

May 28, 1896.

CHAP. 257.—An Act Granting to the Denver, Cripple Creek and Southwestern Railroad Company a right of way for a railroad through the South Platte and Plum Creek forest reserves, in the State of Colorado.

Denver, Cripple
Creek and Southwestern
Railroad Company
granted right of way,
South Platte and Plum
Creek forest reserves,
Colo.
Vol. 27, pp. 1029, 1044.

Location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Denver, Cripple Creek and Southwestern Railroad Company, a corporation incorporated and organized under and by virtue of the laws of the State of Colorado, is hereby authorized to construct and maintain a railroad over and through the South Platte Forest Reserve and the Plum Creek Forest Reserve, in the State of Colorado, heretofore set apart and established as forest reservations by proclamations of the President, dated, respectively, December ninth, eighteen hundred and ninety-two, and June twenty-third, eighteen hundred and ninety-two, said railroad to enter said reservations at the junction of the North and South forks of the South Platte River, in section twenty-five, in township seven south, of range seventy west of the sixth principal meridian, and to run thence along the water course of the South Fork of the South Platte River to section three, in township thirteen south of range seventy-one west, and also to be constructed from section twenty-one, in township nine south of range seventy west, along the water courses of Horse Creek and Trout Creek, in the Plum Creek Forest Reserve, to section thirty-four, in township ten south of range sixty-nine west; said right of way to be granted subject to the rights, privileges, rules, and restrictions of an Act entitled "An Act granting to railroads the right of way through the public lands of the United States," approved March third, eighteen hundred and seventy-five, said Act being hereby made applicable to the right of way hereby granted. The said company, however, shall not cut timber upon said forest reservations outside of the limits of said right of way.

Rights, privileges,
etc.
Vol. 18, p. 482.

Timber cutting.

Approved, May 28, 1896.

May 28, 1896.

CHAP. 258.—An Act Declaring a certain bridge across the Tallahatchie River, in Tallahatchie County, State of Mississippi, a lawful structure, and for other purposes.

Bridge over Tallahatchie
River, Philipp, declared a
lawful structure.

Proviso.
Removal of temporary
structure.

Delta Cooperage
Company may con-
struct new bridge.

Draw.
Proviso.
Lawful structure
and post route.

Postal telegraph.
Secretary of War to
approve plans, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain temporary pile bridge recently constructed across the Tallahatchie River at Philipp, in the county of Tallahatchie, in the State of Mississippi, and used by the Illinois Central Railroad Company and the Delta Cooperage Company, be, and the same is hereby, declared to be a lawful structure until the thirty-first day of December, eighteen hundred and ninety-seven: *Provided, however,* That the said temporary pile bridge shall be removed thoroughly and completely on or before the thirty-first day of December, eighteen hundred and ninety-seven.

SEC. 2. That the Delta Cooperage Company, a corporation created and existing under and by virtue of the laws of the State of Mississippi be, and is hereby, authorized to construct and maintain a railway bridge across the Tallahatchie River, at or near the town of Philipp, Mississippi, to take the place of the temporary pile structure referred to in the foregoing section of this Act; the said bridge to be so constructed as not to interfere with the navigation of said river, and to be provided with a suitable draw: *Provided,* That any bridge constructed under this Act and according to its limitations shall be a lawful structure, and shall be known and recognized as a post route, and the same is hereby declared to be a post route; and the United States shall have the right of way for a postal telegraph across said bridge.

SEC. 3. That the bridge authorized to be constructed under this Act shall be located and built under and subject to such regulations for the security of the 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 proposed bridge and a map of the location, giving for the space of two miles above and two miles 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 plan and location of the bridge are approved by the Secretary of War no work upon the bridge shall be commenced; and should any change be made in the plan of said bridge during the progress of construction such change shall be subject to the approval of the Secretary of War.

Changes.

SEC. 4. That Congress reserves the right to alter, amend, or repeal this Act at any time; and that if at any time navigation of the said river shall in any manner be obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said bridge company to alter and change the said bridge at its own expense, in such manner as may be proper to secure free and complete navigation without impediment; and if, upon reasonable notice to said bridge company to make such change or improvements, the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company, 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 the river.

Amendment, etc.
Free navigation.

SEC. 5. That said company shall be permitted to charge and take such rates of toll for crossing said bridge as may be reasonable, subject to the approval of the Secretary of War.

Toll.

SEC. 6. That the draw provided for the bridge herein authorized to be constructed shall be opened promptly upon reasonable signal for the passing of boats; 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.

Opening draw.

Lights, etc.

SEC. 7. That all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the bridge herein authorized shall not be commenced on or before the first day of July, eighteen hundred and ninety-seven, and be completed by the thirty-first day of December, eighteen hundred and ninety-seven, the rights and privileges hereby granted shall cease and be determined.

Use by telegraph, etc., companies.

Commencement and completion.

SEC. 8. 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 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 at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

Use by railroad companies.

Compensation

SEC. 9. That the said company may associate or join with themselves in the construction, maintenance, and operation of said bridge, the Illinois Central Railroad Company, or any other railway company duly incorporated under the laws of the State of Mississippi.

Cooperation in construction.

Approved, May 28, 1896.

CHAP. 270.—An Act To amend section four hundred and sixteen of the Revised Statutes of the United States relating to the District of Columbia.

May 29, 1896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four hundred and sixteen of the Revised Statutes of the United States relating to the

District of Columbia.