

Amendment, etc.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this act; and the right of way herein and hereby granted shall not be assigned or transferred in any form whatever, prior to the construction and completion of the road, except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

Approved, May 14, 1888.

May 14, 1888.

CHAP. 249.—An act to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River, at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem acceptable.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Tennessee Midland Railway Company, a corporation created and organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain, for the purpose of running railway trains, a bridge and approaches thereto, over the the Tennessee River, at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, which said company may deem most acceptable.

Tennessee Midland
Railway Company
may bridge Tennessee
River, Tenn.

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 no higher charge shall be made for the transmissions over the same of the mails, troops, and the munitions of war of the United States passing over said bridge than the rate per mile paid for the transportation over the railroad leading to said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States. And equal privileges in the use of said bridge shall be granted to all telegraph companies; and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes.

Privileges to telegraph companies.

Draw.

SEC. 3. That the bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and the best navigable point and with spans of not less than one hundred and sixty feet in length in the clear on each side of the central or pivot pier of the draw, and said span shall be not less than ten feet above extreme high-water mark, measuring to the lowest part of the superstructure of the bridge, and the piers of said bridge shall be parallel to and the bridge itself at right angles to the current of the river at the average stage of water where said bridge may be erected: *Provided, also,* That in said bridge there shall be one span of not less than three hundred feet in length in the clear.

Proviso.

Span.

Opening draw.

Lights.

SEC. 4. That said draw shall be opened promptly by said company upon reasonable signal 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 as the Light-House Board shall prescribe, and no bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of the 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 case shall be brought in the district court of the United States of the State of Tennessee in whose jurisdiction any portion of said obstruction or bridge may be located.

Not to obstruct navigation.

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 may 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 drawing 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, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until 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 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 a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad 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 a hearing of the allegations and proofs of the parties.

Other companies may use.

Compensation decided by Secretary of War.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved without any liability of the United States on account of the alteration, amendment, or repeal of this act.

Amendment, etc.

SEC. 8. 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 of this act.

Commencement and completion.

Approved, May 14, 1888.

CHAP. 250.—An act to authorize the building of a railroad bridge at Little Rock, Arkansas.

May 14, 1888.

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 Little Rock Bridge and Terminal Railroad Company, a corporation organized under the laws of the State of Arkansas, to construct and maintain a bridge, and approaches thereto, over the Arkansas River, at a point on said river at or near the city of Little Rock, in the State of Arkansas, and to lay on and over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall hereafter be constructed to the said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; said bridge shall be constructed to provide for the passage of railway trains, and at the option of the builders and owners thereof, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals of all kinds, and for foot-passengers for such reasonable rates of toll as may be approved, from time to time, by the Secretary of War as to railway trains; and as to wagons, vehicles, animals, and foot-passengers, such rates as may be provided by the laws of Arkansas.

Little Rock Bridge and Terminal Railroad Company may bridge Arkansas River at Little Rock, Ark.

Railway, wagon, and foot bridge.

Tolls.

SEC. 2. That any bridge built under this act is 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

To be a lawful structure and post-route.