

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 hearing of the allegations and proofs of the parties: *Provided*, That the provisions of section two 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.

Secretary of War to decide disagreements as to terms, etc.

Proviso.

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.

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

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said 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.

Right to amend, etc., reserved.

Approved, May 17, 1886.

CHAP. 354.—An act granting to the Gainesville and Chickasaw Bridge Company the consent of the United States to construct and maintain a bridge over Red River at or near Brown's Ferry, in Cooke County, Texas.

May 17, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to the Gainesville and Chickasaw Bridge Company, a corporation created under the laws of Texas by charter filed January twenty-fourth, eighteen hundred and eighty-five, is granted the consent of the Government to construct and maintain for ninety years a bridge, and approaches thereto, over Red River, at or within three miles of Brown's Ferry, in Cooke County, Texas, to be used for the passage of foot-passengers, animals, and vehicles of all kinds, for reasonable rates of toll, to be approved from time to time by the Secretary of War.

Gainesville and Chickasaw Bridge Company authorized to build a wagon and foot-bridge over the Red River at Brown's Ferry, Tex.

Tolls.

SEC. 2. That the right herein granted shall be void unless said bridge is constructed within four years from the passage of this act.

To be built within four years.

SEC. 3. That the bridge constructed under this act shall be a lawful structure, and shall be known and recognized as a post-route; and the same is hereby declared to be 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 than other persons pay for like transportation; and the United States shall have the right of way for a postal telegraph across said bridge: *Provided*, That before this act shall take effect said company shall submit to the Secretary of War the plans and specifications of said bridge, showing the proposed location and structure contemplated, and that it shall be decided by the Secretary that said bridge does not and will not ob-

To be a lawful structure and post-route.

Provisos.

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

Right to amend,
etc., reserved.
Free navigation
not to be obstruct-
ed.

struct or impair the navigation of said Red River: *Provided further*, That Congress reserves the right to alter, amend, or repeal this act at any time; and that if at any time navigation of the 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 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; and if upon reasonable notice to said company to make such change or improvements the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company, and all rights conferred by this act shall be forfeited; and Congress shall have power to do any and all things necessary to secure the free navigation of the river.

Approved, May 17, 1886.

May 17, 1886.

CHAP. 355.—An act to authorize the construction of a bridge across the Missouri River at some accessible point within two miles north and two miles south of the city of Atchison, in the county of Atchison, in the State of Kansas.

Atchison Bridge
Company author-
ized to build a rail-
road and wagon
bridge across the
Missouri River at
Atchison, Kans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atchison Bridge Company, an incorporation organized under the laws of the State of Kansas, is hereby authorized to construct and maintain a bridge across the Missouri River at such a point as may be hereafter selected by said corporation within two miles north and two miles south of the city of Atchison, in the county of Atchison, in the State of Kansas, as shall best promote the public convenience and welfare and the necessities of business and commerce; and also to construct accessory works to secure the best practicable channel-way for navigation and confine the flow of the water to a permanent channel at such point; and also to lay on and over said bridge a railway track for the more perfect connection of any railroads that are or shall be constructed to said river at or opposite said point; and said corporation may construct and maintain ways for wagons, carriages, and for foot-passengers, charging and receiving reasonable toll therefor as may be approved from time to time by the Secretary of War.

Tolls.

Plans, etc., to be
approved by Sec-
retary of War.

SEC. 2. That said bridge shall be constructed and built without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order 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 shorelines 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: *Provided*, That if the said bridge shall be made with unbroken continuous spans, it shall have three or more channel-spans and shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge; nor shall the spans of said bridge be less than three hundred feet in length, and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river, and not less than three hundred feet in length: *And provided also*, That if any bridge built under this act shall be constructed as a draw-bridge, the same shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an

Provisos.
Spans.

Draw.