terms.

Secretary of War to approve plans, etc.

SEC. 6. That the said railway company before entering upon the construction of said bridge, shall submit to the Secretary of War plans and drawings of said structure, together with a map of the location thereof for one mile above and one mile below said location, giving the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current of said river at all stages of the water, showing also the bed of the river and the channel, with such other and further information as the Secretary of War may require; which said drawings and other information aforesaid shall be examined by him, and if he shall approve the same he shall so notify the said railway Company of such approval; and thereupon said company may proceed to the erection of said bridge. The Secretary of War may make such alterations in such plans as he may deem necessary to the better protection of navigation, and such alterations shall be adopted by the said railway company. The said railway company may at any time make any alterations deemed advisable to be made in said bridge, but must first submit such proposed alterations to the Secretary of War, and his approval shall be first had before they shall be authorized or made.

Alterations.

Aids to navigation.

SEC. 7. That the said bridge herein authorized to be constructed shall be so kept and managed, at all times, as to afford proper means and ways for the passage of vessels, barges, or rafts under it both by day and night. There shall be displayed on said bridge, from sunset to sunrise, such lights and signals as may be directed by the Light-House Board, and such changes may be made from time to time in the structure of said bridge as the Secretary of War may direct, at the expense of said railway, in order the more effectually to preserve the free navigation of said river, or the said structure shall be altogether removed if in the judgment of the Secretary of War the public good may require such removal, and without expense or charge to the United States.

Lights, etc.

Commencement and completion.

SEC. 8. 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.

Amendment, etc.

SEC. 9. That the right to alter, amend, or repeal this act is hereby especially reserved.

Approved, May 12, 1892.