

CHAP. 37.—An Act To provide for the erection of a bridge across Rainy River, in the State of Minnesota, between Rainy Lake and the mouth of Rainy River.

March 9, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Minnesota and Ontario Bridge Company, a corporation duly incorporated under the laws of the State of Minnesota, be, and the same is hereby, authorized and empowered to erect, construct, and maintain a bridge over Rainy River at or near a point on Rainy River that is known as Cathcarts Point, in the State of Minnesota, just below the confluence of the Baudette River with Rainy River: *Provided,* That the plan, location, and elevation of the bridge, so far as the interests of navigation are concerned, shall be recommended by a board of three officers of the Corps of Engineers, which shall be appointed by the Secretary of War to consider the same; and it shall be the duty of the said board to give a public hearing in the city of Minneapolis to all parties interested whenever the designs and drawings of the said bridge and maps of location shall have been submitted to the Secretary of War, as hereinafter provided. The said board shall give reasonable notice, by publication in the newspapers, of the time and place of such hearing, and report its recommendations to the Secretary of War as soon thereafter as may be expedient.

Minnesota and Ontario Bridge Company may bridge Rainy River, Minn.

Proviso. Board to consider plans, etc.

—hearing.

—notice of.

—report.

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 transportation over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for the transportation 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.

To be lawful structure and post route.

SEC. 3. That the said bridge shall have a draw or draws over the main channel of the river, leaving a clear waterway of not less than one hundred and sixty feet on one side of the pivot pier. The height of the superstructure above water shall be fixed and determined by the Secretary of War. The bridge shall be at right angles to, and its piers parallel with, the current of the river. No bridge shall be erected or maintained under the authority of this Act which shall at any time unreasonably obstruct the navigation of the said river. During the construction of the bridge, the navigable channel of the river shall not be obstructed to a greater extent than in the opinion of the Secretary of War is absolutely necessary, and such lights and buoys shall be kept on all cofferdams, piles, and other obstructions as may be required during navigation. In case of any litigation arising from obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the circuit court of the United States of the circuit within which said bridge may be located shall have jurisdiction thereof: *Provided,* That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

Draw.

Height, etc.

Not to obstruct navigation.

Lights.

Litigation.

Proviso. Existing law unchanged.

SEC. 4. That all railroad companies in this country or Canada desiring the use of said bridge shall be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto, and the rates charged for the use of said bridge shall be the same for all companies alike, and without discrimination of any kind in favor of or against either over the whole length of the bridge and approaches: *Provided,* That if any question of difference arises at any time between said bridge company and any railroad company using said bridge or desiring its use in respect of the rate of compensation to be paid for such use or in respect of any other matter pertaining to such use and the parties can not agree in regard to the

Railroads, rights of as to use of bridge.

Provisos. —Secretary of War to decide differences of, with bridge company.

same, such question shall be determined by the Secretary of War on application to him by either party to such matter of difference and due notice to all other parties interested. The parties shall be heard by the Secretary, and they shall have the opportunity of producing testimony. The determination of any such question by the Secretary of War shall be conclusive on the parties: *Provided*, That his decision may from time to time, as becomes necessary, be revised and modified by him.

—revision of decision.

Secretary of War to approve plans, etc.

SEC. 5. 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, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and the said company or corporation shall cause to be displayed on said bridge, from the hours of sunset to sunrise, or at other times, such lights or other signals as may be prescribed by the Light-House Board.

Lights.

Opening of draw.

Aids to navigation.

SEC. 6. That the draw or draws shall be opened promptly upon reasonable signal for the passage of boats, vessels, or other water craft; and at the time of the erection of the piers, or whenever in the opinion of the Secretary of War the same may be necessary, the persons or corporations constructing, owning, or operating said bridge shall, at their own expense, construct proper sheer booms or other proper structures to safely guide boats, vessels, or other water craft through the said spans.

Commencement and completion.

Construction of Canadian side of bridge.

SEC. 7. That if the actual construction of the bridge hereby authorized shall not be commenced within two years from the date of approval of this Act, and be completed within four years after the same date, then this Act shall be void, and all rights hereby conferred shall cease and be determined; and that the construction shall not be commenced until the Government of the Dominion of Canada has authorized the construction and maintenance of that part of said bridge which shall occupy that portion of the said Rainy River which is under the jurisdiction of said Dominion government.

Amendment.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 9, 1900.

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CHAP. 38.—An Act To extend the time for the completion of a bridge across the Missouri River.

Time extended for bridging Missouri River at Yankton. Vol. 30, p. 1361.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of the Act approved March third, eighteen hundred and ninety-nine, authorizing the Dakota Southern Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River, at the city of Yankton, South Dakota, be, and is hereby, amended by extending the time for commencing the construction of said bridge to March third, nineteen hundred and one, and by extending the time for completing said bridge to March third, nineteen hundred and four.

Approved, March 9, 1900.