

violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

Forfeiture.

SEC. 11. That all mortgages executed by said railway company conveying any portion of its railroad, with its franchises, that may be constructed in said Indian Territory, shall be recorded in the Department of the Interior, and the record thereof shall be evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

Record of mortgages.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this act.

Amendments.

SEC. 13. That the right of way herein and hereby granted shall not be assigned or transferred in any form whatever prior to the construction and completion of the road, except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

Right not assignable prior to construction.

Approved, February 18, 1888.

CHAP. 14.—An act to authorize the construction of a bridge over the Missouri River, at or near the city of Lexington, Missouri.

February 18, 1888.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Lexington Bridge Company, a corporation existing under the laws of the State of Missouri, be, and is hereby, authorized to construct, operate, and maintain a bridge over the Missouri River at or near the city of Lexington, in said State of Missouri. 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; and in case of any litigation concerning any alleged obstruction to the free navigation of said river on account of said bridge, the cause may be tried before the circuit court of the United States in whose jurisdiction any portion of said obstruction or bridge is located.

Lexington Bridge Company may bridge Missouri River at Lexington, Mo.

Railway, wagon, and foot bridge.

Tolls.

Litigation.

SEC. 2. That any bridge constructed under this act and according 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 than the rate per mile paid for their transportation over the railroads or public highways leading to said bridge; and the United States shall have the right of way for postal-telegraph and telephone purposes across said bridge.

Lawful structure and post-route.

Postal telegraph.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than fifty feet above high water mark as understood at the point of location, to the lowest member of the bridge superstructure, nor shall the spans of said bridge over the main channel of said river be less than three hundred and fifty feet in length, and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right angles thereto: *Provided*, That if said bridge be constructed as a draw-bridge, it shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and the best navigable point, and with spans of not less than two hundred feet in length in the clear on each side of the central or pivot pier of the draw; and said spans shall not be less than ten feet above low-water mark, measuring to the lowest member of the bridge superstructure: *And provided also*, That said draw shall be opened

Spans.

Provisos.

Draw.

Opening draw.

promptly, upon reasonable signal, except when trains are passing over the said bridge, for the passage of the boats whose construction shall not be such as to admit of their passage under the draw of said bridge when closed; but in no case shall unnecessary delay occur in opening the said draw after the passage of trains; and the 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.

Lights.

Other companies may use.

Compensation.

SEC. 4. 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.

Secretary of War to approve location, 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, giving for the space of one mile above and one mile below the proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents 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, such change shall be subject to the approval of the Secretary of War; and if said bridge is not commenced within one year and completed within three years from the passage of this act, the rights and privileges hereby granted shall be null and void.

Commencement and completion.

Amendment.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structure or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

Approved, February 18, 1888.

February 18, 1888.

**CHAP. 15.**—An act to amend section four thousand eight hundred and eighty-three of the Revised Statutes to enable the Assistant Secretary of the Interior to sign patents.

Signing patents.  
R. S., sec. 4883, p.  
945, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section four thousand eight hundred and eighty-three of the Revised Statutes is hereby amended by inserting after the words "Secretary of the Interior," where they occur therein, the following words: "or under his direction by one of the Assistant Secretaries of the Interior," so that the said section as amended will read as follows:

Assistant Secretaries of Interior may sign patents.

"SECTION 4883. All patents shall be issued in the name of the United States of America, under the seal of the Patent Office, and shall be signed by the Secretary of the Interior or under his direction by one of the Assistant Secretaries of the Interior, and counter-signed by