

September 25, 1890.

CHAP. 921.—An act to amend an act entitled “An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers.” Approved January eighth, Eighteen hundred and eighty-nine.

Bridges across Tennessee and Cumberland Rivers.
Vol. 25, pp. 640, 641, amended.

Change in location.

Conformity of plans.

Commencement and completion extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act of Congress approved January eighth, eighteen hundred and eighty-nine entitled “An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers” be and the same is hereby, amended by striking out the words “below Aurora” in section one, and inserting in lieu thereof “from Birmingham in Marshall County Kentucky to the” and in lines fourteen and fifteen section four after the words “Secretary of War” insert “or conform to the existing laws of Congress concerning the building of such bridges across navigable streams;” and in section six, line two, strike out “two” and insert in lieu thereof “three” and in line three strike out “three” and insert in lieu thereof “five.”

Approved, September 25, 1890.

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CHAP. 922.—An act to amend section five hundred and seventy-two of the Revised Statutes so as to provide for the holding of the regular terms of the circuit and district courts for the western districts of Virginia.

Virginia.

Terms of courts for western district changed.
R. S., sec. 572, p. 101, amended.
R. S., sec. 658, p. 123, amended.

Process, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the circuit and district courts of the United States for the western district of Virginia shall be held: At Danville on the Tuesday after the second Monday in April and November; at Lynchburg on the Tuesday after the second Monday in March and September; at Abingdon on the Tuesday after the first Monday in May and October, and at Harrisonburgh on the Tuesday after the first Monday in June and December, instead of at the times now provided by law.

All process, bonds, and recognizances heretofore issued or existing, having relation to the terms of said courts as now by law existing, shall be deemed and taken to have relation and effect at, and in respect of, the terms of said courts in this act fixed.

Approved, September 25, 1890.

September 25, 1890.

CHAP. 923.—An act to authorize the construction of bridges over the Savannah, Ocmulgee, and Oconee Rivers by the Macon and Atlantic Railway Company.

Macon and Atlantic Railway Company may bridge Savannah, Ocmulgee, and Oconee Rivers, Ga.

Locations.

Security of navigation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of the United States of America is hereby given to the Macon and Atlantic Railway Company, a corporation incorporated by the laws of the State of Georgia, its successors and assigns, and such other persons as may be associated with it, to construct and maintain a bridge over the Savannah River at a point, by it to be selected, within six miles of the bridge of the Charleston and Savannah Railroad Company over said river in the County of Effingham, over the Ocmulgee River, within six miles of the mouth of Tobesofka Creek, in Bibb County, and over the Oconee River, within six miles of Dublin, in Laurens County.

SEC. 2. That the bridges shall be so constructed by draw-span or otherwise that a free and unobstructed passage may be secured to all vessels and other water-craft navigating said river. That any bridges 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 shall submit to the Secretary of War, for his examination and approval, designs and drawings of the bridges, piers, and approaches, and a map of the location, giving, for the space of at least one mile above and one mile below the proposed location, of each bridge the topography of the banks of the rivers, the shorelines at high water and at low water, and the direction and the strength of the currents at all stages, and the soundings, accurately showing the bed of the streams and the location of other bridges, wharves, landings, or ferries, and shall furnish such other information as shall be required for a full and satisfactory understanding of the subject; and until said plans and locations of the bridges are approved by the Secretary of War the bridges shall not be built; and after such approval by the Secretary of War the approved plans and designs for the bridges shall not be deviated from or added to, either during the construction or after the completion of the bridges, until the proposed change shall have been submitted to the Secretary of War and received his approval; and the said bridges shall be at all times so kept and managed as to offer reasonable and proper means for the passage of vessels through or under said bridges, and if said bridges or any one of them be built with draws, said draws shall be opened promptly upon reasonable signal for the passage of boats or other craft, and the said company or corporation shall maintain at its own expense, from sunset until sunrise, such lights or other signals on said bridges as the Light-House Board shall prescribe; and if at any time the navigation of said river shall in any manner be obstructed or impaired by the bridges authorized by this act to be constructed the Secretary of War shall have authority, and it shall be his duty, to require said company to alter and change said bridges 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 company, its successors or assigns, to make such change or alteration, the said company fails to do so, the Secretary of War shall have authority to make the same, at the expense of the owner or owners of said bridges; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said rivers, caused or alleged to be caused by said bridges, the case may be brought in the district court of the United States in and for the district in whose jurisdiction any portion of said obstruction or bridge may be: *Provided, also,* 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 these bridges from the operations of the same.

SEC. 3. That any bridges built under this act and subject to its limitations shall be lawful structures, and shall be recognized and known as post-routes, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops and munitions of war of the United States, or passengers or freight than the rate per mile for the transportation over the railroads or public highways leading to said bridges, and they shall enjoy the rights and privileges of other post-roads of the United States. And equal privileges in the use of said bridges shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridges and their approaches for postal-telegraph purposes.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structures or their removal, at the expense of the owners thereof, whenever the Secretary of War shall decide that the public interest requires it, is also expressly reserved.

Secretary of War to approve plans, etc.

Change of plans.

Draws.
Opening of draws.

Lights, etc.

Obstructed navigation.

Structural changes, etc.

Litigation.

Proviso.
Existing law.

Lawful structures and post-routes.

Use by telegraph, etc., companies.

Postal-telegraph.

Amendment, etc.

Removal, etc.

Commencement and completion.

SEC. 5. That this act shall be null and void if actual construction of the bridges herein authorized be not commenced within one year and completed within three years from the date of the approval of this act.

Use by other railroad companies.

SEC. 6. That all railroad companies desiring the use of said bridges shall have and be entitled to equal rights and privileges relative to the passage of railroad trains or cars over the same, and over the approaches to the same, upon the payment of a reasonable compensation for such use, and in case the owner or owners of said bridges 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 the rules and conditions to which each shall conform in using said bridges, 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.

Terms.

Secretary of War to decide disagreements.

Approved, September 25, 1890.

September 25, 1890.

CHAP. 924.—An act to authorize the Chicago, Henderson, Bowling Green and Chattanooga Railway Company to construct a bridge over Green and Barren Rivers, in the State of Kentucky.

Chicago, Henderson, Bowling Green and Chattanooga Railway Company may bridge Green and Barren Rivers, Ky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chicago, Henderson, Bowling Green and Chattanooga Railway Company, organized under an act of the general assembly of the Commonwealth of Kentucky, be, and is hereby, authorized to construct and maintain one or more bridges, and the approaches thereto, over Green River and Barren River, in the State of Kentucky, at such points as said company may deem suitable for the passage of its said road over said rivers. Said bridges shall be constructed to provide for the passage of railway trains and, at the option of the corporation by which they may be built, may be used for the passage of wagons and vehicles of all kinds and for foot passengers.

Locations, etc.

Railway, or railway, wagon, and foot bridge.

Lawful structures and post-routes.

SEC. 2. That any bridges built under this act and subject to its limitations shall be lawful structures, recognized and known as post-routes, and they shall enjoy the same rights and privileges as other post-roads in the United States. Equal privileges in the use of said bridges shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridges and their approaches for postal-telegraph purposes.

Use by telegraph, etc., companies.

Postal-telegraph.

Use by other companies.

SEC. 3. That all railroad companies desiring the use of said bridges 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 bridges and the several railroad companies, or any 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 bridges, 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.

Terms.

Security of navigation.

SEC. 4. That any bridges authorized to be constructed under this act shall be built and located 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 drawing of the bridges and a map of the location thereof, and until the said plan and location of the bridges are approved by the Secretary of War the bridges shall not be commenced or built; and should any changes be made in the plan of said bridges during the progress of construction, such change

Secretary of War to approve plans, etc.