

Jersey to Richmond County, New York, pursuant to the provisions of the act entitled "An act to authorize the construction of a bridge across the Staten Island Sound," known as Arthur Kill, and to establish the same as a post-road, passed the sixteenth day of June, eighteen hundred and eighty-six. But this act shall have no other effect whatever than to operate as if the time herein mentioned had been embraced in the said act.

Vol. 24, p. 78.

Approved, June 9, 1888.

**CHAP. 384.**—An act to authorize the construction of a bridge across the Tennessee River at or near Chattanooga, Tennessee.

June 9, 1888.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Chattanooga Western Railway, a corporation created and organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Tennessee River, at or near the city of Chattanooga, Tennessee; in the county of Hamilton. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which it is built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for reasonable rates or tolls, to be fixed by said company, and approved by the Secretary of War.

Chattanooga Western Railway may bridge Tennessee River at Chattanooga, Tenn.

Railway, wagon, and foot bridge.

**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, and shall enjoy the rights and privileges of other post-roads in the United States. That no higher charge shall be made for the transmission over the same of the mail, troops, and munitions of war of the United States, or for through railway passengers or freight passing over said bridge, than the rate per mile for their transmission over the railroad leading to said bridge, 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 for postal-telegraph purposes; that the said bridge shall be constructed either by draw, span, or otherwise, so that a free and unobstructed passage-way may be secured to all water-craft navigating said river at the point aforesaid: *Provided,* That if said bridge authorized to be constructed under this act shall be constructed as a draw-bridge, the draw shall be opened promptly upon reasonable signals for the passage of boats or vessels; and said 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.

A lawful structure and post-route.

Unobstructed navigation.

*Proviso.*

Opening draw.

Lights.

**SEC. 3.** 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 the 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 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 to issue between them shall be decided by the Secretary of War upon the hearing of the allegations and proofs of the parties.

Other companies may use.

Secretary of War to decide terms.

**SEC. 4.** That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge, and a map of the location giving, for the space of one mile below and one mile above the

Secretary of War to approve plans, etc.

proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the current 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 bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction, so as to prevent or remove all substantial obstruction to the navigation of said river such change shall be subject to the approval of Secretary of War; and if any litigation shall be had in regard to said bridge, the same shall be in the circuit court of the United States in whose territorial jurisdiction said bridge, or any part thereof, is located.

Changes.

Litigation.

Amendment.

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 Congress 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.

Commencement and completion.

Approved, June 9, 1888.

June 9, 1888.

CHAP. 385.—An act authorizing the construction of a bridge over the Tennessee river at or near Gunter'sville, Alabama, and for other purposes.

*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 Tennessee and Coosa Railroad Company of Alabama, a corporation duly and legally incorporated under the laws of the State of Alabama, its successors or assigns, to construct and maintain a bridge over the Tennessee River at or near Gunter'sville, Alabama. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

Tennessee and Coosa Railroad Company may bridge Tennessee River at Gunter'sville, Ala.

Railway, wagon, and foot bridge.

Lawful structure and post-route.

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, the troops, and the munitions of war of the United States, or passengers or freight passing over said bridge, than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States. And equal privileges in the use of said bridge shall be granted to all companies upon such terms as may be agreed upon by the parties, and if they can not agree then as the same shall be determined by the Secretary of War; and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes.

Other companies may use.

Postal telegraph. Draw.

SEC. 3. That the said bridge shall be constructed as a draw-bridge; the draw or pivot pier shall be at such point in the channel of the river as the Secretary of War may direct, and the opening or passage-way of said draw-pier shall be so protected and arranged that water-craft can be worked through it at any and all times; and the draw-span shall not be of less width, nor shall the lowest part of the same be of less elevation above high water, than are the widest and highest of those authorized by Congress for any bridge over the