

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.

on said bridge for carriages, wagons, and foot-passengers, and may charge and receive such reasonable toll therefor as may be approved from time to time by the Secretary of War: *Provided*, That said bridge may be constructed, maintained, and used also for the safe and convenient passage of cable and street cars.

Wagon and foot bridge.

Proviso.
Street cars.

SEC. 2. That the plan and location of said bridge, with a detailed map of the river at the proposed site of the bridge and near thereto, exhibiting the depths and currents, shall be submitted to the Secretary of War, for his approval, and until he approve the plan and location of said bridge the construction shall not be commenced; but upon the approval of said plan by the Secretary of War, the said company or corporation may proceed to the construction of said bridge in conformity with said approved plan; and should any change be made in the plan of said bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

Secretary of War to approve plans, etc.

SEC. 3. 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, 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 of the United States; and Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge. The United States shall have the right of way for postal telegraph across said bridge, and equal privileges in the use of said bridge shall be granted to all telegraph companies: *Provided also*, That the said bridge may be used by all railroad companies for the passage of their cars over the same, upon such terms as may be fixed by said company or companies and the corporation owning or controlling said bridge, and if they cannot agree, then the charges for the use of said bridge by such other company or companies shall be established by the Secretary of War, after hearing the parties.

Lawful structure and post-route.

Postal telegraph.

Proviso.
Use by railroads.

Charges.

SEC. 4. That Congress reserves the right to alter, amend, or repeal this act at any time; and if at any time navigation of the said river shall, in the opinion of the Secretary of War, be in any manner obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said corporation, its successors or assigns, to alter and change the said bridge, at its or their own expense, in such manner as may be proper to secure free and complete navigation without impediments; and if upon reasonable notice to said incorporation, to make such changes or improvements the said corporation fails to do so, the Secretary of War shall have authority to make the same at the expense of said corporation, or to remove said bridge, the amount thereof to be recovered by the United States, by suit in the United States circuit court within whose jurisdiction the bridge or any part of it may lie, and all the 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 said river.

Amendment.

Changes.

Free navigation.

SEC. 5. That unless the construction of said bridge be commenced within one and completed within three years after the passage of this act, all privileges conferred hereby shall become null and void.

Commencement and completion.

Approved, August 9, 1888.