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after completion such change shall be subject to the approval of the Secretary of War.

Amendment.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this Act at any time; and that if at any time navigation of said river shall in any manner be obstructed or impaired by the said bridge the Secretary of War shall have authority, and it shall be his duty, to require the said bridge company to alter and change the said bridge at its own expense in such manner as may be proper to secure free and complete navigation without impediment.

Changes.
—expense.

Draw.

SEC. 4. That the draw of the bridge herein authorized to be constructed shall be opened promptly upon reasonable signal for the passing of boats; 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.

Lights.

Railroads.
—equal rights to use of bridge.

SEC. 5. That all railroad companies desiring the use of any railroad bridge constructed under this Act shall have equal rights and privileges relative to the passage of trains and cars over the same and over the approaches thereto upon payment of a reasonable compensation for such use, and in case of any disagreement between the owners of the bridge and any railroad company desiring its use, regarding the compensation to be paid or the conditions to be observed, all matters at issue shall be decided by the Secretary of War after a proper hearing; and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the bridge herein authorized shall not be commenced within one year from the passage of this Act, and be completed within three years from same date, the rights and privileges hereby granted shall cease and be determined.

—disagreement with owner of bridge.

Telegraph, etc., companies.

Commencement and completion.

Approved, June 29, 1898.

June 29, 1898.

CHAP. 536.—An Act To designate Gladstone, Michigan, a subport of entry.

Gladstone, Mich., made subport of entry.
R. S., sec. 2599, p. 514.
Immediate transportation.
Vol. 27, p. 12.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Gladstone, in the State of Michigan, be, and the same hereby is, designated a subport of entry in the customs collection district of Superior, and that the privileges of immediate transportation of dutiable merchandise without appraisement, as defined by the Act of June tenth, eighteen hundred and eighty, entitled "An Act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to said subport.

Approved, June 29, 1898.

June 29, 1898.

CHAP. 537.—An Act To provide for the construction of a bridge across Niagara River.

Niagara River.
Construction of bridge across.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress be, and the same hereby is, given to the company or corporation organized under chapter four hundred and eighty-two of the laws of the State of New York, passed in the year eighteen hundred and ninety-two, as amended by chapter five hundred and six of the laws of said State, passed in the year eighteen hundred and ninety-three, which act as so amended is entitled "An Act to incorporate the Niagara River Bridge and Tunnel Company," or any Act or Acts amendatory thereof or supplementary thereto, to erect a bridge across the Niagara River, or either or both branches thereof, where the same separates to form Grand Island, at and from some point to be approved by the Secretary of War on the right or easterly bank of said river between the east line of lot

Location.

numbered forty-six of the Mile Reserve (so called), in the county of Niagara and State of New York, and a point opposite the head of Grand Island, in the county of Erie, to some point in Canada on the left or westerly bank of said river, which said bridge may be used for railroad and general traffic purposes, as provided in said laws of the State of New York: *Provided*, That from Grand Island to the main shore or easterly bank of the Niagara River there shall be constructed as a part of any bridge to be built and maintained a convenient passageway, with proper and suitable approaches thereto, for vehicles, teams, and foot passengers, who shall be entitled to use such passageway on the payment of tolls or charges as may be fixed and from time to time revised by the Secretary of War of the United States.

Proviso. Passageway from Grand Island to eastern shore, etc.

SEC. 2. That any bridge which may be erected under the authority of this Act shall be so located and constructed that the channels of said Niagara River shall not be unreasonably obstructed, and shall have two draw or pivot spans opening in the clear on each side of the pivot piers in such manner that one or both of the openings of said draw or pivot spans can be conveniently reached and passed by boats pursuing the ordinary channels of said river. The Secretary of War is hereby directed to form a board, consisting of one engineer officer of the United States Army, one line officer of the United States Navy, and one officer of the United States Coast and Geodetic Survey, who shall, after examining the locality and giving full hearings to the parties interested, recommend to the Secretary of War the width of said draw or pivot spans authorized by this Act, and the assent of Congress is hereby given to the recommendation of said board, when approved by the Secretary of War.

Obstruction of channel.

Draw or pivot spans.

Board to determine width of.

SEC. 3. That the height at which such bridge shall be constructed above the surface of the river shall be such as may be approved by the Secretary of War.

Height of bridge.

SEC. 4. That any and all draw or pivot spans authorized by this Act shall be operated by steam or electric power, or other reliable mechanical power, and shall be operated and opened promptly upon reasonable signals for the passage of boats, and in accordance with such regulations as may be prescribed in the premises by the Secretary of War.

Operation of draw.

SEC. 5. That the piers upon which said bridge is built shall be parallel with the current of the river, and so constructed as to avoid producing cross currents or bars dangerous to navigation; and if after their construction any piers are found to produce any of the above-mentioned effects, the same shall be changed and corrected by or at the expense of the corporation owning or operating said bridge, under the advice and direction of the Secretary of War.

Position of piers, etc.

SEC. 6. That it shall be the duty of the corporation erecting or operating a bridge under the provisions of this Act, to maintain, at its own expense, such lights or other signals on the bridge as may be required or prescribed by the Light-House Board for the security of navigation.

Lights.

SEC. 7. That any bridge constructed under this Act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post route, over which the mails, troops, and munitions of war of the United States may be transported at no higher charge than is made for transportation of such mails, troops, and munitions of war over railroads and public highways leading to said bridge; and the United States shall have the right of way for postal telegraph lines and appliances across said bridge, and all telegraph and telephone companies shall have equal rights and privileges in constructing and maintaining their lines across said bridge.

Lawful structure and post route.

Telegraph, etc. lines.

SEC. 8. That before commencing work on any bridge contemplated or authorized by this Act it shall be the duty of the company or corporation about to construct the same to submit to the Secretary of War for his examination and approval a design and drawing, including plans and specifications, of the bridge and piers and a map of the location, giving for the space of one-half mile above and one-half mile below the proposed location the topography of the bank of the river, the shore

Secretary of War to approve plans.

lines at high and low water, the direction and velocity of the current, and soundings showing accurately the bed of the stream, and such other and further information as the Secretary of War may require for a full and satisfactory understanding of the subject, and until said approval the construction of said bridge shall not be commenced.

—may appoint board to supervise construction.

SEC. 9. That the Secretary of War may, in his discretion, appoint one or more army engineers as a board to supervise and personally examine the construction of said bridge, and that the proposed bridge shall only be a lawful structure when built as approved by the Secretary of War, who shall have authority, by and with the advice of the

—changes

engineers detailed by him as provided in the last section, to order such change in the construction, appliances, or location as he may deem necessary for the convenience of navigation.

Litigation.

SEC. 10. That in case of any litigation from any obstruction or alleged obstruction to navigation created by the construction of any bridge under this Act the cause or question arising may be heard by the district or circuit court of the United States in and for the northern district of

Proviso.
Existing navigation laws unaffected.

New York: *Provided*, 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 exempt this bridge from the operation of the same.

State and municipal laws.

SEC. 11. That the laws of the State of New York and the municipal laws and ordinances of any city or village in or from which said bridge may be constructed may be enforced on said bridge with the same force and effect as though said bridge was a public street or highway in said State or such city or village.

Amendment.
Changes in plans.

SEC. 12. That the right to alter, amend, or repeal this Act is hereby expressly reserved; and if any change be made in the plan of the bridge constructed under this Act during the progress of the work thereon or after the completion thereof, such change shall be subject to the

—approval.

approval of the Secretary of War; and any change in the construction or any alteration of the bridge or the removal thereof or of any obstruction that may be directed at any time by Congress or the Secretary

—expense.

of War shall be made at the cost and expense of the owners of said bridge.

Railroads.

SEC. 13. That all railroad and street railway companies desiring the

—equal rights to use.

use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains and street cars over the same and over the approaches thereto, upon payment of a reasonable

—disagreements of with owner of bridge.

compensation for such use; and in case the owner or owners of said bridge and the several companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid and upon rules and conditions to which each shall conform in using said bridge all matters at issue between them shall be decided by the Secretary of War, upon

Proviso.
—subjection to interstate commerce laws.

a hearing of the allegations and proof of the parties: *Provided*, That each and every railway company using the said bridge that shall carry or transport any passengers, goods, merchandise, or other personal property over the same from any part of the United States to be delivered in any other part of the United States shall in the carriage, transportation, and delivery of such passengers, goods, merchandise, or other property be subject to and comply with the laws known as the interstate-commerce laws of the United States and to all such regulations as may be prescribed under or by the authority of such laws.

Commencement and completion.

SEC. 14. 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 of approval hereof.

Approved, June 29, 1898.