

Feb. 28, 1887.

**CHAP. 282.**—An act to authorize the Secretary of War to credit the Territory of Dakota with certain sums for ordnance and ordnance stores issued to said Territory, and for other purposes.

Preamble.

Whereas, it appears from the records of the Ordnance Bureau of the War Department that the Territory of Dakota stands charged with the sum of twenty-seven thousand six hundred and fifty dollars for ordnance and ordnance stores issued to said Territory during the year eighteen hundred and sixty-seven, under the provisions of the act of Congress approved April seventh, eighteen hundred and sixty-six, entitled "An act to provide arms and ammunition for the defense of the inhabitants of Dakota Territory", all of said ordnance and ordnance stores having been drawn by the Territory of Dakota and used for the purpose of aiding the General Government in the protection of the borders of said Territory against Indian invasions and depredations; and

Vol. 14, p. 26.

Whereas said ordnance was issued to the inhabitants of said Territory as in said act directed, and all of the same has been lost and rendered useless in the service: Therefore,

Dakota to be credited amount due on ordnance account.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, directed to cause the Territory of Dakota to be credited on its ordnance account with the sum of twenty-seven thousand six hundred and fifty dollars, upon the delivery to the United States, at such place as the Secretary of War may direct, of all such arms and other ordnance stores remaining in the custody of said Territory of the issues thereof under said act.

Approved, February 28, 1887.

Feb. 28, 1887.

**CHAP. 283.**—An act to authorize the construction of a bridge across the Tennessee River at or near Chattanooga, Tennessee.

Memphis and Charleston Railroad Company authorized to bridge Tennessee River at Chattanooga, Tenn.

Railway, wagon, and foot bridge.

Tolls.

To be a lawful structure and post-route.

Postal telegraph.

Free navigation.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Memphis and Charleston Railroad Company, organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Tennessee River at or near Chattanooga, in the county of Hamilton, in said State. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which 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 reasonable rates or tolls, to be fixed by said company; and the Secretary of War shall have the right, from time to time, to revise, prescribe, and determine such rates or tolls.

**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, and it shall enjoy the rights and privileges of other post-roads in the United States. That the bridge authorized to be constructed under this act shall be a lawful structure and shall be recognized and known 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, troops, and munitions of war of the United States, or for through railway passengers or freight passing over said bridge, than the rate per mile for their transmission over the railroads leading to said bridge; and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes. That the said bridge shall be so constructed, either by draw, span, or otherwise, that a free and unobstructed passage may be secured to all water-craft navigating said river at the point aforesaid: *Provided,* That if said bridge authorized to be constructed under this act shall be con-

structed as a draw-bridge, the draw shall be opened promptly upon reasonable signals for the passage of boats or vessels; and said corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Secretary of War shall prescribe.

Draw. . . . .  
Lights. . . . .  
Other companies may use. . . . .  
Compensation. . . . .

SEC. 3. 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 the 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.

Secretary of War to decide terms.

SEC. 4. 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. 5. That the right to alter, amend, or repeal this act, so as to prevent or remove all material and substantial obstructions to the navigation of said river by the construction of the said bridge is hereby expressly reserved; and any alterations or changes that may be required by Congress in the bridge constructed under this act shall be made by the corporation owning or controlling the same, at its own expense. Furthermore, if the construction of said bridge shall not be commenced within two and completed within four years after the passage of this act, all privileges conferred hereby and this act shall become null and void.

Right to amend, etc., reserved.

Approved, February 28, 1887.

**CHAP. 284.**—An act granting the right of way to the Prescott and Arizona Central Railway Company across the Whipple Barracks Military Reservation, in Arizona.

Feb. 28, 1887.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Prescott and Arizona Central Railway Company, a corporation duly organized under the laws of the Territory of Arizona, are hereby granted the right of way, one hundred feet in width, for their said railroad across and through the Whipple Barracks Military Reservation, located in said Territory of Arizona, not to interfere with any buildings or improvements on said reservation, and the location of the line of said right of way to be subject to the approval of the Secretary of War.

Right of way to Prescott and Arizona Central Railway Company across Whipple Barracks Reservation, Ariz.

Approved, February 28, 1887.