

Commencement and completion.

SEC. 12. That if the construction of said bridge is not commenced in two years from the passage of this act, and completed in five years thereafter, all rights hereby conferred shall cease and determine.

Approved, July 19, 1888.

July 19, 1888.

CHAP. 679.—An act to ratify an act entitled "An act creating the county of San Juan," in the Territory of New Mexico.

Act of New Mexico legislature creating San Juan County ratified.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of the legislative assembly of the Territory of New Mexico, passed February twenty-fourth, eighteen hundred and eighty-seven, entitled "An act creating the county of San Juan," be, and the same is hereby, ratified and confirmed.

Territorial legislatures may create counties.  
Vol. 24, p. 170.

SEC. 2. That nothing in the act approved July thirtieth, eighteen hundred and eighty-six, entitled an act "to prohibit the passage of local or special laws in the Territories of the United States, to limit Territorial indebtedness, and for other purposes," shall be construed to prohibit the creation by Territorial legislatures of new counties and the location of the county seats thereof.

Approved, July 19, 1888.

July 19, 1888.

CHAP. 680.—An act authorizing the construction of a bridge across Flint River, in the State of Georgia.

Americus, Preston, and Lumpkin Railroad Company may bridge Flint River, Georgia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the assent of Congress is hereby given to the Americus, Preston, and Lumpkin Railroad Company, an organization incorporated under the laws of the State of Georgia, its successors and assigns, to construct and maintain a bridge over Flint River, in the State of Georgia.

Draw.

SEC. 2. That said bridge shall be a draw-bridge, to consist of two spans of forty feet on each side, and a draw of one hundred and eighty-four feet in the centre of the stream; the spans shall not be less than thirty-eight feet above low-water mark: *Provided,* That if said bridge shall, in the opinion of the Secretary of War, obstruct the navigation of said river, 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 obstructions shall be removed, and alterations made at the expense of the owner or owners of said bridge.

Proviso.

Unobstructed navigation.

Lawful structure and post-route.

SEC. 3. 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 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 passengers or freight passing over said bridges, than the rate per mile paid for the transportation over the railroads or public highways leading to said bridges; and they shall enjoy the rights and privileges of other post-roads of 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 said postal telegraph purposes.

Postal telegraph.

Secretary of War to approve plans, etc.

SEC. 4. That said bridge shall be built and located under and subject to such regulations for the security of navigation of said rivers as the Secretary of War shall prescribe; and to secure that object said company or corporation shall submit to the Secretary of War a design and drawings of said bridge, for his examination and approval, and a map of its location, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject, and in all things shall be subject to such rules and

regulations as may be prescribed by the Secretary of War; and until said plan and location of said bridge are approved by the Secretary of War the construction of said bridge shall not be commenced; and should any change be made in the plan of said bridge, during the progress of the work of construction, such change shall be subject to the approval of the Secretary of War.

SEC. 5. That this act shall be null and void if actual construction of the bridge therein authorized be not commenced within one year and completed within three years from the date thereof.

Commencement and completion.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, or its removal, at the expense of the owners thereof, whenever the Secretary of War shall decide that the public interest requires it, is also expressly reserved.

Amendment.

Approved, July 19, 1888.

**CHAP. 685.**—An act to authorize the building of a railroad bridge at Fort Smith, Arkansas.

July 19, 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 Fort Smith, Paris and Dardanelle Railway 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 Fort Smith, 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.

Fort Smith, Paris and Dardanelle Railway Company may bridge Arkansas River at Fort Smith, Ark.

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 also no higher charge shall be made for the transmission over the same of the mails, troops, and the munitions of war, or other property of the United States, than the rate per mile paid for the transportation of the same over the railroads or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States. 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.

Railway, wagon, and foot bridge.

Lawful structure and post-route.

SEC. 3. That the said bridge shall be constructed with a draw or pivot span which shall be over the main channel of the river at an accessible navigable point, and the openings on each side of the pivot pier shall not be less than one hundred and sixty feet in the clear, and, as nearly as practicable, both of said openings shall be accessible at all stages of water; that the spans be not less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest point of the superstructure of said bridge; that the piers and draw rests of said bridge shall be built parallel with the current at that stage of the river which is most important for navigation, and the bridge itself at right angles thereto; and that no riprap or other outside protection for imperfect foundations be permitted to approach nearer than four feet to the surface of the water at its extreme low stage, or otherwise to encroach upon

Postal telegraph.

Draw.

Spans.