

per annum each; for laborers, at the rate of six hundred and sixty dollars per annum each, and for charwomen, at the rate of two hundred and forty dollars per annum each. *Provided*, That hereafter it shall be the duty of the heads of the several executive Departments of the Government to report to congress each year in the annual estimates the number of employees in each bureau and office and the salaries of each who are below a fair standard of efficiency.

SEC. 3. That all acts or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

Approved, July 11, 1890.

Proviso.
Annual reports of number and salaries of inefficient employees.

Repeal.

July 11, 1890.

CHAP. 668.—An act granting to the Jacksonville, Saint Augustine and Halifax River Railway Company a right of way across the United States Military reservation at Saint Augustine, Florida.

Jacksonville, Saint Augustine and Halifax River Railway Company granted right of way across the United States military reservation at St. Augustine, Fla.

Location.

Tracks and sidings.

Proviso.

Width, etc.

Changes, etc.

Ditch channel.

Grade crossing.

Secretary of War to be satisfied.

Completion, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Jacksonville, Saint Augustine and Halifax River Railway Company, a corporation duly organized and existing under the laws of the State of Florida, be, and is hereby, granted a right of way across the prolongation of "the lines" or ditch on the United States military reservation at Saint Augustine, Florida, for the construction, maintenance, and use thereon of one or more tracks and sidings, as may be approved by the Secretary of War: *Provided*, That the said right of way shall not exceed one hundred feet in width, and shall be subject to such change, revocation, or removal as may be prescribed by the Secretary of War, at the expense of the railway company.

SEC. 2. That the said company shall provide and keep clear a sufficient channel at the proper grade for the flow into and out of the ditch in "the lines," and shall, upon request by the Secretary of War, provide a grade crossing for teams and trams across its tracks in the prolongation of "the lines."

SEC. 3. That the work hereby authorized and directed shall be done to the satisfaction of the Secretary of War.

SEC. 4. That if the right hereby conferred shall not be exercised and the road built within two years next after the passage of this act all the rights and authority hereby granted shall absolutely cease and determine.

Approved, July 11, 1890.

July 11, 1890.

CHAP. 669.—An act to incorporate the North River Bridge Company and to authorize the construction of a bridge and approaches at New York City across the Hudson River, to regulate commerce in and over such bridge between the States of New York and New Jersey, and to establish such bridge a military and post road.

Incorporating North River Bridge Company, and authorizing it to bridge Hudson River, at New York City, N. Y.

Incorporators.

Bridge, approaches, etc.

Location.

Connecting railroad tracks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That authorization is hereby given to Jordan L. Mott, John King McLanahan, James Andrews, Thomas F. Ryan, Garrett A. Hobart, F. W. Roebbling, Charles J. Canda, Edward F. C. Young, Henry Flad, Gustav Lindenthal, A. G. Dickinson, John H. Miller, William Brookfield, Samuel Rea, William F. Shunk, Philip E. Chapin, and their associates, as a corporation as hereinafter provided, to locate, build, maintain, equip, and operate a bridge, proper approaches thereto and terminals, appurtenances and works connected therewith, across the Hudson River in and between the city of New York, in the State of New York, and the State of New Jersey, and to lay tracks thereon for the connection of the railroads on either side of said river, in

order to facilitate interstate commerce in the transportation of persons and property, and for vehicle, pedestrian, postal, military, and other purposes: *Provided*, That said bridge shall have not less than six railroad tracks with a capacity for four additional tracks for future enlargement, and shall be constructed with a single span over the entire river between the towers, located between the shore and the established pier head lines in either State, and at an elevation above the river not less than that of the existing Brooklyn suspension bridge, over the East River, and which elevation may be increased by the Secretary of War as hereinafter provided, and that no pier or other obstruction to navigation either of a temporary or permanent character, shall be constructed in the river between said towers.

Railroad, vehicle, foot, etc., bridge.
Proviso.
Minimum track capacity.
Single span.

Elevation.

Unobstructed navigation.

SEC. 2. That the construction of said bridge shall be commenced within three years after the passage of this act, and shall be completed within ten years after the commencement of construction. But that the Secretary of War is hereby authorized to extend the time for the commencement of construction for two additional years upon cause shown by the company, and provided that the Secretary of War shall deem such cause sufficient and satisfactory; and that if the company fail to commence the construction of said bridge within the time so extended this act shall be null and void. And the company at least three months previous to commencing the erection of said bridge shall submit to the Secretary of War a plan of the bridge, with a detailed map of the river at the proposed site of the bridge, and for the distance of one-half of a mile above and below the site, with such other information as the Secretary of War may require for a full and satisfactory understanding of the subject. And the Secretary of War may upon receiving said plans and map and other information, order a hearing before a board of engineers, appointed by him for taking testimony of persons interested in railroads and navigation, relative to the clear height of the superstructure above ordinary high water. Such clear height shall not be less than that named in section one of this act, and the Secretary of War may thereupon order such additional clear height as he shall deem necessary for the security of navigation. And he is hereby authorized and directed upon being satisfied that a bridge built on such plan and at said locality will conform to the conditions of this act to notify the said company that he approves the plans therefor; whereupon said company may proceed to the erection of said bridge. But until the Secretary of War approve the plan and location of said bridge the erection of the same shall not be commenced; and should any change be made in the plan of the bridge during the progress of the work thereon, such change shall likewise be subject to the approval of the Secretary of War.

Commencement and completion.

Extension of time.

Forfeiture.

Secretary of War to approve plans, etc.

Appointment of board of engineers.
Hearing.

Clear height of superstructure.

Notification of approval, etc.

Inhibition.
Changes.

SEC. 3. That the bridge, with its approaches and railroad thereover, constructed under the provisions of this act shall be a lawful structure, and a military and post road, but no toll charges shall be made for the transmission over the same of the mails of the United States, or for the right of way for United States postal telegraph purposes.

Lawful structure, post-route, etc.

Mails and postal telegraph.

SEC. 4. That for the purpose of carrying into effect the objects stated in this act, the persons named in the first section hereof, and their associates, are hereby constituted and created a body corporate in law, to be known as the North River Bridge Company, and by that name, style, and title shall have perpetual succession; may sue and be sued, implead and be impleaded, complain and defend, in all courts of law and equity, of record and otherwise; may make and have a common seal, and shall have and possess all the rights, powers, franchises, and privileges incident to or usually possessed by such companies. It may receive, purchase, and also acquire by lawful appropriation and condemnation upon making proper compensation therefor, to be ascertained according to the laws of the

Incorporation of North River Bridge Company.

Corporate powers.

Seal, etc.

Condemnation, etc.

Mortgage, etc. State within which the same is located, real and personal property and rights of property, and may mortgage, encumber, charge, pledge, grant, lease, sell, assign, and convey the same. And to aid in the construction of said bridge and approaches thereto, and railroad terminals, appurtenances, and works connected therewith, and to carry out the purposes of this act, the said North River Bridge Company is hereby authorized to issue its bonds and secure the same by mortgage on its property and rights of property of all kinds and descriptions, and its franchise to be a corporation. And generally and specially, for the fully carrying out of the purposes and intentions of this act, the said North River Bridge Company, and its successors, shall have and possess all such rights and powers to enter upon lands, and for the purchase, acquisition, condemnation, appropriation, occupation, possession, and use of real estate and other property, and for the location, construction, operation, and maintenance of said bridge with its approaches, terminals, and appurtenances as are possessed by railroad or bridge companies in the States of New York and New Jersey, respectively. That all persons, railroad and telegraph companies, respectively, desiring to use said bridge shall have and be entitled to equal rights and privileges in the passage over and the use of the same, and the approaches thereto, for a reasonable compensation, to be approved by the Interstate Commerce Commission as hereinafter determined, and to be paid to the North River Bridge Company, which is hereby duly empowered to collect the same. And sufficient trackage and terminal facilities shall be provided for all railroads desiring to use said bridge and appurtenances. In case any litigation arises out of the construction, use, or operation of said bridge or approaches thereto and railroad thereon, or for the condemnation or the appropriation of property in connection therewith under this act, the cause so arising shall be heard and tried before the circuit court of the United States for the judicial district in which the bridge or one of the approaches is located. Applications for condemnation or appropriation of property shall be made in the circuit court of the United States for the district in which such property is situated upon the petition of said company, and the hearing and trial of all other proceedings thereon shall conform as nearly as may be to the practice in the courts of the State in which such district is situated in the case of condemnation or appropriation of property for railroads.

Issue of construction bonds, etc.

General and special rights and powers.

Use by other persons and companies.

Compensation.

Sufficient trackage, etc., to be provided.

Litigation.

Condemnatory, etc., proceedings.

Interstate Commerce Commission may require, on completion, statement of expenditures.

Verification, etc., of accounts by experts.

Basis of toll charges for connecting railroad companies.

When net revenue exceeds ten per cent. on total cash expenditures. Interstate Commerce Commission may reduce toll charges.

SEC. 5. That the Interstate Commerce Commission is hereby authorized to require the said North River Bridge Company, in addition to such reports as it may lawfully require of railroad companies, a statement certified to by the president of said North River Bridge Company of the actual cash expenditure for all property acquired and for the cost of construction of all structures and appurtenances, for equipment and for other proper and legitimate expenses incurred under this act; said statement shall be made on the completion of all the work and before the said North River Bridge Company shall collect tolls from the connecting railroad companies. The Interstate Commerce Commission shall be authorized to employ, at the expense of said North River Bridge Company, such expert accountants as it may appoint and direct to examine the accounts of said North River Bridge Company for the purpose of verifying the said actual cash expenditures under this act. And the said ascertained cash expenditures shall form the basis on which the Interstate Commerce Commission shall approve the toll charges to be paid by the connecting railroad companies to said North River Bridge Company for the use of said bridge, approaches, tracks, and terminals in such manner that whenever the net revenue derived from said toll charges, after paying all expenses for the proper and safe operation and maintenance of its property, and after paying all taxes, and after deducting five per centum of the gross revenue for

the sinking fund, to be applied to the liquidation of any indebtedness, shall exceed ten per centum on the above-specified cash expenditure, the Interstate Commerce Commission may order a reduction of toll charges: *Provided*, That said reduction shall not be ordered oftener than once in three years: *Provided further*, That nothing contained in this section shall be construed as establishing contract rights between the United States and said North River Bridge Company as to the rate of toll authorized to be collected, but this section shall be subject to amendment or repeal as is provided may be in relation to every other section of this act.

SEC. 6. That the government and direction of said company shall be vested in a board of seven directors, who shall be stockholders of record, and who shall hold their office for one year, and until their successors are duly elected and qualified. The said directors, five of whom shall be a quorum, shall elect one of their number president; they shall also appoint a secretary and treasurer. The directors of said company shall have power to make such prudential by-laws as they shall deem proper for the management and disposition of the stock, property, and business affairs of said company, not contrary to the laws of the United States, and prescribing the duties of officers, artificers and servants that may be employed, for filling vacancies, and for carrying on all business within the objects and purposes of said company. There shall be an annual meeting of the stockholders for choice of directors, to be held at such time and place, under such conditions and upon such notice as the by-laws may prescribe; and such directors shall annually make a report of their doings and of the business of the company to the stockholders, a copy of which, sworn to and signed by the president of the company, shall be transmitted to the Interstate Commerce Commission. Failure to elect directors on the day fixed by said by-laws shall not be deemed to dissolve said company, but such election may be held on any day appointed thereafter by the directors, first giving thirty days' notice thereof, in manner provided in said by-laws. The capital stock of said company shall consist of not less than ten thousand shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such manner as the by-laws of said company shall provide; but no share shall be transferable until all calls thereon shall have been fully paid in, and it shall not be lawful for said company to use any of its funds in the purchase of any stock in its own or any other corporation. The amount of such capital stock may be increased upon the vote of two-thirds of such stock of said company at any time outstanding.

SEC. 7. That the real and personal property of the company shall be subject to taxation for State, county, and municipal purposes in the State where the same is located, but at no higher rate than other real and personal property in the State.

SEC. 8. That the said North River Bridge Company shall maintain on the bridge, at its own expense, from sunset to sunrise, such lights or signals as the United States Light-House Board shall prescribe.

SEC. 9. That nothing in this act shall be held or construed to in any manner involve the United States Government in any pecuniary obligations whatever, other than the payment of tolls over said bridge and approaches for troops and munitions of war, for which no higher charge per mile shall be made than the rate paid to railroads connecting with said bridge; but Congress hereby reserves the right to alter, amend, or repeal this act as the contingencies of commerce or the public good may require, and said company shall further be subject to the provisions of the interstate-commerce laws, and any amendments and supplements thereof.

Approved, July 11, 1890.

Provisos.
 Time limit.
 No contract rights established with Government.
 Amendment, etc.
 Government, etc., of company.
 Directors.
 Quorum.
 Officers.
 By-laws, etc.
 Annual meetings.
 Annual reports.
 Postponed election of directors.
 Capital stock.
 Transfers of stock, etc.
 Increase of stock.
 Taxation.
 Lights, etc.
 Limitations, etc.
 Amendment, etc.
 Subject to Interstate commerce laws, etc.