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Lawful structures and post routes.

SEC. 2. That the bridges constructed under this act and according to its limitations shall be lawful structures and shall be known as post routes, and the same are hereby declared to be post routes, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, freight, and the munitions of war of the United States than the rate per mile paid for their transportation over the railroads and public highways leading to said bridges; and equal privileges in the use of said bridges shall be granted to all telegraph companies, and the United States shall have the right of way for postal-telegraph purposes across said bridges.

Postal telegraph.

Use by other companies.

SEC. 3. That all railway companies desiring to use said bridges shall have, and be entitled to, equal rights and privileges in the passage of the same and in the use of the machinery and fixtures thereof and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in case they shall not agree.

Terms.

Amendment, etc.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Commencement and completion.

SEC. 5. That if actual construction of the bridges herein authorized shall not be commenced within two years from the passage of this act and be completed in four years from the same date, the rights and privileges hereby granted shall cease and be determined.

Approved, June 21, 1892.

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June 22, 1892.

**CHAP. 124.**—An act to authorize the construction of a bridge across the Missouri River at the city of Yankton, South Dakota.

Yankton Bridge Company may bridge Missouri River at Yankton, S. Dak.

*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 Yankton Bridge Company, a corporation organized for that purpose under the general corporation laws of the State of South Dakota, or its assigns, to construct, under and subject to the conditions and limitations hereafter provided, a combined railroad, wagon, and foot-passenger bridge across the Missouri River, at the city of Yankton, South Dakota, and lay on and over said bridge railway tracks for the more perfect connection of any and all railways that now are, or which may hereafter be, constructed to the Missouri River at the city of Yankton, or to the river on the opposite side of the same, near the city of Yankton, and build, erect, and lay on and over said bridge ways for wagons, vehicles of all kinds, and for the transit of animals, and to provide ways for foot passengers, and to maintain and operate said bridge for the purposes aforesaid; and that when said bridge is constructed all trains of railroads terminating at said river, and on the opposite side thereof, at the city of Yankton, South Dakota, shall be allowed to cross said bridge for reasonable compensation to be made to the owners of the same; and if the amount of said compensation can not be agreed upon by the parties the same shall be fixed by the Secretary of War. The owners of said bridge may also charge and receive reasonable compensation or tolls for the transit over said bridge of all wagons, carriages, vehicles, animals, and foot passengers: *Provided*, That the Secretary of War may at any time prescribe such rules, regulations, and rates of toll for transit and transportation over said bridge as may be deemed proper and reasonable.

Railway, wagon, and foot bridge.

Use by railroads.

Terms.

Tolls.

*Proviso.*

Rules, etc.

Construction.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the corporation building the same, be built as a draw-bridge, or with unbroken or continuous spans: *Provided*, That if the same shall be made of unbroken continuous spans, it shall not be in any case of less elevation than fifty feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure, with straight girders; nor shall the spans of said bridge be less than three hundred feet in the clear at low-water mark; and the

*Provisos.*

Spans.

piers of said bridge shall be parallel with the current of the river at high water, and the main spans shall be over the main channels of the river: *And provided also*, That if a bridge shall be built under this act as a drawbridge the same shall be constructed as a pivot drawbridge, with one or more draws, as the Secretary of War may prescribe, and with spans of not less than two hundred feet in length in the clear on each side of the central or pivot piers of the draws, and the next adjoining spans over the river to the draws shall not be less than two hundred and fifty feet in the clear, measured at low water; and said spans shall not be less than ten feet above extreme high-water mark, measuring to the lowest part of the superstructure of the bridge; and the piers of said bridge shall be parallel with the current of the river at high water: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, without unnecessary delay; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe, and such sheer booms or other structures as may be necessary to safely guide vessels, rafts, or other water craft safely through said channel spans or draw openings, and as shall be designated and required by the Secretary of War: *And provided further*, That the corporation building said bridge may, subject to the approval of the Secretary of War, enter upon the banks of said river, either above or below the point of location of said bridge, and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said object, but shall not impede or obstruct the navigation of said river, and shall be liable in damages for all injuries to private property, and all plans for such works or erections upon the banks of the river shall first be submitted to the Secretary of War for his approval: *And provided further*, That any bridge built under the provisions of this act shall be at right angles to the current of the river at high water.

Draw.

Opening draw.

Lights, etc.

Channel may be made.

SEC. 3. That 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 no bridge shall be commenced or built under this act until the location thereof and the plans and specifications for its construction shall have been submitted to and approved by the Secretary of War; and any change in the plan of such construction or any alteration in the bridge after its construction shall be subject to the like approval; and whenever said bridge shall, in the opinion of the Secretary of War, substantially obstruct the free navigation of said river, 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, or the persons operating or controlling the same; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of the Missouri River, at or near the crossing of said bridge, caused or alleged to be caused thereby, the cause shall be commenced and tried in the circuit courts of the United States of either judicial district of South Dakota or Nebraska in which the said bridge or any portion of such obstruction touches.

Unobstructed navigation.

Secretary of War to approve plans, etc.

Alterations.

Litigation.

SEC. 4. That any bridge built 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 munitions of war of the United States than the rate per mile paid for their transportation over the railroad or public highways leading to such bridge. The United States shall also have the right to construct, without charge therefor, telegraph or telephone lines across said bridge.

Lawful structure and post route.

SEC. 5. That Congress may at any time alter, amend, or repeal this act.

Amendment, etc.

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 two years, and completed within four years from the date hereof.

Approved, June 22, 1892.

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June 22, 1892.

**CHAP. 125.**—An act authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Texas.

Continental Bridge Company may bridge Rio Grande del Norte at Brownsville, Tex.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Continental Bridge Company, by and with the consent of the Government of Mexico, is hereby authorized and empowered to erect, construct, maintain, and operate a bridge over the Rio Grande del Norte from or near Brownsville, in the State of Texas, to or near the city of Matamoras, in Mexico. Said bridge shall be constructed to provide for the passage of railway trains and street railways and for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

Railway, etc., bridge.

Toll.

Lawful structure and post route.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post route, and it shall enjoy the rights and privileges of other post roads of the United States.

Draw.

SEC. 3. That said bridge shall be constructed with a draw of sufficient capacity to afford free passage to such vessels and boats as navigate said river: *Provided*, That said bridge shall be opened promptly upon reasonable signal for the passage of boats and other water craft, except when trains are passing over the draw; but in no case shall unnecessary delay occur in opening the draw after the passage of trains, or at any other time; and the said Continental Bridge Company shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the United States Light-House Board shall prescribe. And no bridge shall be erected and 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 such 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 of said bridge. And in case of any obstruction or alleged obstruction to the navigation of said river, caused or alleged to be caused by said bridge, any action arising thereon may be brought in the circuit court of the United States 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 rivers, or to exempt this bridge from the operation of the same.

*Provisos.*

Opening draw.

Lights, etc.

Changes.

Litigation.

General laws not modified.

Secretary of War to approve plans, etc.

SEC. 4. That any bridge authorized to be constructed under 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 the said corporation shall, at least three months previous to the commencement of the construction of said bridge, submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge, and a map of the location, 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 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