

the Cherokee Nation by the marshal of the district court for the Indian Territory; and that the costs of the said suits shall be apportioned between the United States and the other parties to such suits as to said court law and equity shall require. The Attorney-General shall designate and appoint from the Department of Justice a person who is competent to defend the said Cherokee Nation and the United States. And the said Shawnees, Delawares, and freedmen may be represented by attorneys and counsel. And the court is hereby authorized to decree the amount of compensation of such attorneys and counsel fees, not to exceed ten per centum of the amount recovered, and order the same to be paid to the attorneys and counsel of the said Shawnees, Delawares, and freedmen; and all judgments for any sum or sums of money which may be ordered or decreed by such court in favor of the Shawnees, Delawares, or freedmen, and against the Cherokee Nation, shall be enforced by the said court or courts against the said Cherokee Nation by execution mandamus, or in any other way which the said court may see fit.

Counsel.

Attorneys' fees.

Enforcement of judgments.

Shawnees may bring suit for moneys due from United States.

Proceedings, etc.

SEC. 4. That the said Shawnee Indians are hereby authorized and empowered to bring and begin a suit in law or equity against the United States Government, in the Court of Claims, to recover and collect from the United States Government any amount of money that in law or equity is due from the United States to said tribes in re-imbusement of their tribal fund for money wrongfully diverted therefrom. The right of appeal, jurisdiction of the court, process, procedure, and proceedings in the suit here provided for shall be as provided for in sections one, two, and three of this act.

Approved, October 1, 1890.

CHAP. 1250.—An act to authorize the construction of a bridge across the Missouri River at some accessible point in Boone County, in the State of Missouri.

October 1, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Chicago, Hannibal and Springfield Railroad Company, an incorporation organized under the laws of the State of Illinois, its assigns, or successors, is hereby authorized to construct and maintain a bridge across the Missouri River at such point as may be hereafter selected by said corporation between the towns of Providence and Rocheport, in the county of Boone, in the State of Missouri, 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 practical channel-way for navigation, and confine the flow of the water to a permanent channel at such point, and to lay on and over said bridge one or more railroad tracks for the more perfect connection of any railroads that are or shall be constructed to said river at or opposite said point.

Chicago, Hannibal and Springfield Railroad Company may bridge Missouri River between Providence and Rocheport, Mo.

Accessory works.

Railway bridge.

Free navigation.

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 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 high and low water lines upon the banks of the river, the direction and strength of the currents at all stages of the water, with the soundings accurately showing the bed of the stream, and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said

Secretary of War to approve plans, etc.

<i>Provisos.</i>	plan and location of the bridge are approved by the Secretary of War, the bridge shall not be built: <i>Provided</i> , That the said bridge shall be made with unbroken and continuous spans, and shall have three or more channel-spans, and shall not be of less elevation at any point than fifty-five feet above high-water mark, as understood at the point of location, to the lowest part of the superstructure; nor shall the spans of said bridge be less than four 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 said company or corporation shall maintain at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe: <i>Provided, also</i> , 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 payment of a reasonable compensation for such use; and in case the 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.
Continuous spans.	
Height.	
Width.	
Lights, etc.	
Use by other companies.	
Compensation.	
Disagreements to be decided by Secretary of War.	
Approval of plan, etc.	
Change of plan.	
Litigation.	SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving such plan and map and other information, and upon being satisfied that a bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an 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 subject likewise 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, the case may be brought in the circuit court of the United States of the district of the State of Missouri, in whose jurisdiction any portion of said obstruction or bridge may be 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 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 across said bridge and approaches for such postal and telegraph lines as the Government may construct or control.
Amendment, etc.	SEC. 6. That Congress shall have power at any time to alter, amend, or repeal this act, and all alterations of said bridge shall be made and all obstructions shall be removed at the expense of the owners of or persons controlling such bridge: <i>Provided, further</i> , That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.
Structural changes.	SEC. 7. That this act shall be void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date of the approval of this act.
<i>Proviso.</i>	
Existing laws.	
Commencement and completion.	

Approved, October 1, 1890.