

jurisdiction any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of the law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of same.

Existing law protecting navigation of rivers unchanged.

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 the said river as the Secretary of War shall prescribe; and to secure that object the said board of supervisors 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-half mile above and one-half 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 low and at high water, with the soundings accurately showing the bed of the stream, and the location of any other bridge or bridges, such maps 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 shall 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 commenced or built; and should any change be made in the plans of said bridge during the progress of its construction, or after completion, such changes shall be subject to the approval of the Secretary of War.

Secretary of War to approve plans, etc.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date thereof: *Provided*, That Congress reserves the right to alter, amend, or repeal this Act whenever the public interests so require.

Commencement and completion.

*Proviso.*  
Amendment.

Approved, April 30, 1900.

**CHAP. 341.**—An Act To authorize the Ohio Valley Electric Railway Company to construct a bridge over the Big Sandy River from Kenova, West Virginia, to Catlettsburg, Kentucky.

April 30, 1900.

*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 Ohio Valley Electric Railway Company, a corporation organized under the laws of the State of West Virginia, to construct and maintain a bridge, and approaches thereto, over the Big Sandy River from a point in the town of Kenova, West Virginia, to a point in the town of Catlettsburg, Kentucky.

Ohio Valley Electric Railway may bridge Big Sandy River.

SEC. 2. That said bridge may be constructed to provide for the passage of railroad cars, wagons, and vehicles of all kinds, for the transit of animals, foot passengers, and all kinds of commerce, travel, or communication; and said corporation may charge and receive reasonable tolls therefor, subject to the approval of the Secretary of War, and to such changes as he may think proper from time to time.

Transit, toll, etc.

SEC. 3. That said bridge shall have its piers parallel to the current at high water due to a rise in the Big Sandy River; that all of its spans shall be through spans; that it shall have a clear channel way of at least one hundred and eighty-three feet, measured at the low-water level and perpendicular to the current at that stage; that said clear channel way shall be located over the main channel of the river; that none of the spans lying between the shore lines of the river at a bank-full stage shall have less than one hundred and eighty-three feet clear opening between piers; and that all such spans shall give a clear headroom of not less than sixty-nine and five-tenths feet, measured from low water to the lowest point of the superstructure, or of anything thereto attached.

Piers, spans, etc.

Secretary of War to approve plans, etc.

SEC. 4. That said Ohio Valley Electric Railway Company shall submit in triplicate to the Secretary of War, for his examination and approval, a design and drawings of the bridge, piers, approaches, and accessory works, and a map of the location, giving, for the space of at least one mile above and one mile below the proposed site, the topography of the banks of the river and the shore lines at high and low water, the direction and strength of the currents at low water and at high water, the location of all bridges, locks and dams, coal tipples, cribs, and all other structures projecting into the river at bank-full stage, in the vicinity, and such other information as the Secretary of War may require for a full and satisfactory understanding of the subject; and until such plan and location of the bridge and accessory works are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction, or after completion, such change shall be subject to the approval of the Secretary of War.

Aids to navigation.

SEC. 5. That said bridge herein authorized to be constructed shall be so kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts, both by day and by night; and there shall be displayed on said bridge by the owners thereof, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe; and such indications of the stage of water and the headroom under the bridge as the Secretary of War may direct shall be displayed by the owners thereof; and such changes shall be made from time to time in the structure of said bridge as the Secretary of War may direct, at the expense of the said company, in order the more effectually to preserve the free navigation of said river.

Lights.

Changes.

To be lawful structure and post route.

SEC. 6. That said bridge 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 transportation 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 of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal-telegraph and telephone purposes over said bridge.

Right of railways to use.

SEC. 7. That all railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the parties interested shall fail to agree upon the sum or sums to be paid, and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall, upon the application of either party, be determined by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Navigable channel during construction, etc.

SEC. 8. That during the original construction of said bridge, or in carrying out any authorized changes or repairs of said bridge, a navigable channel sufficient to accommodate the commerce of the river shall be preserved at all times at the site of said bridge, and the waterway of the river shall not be obstructed to a greater extent than is absolutely necessary, and such lights and buoys shall be kept on all cofferdams, piles, and other structures as may be necessary for the security of navigation; and that any temporary obstruction or closing of any channel in customary use shall not be commenced until after due notice to navigation; and all cofferdams, piles, and other structures used in the construction or repair of said bridge shall be removed within a reasonable time after the completion or repair of said bridge.

Commencement and completion.

SEC. 9. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

SEC. 10. That the right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, April 30, 1900.

**CHAP. 342.**—An Act To amend the charter of the East Washington Heights Traction Railroad Company. April 30, 1900.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the charter of the East Washington Heights Traction Railroad Company, of the District of Columbia, be, and the same is hereby, amended so as to authorize and permit the said company to lay down its tracks and operate its cars from its present authorized terminus at the western approach to the Pennsylvania Avenue Bridge, as provided in section one of the Act of incorporation; thence north on Seventeenth street east to East Capitol street; thence west on East Capitol street to Fifteenth street east, connecting with the Metropolitan Railway; also from the intersection of Minnesota avenue and Harrison street thence westerly on Harrison street to Pierce street; thence southerly on Pierce street to Jackson street; thence westerly along Jackson street to Monroe street; also northward on Minnesota avenue as laid down on the highway-extension plans, to connect with the Columbia Railway at Benning, over a route and at a point acceptable to and approved by the Commissioners of the District of Columbia.

District of Columbia.  
East Washington  
Heights traction rail-  
road.  
Charter amended  
Route extended, etc.

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SEC. 2. That the time within which the East Washington Heights Traction Railroad Company is required to complete and put in operation its railway be, and the same is hereby, extended for the term of two years from the eighteenth day of June, nineteen hundred: *Provided,* That if within two years from the date of the passage of this Act the Washington and Marlboro Railroad Company shall build its lines into and within the District of Columbia, then said company shall have the right to use such of the routes in this Act provided for as may coincide with the route provided for in the charter of the said Washington and Marlboro Railroad Company.

Time for comple-  
tion extended.

*Proviso.*  
Use of coinciding  
routes by Washington  
and Marlboro Rail-  
road.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this Act. Amendment.

Approved, April 30, 1900.

**CHAP. 343.**—An Act Authorizing the establishment of a light and fog signal on the new breakwater, harbor of refuge, Delaware Bay. April 30, 1900.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized to establish a light and fog signal on the new breakwater, harbor of refuge, Delaware Bay, at a cost not exceeding thirty thousand dollars.

Delaware Bay.  
Light, etc., station  
established on new  
breakwater, harbor of  
refuge.

Approved, April 30, 1900.

**CHAP. 344.**—An Act To amend an Act authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi. May 3, 1900.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of chapter three hundred and fifty-one of the United States Statutes at Large, entitled "An Act authorizing the terms of the district court of the United States for the southern district of Mississippi to be held here-

Mississippi southern  
judicial district.  
Terms of district  
and circuit courts at  
Biloxi,  
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