

of construction, such change shall be submitted to and subject to the approval of the Secretary of War.

SEC. 5. That the right to alter, amend, or repeal this act, is hereby expressly reserved; and any alterations or changes that may be required by the Secretary of War in the bridge constructed under this act, or its entire removal 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.

Amendment.

Commencement and completion.

Approved, August 9, 1888.

**CHAP. 821.**—An act to authorize the construction and maintenance of a railroad bridge by the Birmingham, Atlantic and Air Line Railroad, and Banking and Navigation Company across the Oconee River in Laurens County, State of Georgia.

August 9, 1888.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Birmingham, Atlantic and Air Line Railroad and Banking and Navigation Company, a corporation under the laws of Georgia, be, and said corporation is hereby, authorized and permitted to construct and maintain a railroad bridge across the Oconee River at or near the city of Dublin, in the county of Laurens, in the State of Georgia.

Birmingham, Atlantic and Air Line Railroad, etc., Company may bridge Oconee River at Dublin, Ga.

SEC. 2. That said bridge shall be constructed and built without material interference with the security and convenience of the 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 plan, design, and drawings of the bridge and a map of 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 construction of said bridge shall not be commenced: *Provided* that said bridge shall be built with draw spans giving eighty feet clear width at low water on either side of the pivot pier in main channel and that the draw shall be opened promptly upon reasonable signal for the passage of boats, barges and rafts, and in no case shall unnecessary delay occur; 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.

Secretary of War to approve plans, etc.

Proviso. Draw.

Lights.

SEC. 3. That the Secretary of War is authorized and directed, upon receiving such plan, map, and other information, upon being satisfied that the bridge built upon such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify said company or corporation that he approves the same; and upon receiving such notification said company or corporation may proceed to the erection of said bridge, conforming strictly to the approved plan and location; and should any change be made in the plan of the bridge or said accessory works during the progress of the work thereon, such change shall be likewise subject to the approval of the Secretary of War; 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,

Notification of approval.

Litigation.

the case may be brought in the circuit court of the United States within whose jurisdiction said bridge or any part thereof is located.

Lawful structure and post-route.

SEC. 4. That the said bridge and accessory works, when built and constructed under this act and according to the terms and limitations thereof, shall be lawful structures; and said bridge 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 for passengers and freight passing over said bridge, than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge, and said bridge shall enjoy the rights and privileges of other post-routes in the United States.

Postal telegraph.

SEC. 5. That the United States shall have the right of way for such postal-telegraph lines across said bridge as the Government may construct or control, and equal privileges in the use of said bridge shall be granted to all telegraph companies.

Use by other companies.

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: *Provided* that the provisions of section four 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.

Terms.

Proviso.  
Deciding terms.

Alterations.

SEC. 7. That the Secretary of War may at any time cause the owners of said bridge to alter the same so as to prevent or remove all material and substantial obstructions to the navigation of said river by the construction of said bridge and its accessory works; and the expense of altering said bridge or removing such obstruction, shall be borne by the owners of or persons controlling such bridge.

Commencement and completion.

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 thereof.

Approved, August 9, 1888.

August 9, 1888.

**CHAP. 822.**—An act authorizing the construction of a bridge across the Missouri River, at or near the city of Plattsmouth, Nebraska, and for other purposes.

Iowa and Nebraska Bridge Company may bridge Missouri River at Plattsmouth, Nebr.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Iowa and Nebraska Bridge Company, a corporation organized under the laws of the State of Nebraska, its successors or assigns, is hereby authorized to construct, maintain, and operate a bridge across the Missouri River, at or near the city of Plattsmouth, in the county of Cass and State of Nebraska, and at such point as may be hereafter selected by said corporation, its successors or assigns, and at least one-third of a mile from any other bridge, as shall best promote the public convenience and welfare, and the necessities of business and commerce, and also to construct and maintain the accessory works necessary to secure the best practicable channel-way for navigation and to confine the flow of water to a permanent channel at such point; and said corporation, its successors or assigns, shall construct and maintain ways

Location.