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CHAP. 240.—An Act To authorize the construction by the Duluth and North Dakota Railroad Company of two bridges across the Red River of the North between the States of Minnesota and North Dakota.

February 17, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Duluth and North Dakota Railroad Company, a corporation duly created and existing under the law of the State of North Dakota, its successors or assigns, be, and it is hereby, authorized to construct and maintain a bridge and approaches thereto across the Red River of the North at two points on said river, as follows:

Duluth and North Dakota Railroad Company may bridge Red River of the North, North Dakota.

One of said bridges shall be located at or near Grand Forks, in the county of Grand Forks and State of North Dakota, and the other of said bridges shall be located at or near Acton, in Walsh County, or at or near Drayton, in Pembina County, both in North Dakota, or at some convenient point between said towns. Said bridges shall be constructed to provide for the passage of railway trains, and, at the option of said corporation, may be so constructed as to provide for the passage of wagons and vehicles of all kinds, animals, and foot passengers, for such reasonable rates of toll as may be approved by the Secretary of War.

Location.

Railway, etc., bridge.

SEC. 2. That the bridges herein authorized shall be built and located under and in accordance with such regulations for the security of navigation 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 showing the plan and location of said bridges; said drawings to give for the space of one-half mile above and one-half mile below 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, soundings accurately showing the bed of the stream, and such other information as may be required for a full and satisfactory understanding of the subject; and until the plan and location of the bridges are approved by the Secretary of War the bridges shall not be commenced or built; and any change in the plans of said bridges, either before or after construction, shall be subject to the approval of the Secretary of War; and any change in said bridges during or after construction which the Secretary of War may require in the interest of navigation shall be made by the said company at its own expense.

Secretary of War to approve plans, etc.

Changes.

SEC. 3. That the said bridges shall at all times be so kept and managed as to offer reasonable and proper means for the passage of vessels and other crafts through or under said structures; and if said bridges be built as drawbridges the draws shall be opened promptly upon reasonable signal for the passage of boats or other crafts; and whatever kind of bridge is constructed the said company shall maintain at its own expense, from sunset to sunrise, such lights or other signals on said bridges as the Light-House Board shall prescribe.

Aids to navigation.

Draws.

Lights, etc.

SEC. 4. 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, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops and munitions of war of the United States, or passengers or freight over said bridge than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge; and it shall enjoy the rights and privileges of other post roads of the United States; and equal privileges in the use of said bridges shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridges and their approaches for said postal telegraph purposes.

Lawful structure and post route.

Postal telegraph.

SEC. 5. That all railroad companies desiring the use of said bridges and their approaches shall have and be entitled to equal rights and privileges relative to the passage of trains over the same upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridges and the several railroad companies, or any of

Use by railroad companies.

Compensation.

them, desiring such use shall fail to agree upon the sum or sums to be paid, or upon rules and conditions to which each shall conform in using said bridges and approaches, 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.

Commencement and completion.

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 hereof: *Provided*, That the commencement and completion of either of said bridges in accordance with this Act shall be deemed a compliance with this section, as to such bridge, and the rights of said company with respect to such bridge, shall not be affected by failure to commence or complete the other of said bridges.

Proviso. Separate liability of each bridge.

Amendment, etc.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 17, 1897.

February 17, 1897.

CHAP. 241.—An Act To enable certain persons in the State of Mississippi to procure title to public lands.

Mississippi. Purchasers of swamp lands on grant to Mobile and Ohio Railroad given preference to enter same.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who, prior to January nineteenth, eighteen hundred and ninety-five, purchased in good faith from the State of Mississippi any lands within the six miles or granted limits of the Mobile and Ohio Railroad, and which lands were included in approved swamp-land list numbered seven, Augusta series, their heirs or assigns, shall have the preference right for one year from the passage of this Act to enter under the homestead laws of the United States not exceeding one hundred and sixty acres of the lands so purchased by them from the State of Mississippi and to purchase not exceeding one hundred and sixty acres additional of such lands at one dollar and twenty-five cents per acre, or, if they elect not to avail themselves of the homestead law, to purchase three hundred and twenty acres of such land: *Provided, however*, That this Act shall not affect the rights of homestead claimants who, between the sixteenth day of February, eighteen hundred and ninety-five, and the twenty-seventh day of May, eighteen hundred and ninety-six, made settlements and entries or filed with the local land officers applications to enter in good faith, under the homestead laws, any of the lands included in the provisions of this Act not occupied or actually and substantially improved by such purchasers from the State.

Proviso. Rights of homestead claimants.

Purchasers at tax sales.

SEC. 2. That all persons who have legally purchased any of the lands aforesaid at tax sales shall be considered assigns within the meaning of this Act.

Approved, February 17, 1897.

February 17, 1897.

CHAP. 242.—An Act To amend an Act entitled "An Act to authorize the Chattanooga Western Railway Company to construct a bridge across the Tennessee River near Chattanooga," giving the said company more time in which to begin and complete said bridge.

Bridge across Tennessee River at Chattanooga, Tenn. Vol. 28, p. 30.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of an Act entitled "An Act to authorize the Chattanooga Western Railway Company to construct a bridge across the Tennessee River near Chattanooga," approved January twenty-seventh, eighteen hundred and ninety-four, be, and the same is hereby, amended to read as follows:

Time extended for construction.

"SEC. 5. That the right to alter, amend, or repeal this Act is hereby expressly reserved; and any alterations or changes that may be required by Congress in the bridge constructed under this Act, or its entire