

Not applicable to lands settled since Dec. 1, 1882. patents therefor: *Provided further*, That this section shall not apply to lands settled upon subsequent to the first day of December, eighteen hundred and eighty-two, by persons claiming to enter the same under the settlement laws of the United States, as to which lands the parties claiming the same as aforesaid shall be entitled to prove up and enter as in other like cases.

Purchaser of lands sold for taxes to have prior right to purchase. SEC. 6. That where any such lands have been sold and conveyed, as the property of any railroad company, for the State and county taxes thereon, and the grant to such company has been thereafter forfeited, the purchaser thereof shall have the prior right, which shall continue for one year from the approval of this act, and no longer, to purchase such lands from the United States at the Government price, and patents for such lands shall thereupon issue. *Provided*, That said lands were not, previous to or at the time of the taking effect of such grant, in the possession of or subject to the right of any actual settler.

Actual settlers. Limitation of lands conveyed. SEC. 7. That no more lands shall be certified or conveyed to any State or to any corporation or individual, for the benefit of either of the companies herein mentioned, where it shall appear to the Secretary of the Interior that such transfers may create an excess over the quantity of lands to which such State corporation or individual would be rightfully entitled.

Approved, March 3, 1887.

Mar. 3, 1887.

CHAP. 377.—An act authorizing the construction of a bridge over the Tennessee River at or near Sheffield, Alabama, and for other purposes.

Sheffield Land, Iron and Coal Co., authorized to bridge Tennessee River, Ala. *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 Sheffield Land, Iron and Coal Company of Alabama, a corporation duly and legally incorporated under the laws of the State of Alabama, its successors or assigns, to construct and maintain a bridge over the Tennessee River at or near Sheffield, Alabama. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom it may be built, may be used 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, wagon, and foot bridge. To be a 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, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, or passengers or freight passing over said bridge, than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States.

Draw. SEC. 3. That the said bridge shall be constructed as a draw-bridge; the draw or pivot-pier shall be at such a point in the channel of the river as the Secretary of War may direct, and the opening or passage-way of said draw-pier shall be so protected and arranged that water-craft can be worked through it at any and all times; and the draw-span shall not be of less width than the widest draw-spans connected with any bridge on the Tennessee River, and the lowest point of said draw-span shall be as high above the water as the highest draw-span connected with any bridge over the Tennessee River, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river: *Provided also*, That said draw 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. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially

Provisos. Opening draw.

Lights. Not to obstruct navigation.

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 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; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river caused or alleged to be caused by said bridge, the cause may be brought in the district court of the United States of the State of Alabama, 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.

Changes.

Litigation.

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 over the same, and over the approaches thereto, upon payment of a 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.

Other companies may use.

Compensation.

Secretary of War to decide disagreements.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located 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 company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge, and a map of the location, giving, for the space of one mile above and one 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 currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War, the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.

Secretary of War to approve plans, etc.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, March 3, 1887.

CHAP. 378.—An act to amend sections five thousand one hundred and ninety-one and five thousand one hundred and ninety-two of the Revised Statutes of the United States, and for other purposes.

Mar. 3, 1887.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever three-fourths in number of the national banks located in any city of the United States having a population of fifty thousand people shall make application to the Comptroller of the Currency, in writing, asking that the name of the city in which such banks are located shall be added to the cities named in sections, fifty-one hundred and ninety-one and fifty-one hundred and ninety-two of the Revised Statutes, the Comptroller shall have authority to grant such request, and every bank located in such city shall at all times thereafter have on hand, in lawful money of the United States, an amount equal to at least twenty-five per centum of its deposits, as

Cities having 50,000 population may be added to "reserve" cities.

R. S., secs. 5191, 5192, p. 1004.