

**CHAP. 355.**—An act regulating appeals from the supreme court of the District of Columbia and the supreme courts of the several Territories. March 3, 1885.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no appeal or writ of error shall hereafter be allowed from any judgement or decree in any suit at law or in equity in the supreme court of the District of Columbia, or in the supreme court of any of the Territories of the United States, unless the matter in dispute, exclusive of costs, shall exceed the sum of five thousand dollars.

Appeals or writs of error from judgments, etc., of supreme court, District of Columbia; or of a Territory, not allowed unless amount involved be more than \$5,000.

SEC 2. That the preceding section shall not apply to any case wherein is involved the validity of any patent or copy-right, or in which is drawn in question the validity of a treaty or statute of or an authority exercised under the United States; but in all such cases an appeal or writ of error may be brought without regard to the sum or value in dispute.

Not to apply to cases involving validity of patent or copyright, treaty, statute, or authority exercised under United States.

Approved, March 3d, 1885.

**CHAP. 356.**—An act to authorize the construction of a bridge across the Mississippi River at Rock Island, Illinois, and Davenport, Iowa, and to establish it as a post-route. March 3, 1885.

*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 Davenport and Rock Island Bridge Company, a corporation duly created and organized under the laws of the State of Iowa, to build a bridge across the Mississippi River at Rock Island, Illinois, and Davenport, Iowa, as may accommodate the Moline, Rock Island and Southern Railroad, a corporation duly organized under the laws of the State of Illinois, on the east side of said river, and the Davenport, Iowa and Dakota Railroad, a corporation created under the laws of the State of Iowa, on the west side of said river, and for the accommodation of any railroads that are or may hereafter be built, and to lay over said bridge a railroad track for the more perfect connection of any railroad or railroads that are or may be constructed to the said river, on either side thereof, at or opposite said point, under the limitations and provisions hereinafter provided: *Provided,* That Congress may at any time prescribe such rules and regulations in regard to toll and otherwise as may be deemed reasonable.

Davenport and Rock Island Bridge Company to construct bridge across the Mississippi River at Rock Island, Ill., and Davenport, Iowa.

SEC. 2. That said bridge shall be built with a draw, so as not to impede the navigation of said river; said draw shall be a pivot-draw, over the channel of said river usually navigated, and with spans giving a clear width of water-way of not less than two hundred feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans shall give a clear width of water-way of not less than three hundred feet, and said spans shall not be less than three hundred feet, and said spans shall not be less than ten feet above extreme high-water mark and not less than thirty feet above low-water mark, measured to the bottom chord of the bridge, and the piers of said bridge shall, as nearly as practicable, be parallel with the current of said river: *Provided,* That said draw shall always be opened promptly upon reasonable signal; and said company, or its successors and assigns, shall at all proper times keep and maintain all proper lights on said bridge during nights, so that its presence may always be noticed by vessels and craft navigating the channel of said river. And all plans for the construction of said bridge and approaches thereto must first be submitted to the Secretary of War for his approval, and when the same shall be approved by said Secretary the work thereon may be commenced and prosecuted to completion: *And provided further,* That said bridge shall be constructed with such aids to the passage of said bridge, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of

*Proviso.*  
Toll.

Draw.

*Proviso.*  
Signals.

Lights.

Plans, etc., to be approved by Secretary of War.

*Proviso.*  
Aids to passage of bridge.

water to a permanent channel and for the guiding of rafts, steamboats, and other water-craft safely through the draw and raft spans, as the Secretary of War shall prescribe and order, to be constructed and maintained at the expense of the company owning said bridge: *And provided further*, That said bridge shall, as nearly as may be, be constructed at right angles with said river or the current thereof: *And provided further*, That any change in the mode of construction of said bridge shall be first submitted to the said Secretary for his approval, and when approved the said company may then proceed with the construction according to said change: *And provided further*, That if said bridge, when constructed, shall, in the opinion of the Secretary of War, be a substantial obstruction to the navigation of said river, the said Secretary shall require said company to change the construction thereof so as to avoid any serious and substantial obstruction to the navigation of said river, at the expense of the owners of said bridge.

*Proviso.*  
To be at right angles with current.

*Proviso.*  
Changes in construction.

*Proviso.*  
Free navigation to be preserved.

Post-route, and a lawful structure.

All railroad companies accorded equal rights.

Secretary of War to decide in case of disagreement as to amount to be paid.

*Proviso.*

Subject to limitations of act to construct bridge at Clinton, Iowa. 1872, vol. 17, ch. 73, p. 44.

Specified rights of the United States reserved.

SEC. 3. That the bridge hereby authorized shall be a lawful structure, and shall be a post-route, upon which no higher charge shall be made for the transportation of the mails of the United States, and the troops and munitions of war, or for passengers or freight passing over said bridge, than the rate per mile paid to railroads and transportation companies leading to said bridge.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon payment of reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one 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 a hearing of the allegations and proofs of the parties: *Provided*, That the provisions of section three in regard to charges for passengers and freight across said bridge shall not govern the Secretary of War in determining any question arising as to the sum or sums to be paid to the owners of said bridge by said companies for the use of said bridge.

SEC. 5. That this act shall be subject, except as above mentioned, to the limitations and provisions of an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near the town of Clinton, in the State of Iowa, and other bridges across said river, and to establish them as post-roads." approved April first, eighteen hundred and seventy-two.

SEC. 6. 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 its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

Approved, March 3, 1885.

March 3, 1885.

CHAP. 357.—An act to increase the salary of the clerk of the Court of Alabama Claims

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the salary of the clerk of the Court of Commissioners, of Alabama Claims shall hereafter be at the rate of four thousand four hundred dollars per annum,  
Salary increased.

Approved, March 3d, 1885.