

to the appropriations made by law in the construction and maintenance of such restraining works and settling reservoirs as may be proper and necessary: *Provided*, That said commission is hereby authorized to receive and pay into the Treasury from the owner or owners of mines worked by the hydraulic process, to whom permission may have been granted so to work under the provisions hereof, such money advances as may be offered to aid in the construction of such impounding dams or other restraining works, or settling reservoirs, or sites therefor, as may be deemed necessary by said commission to protect the navigable channels of said river systems, on condition that all moneys so advanced shall be refunded as the said tax is paid into the said debris fund: *And provided further*, That in no event shall the Government of the United States be held liable to refund same except as directed by this section.

*Proviso.*  
Money advances from mine-owners.

Refund of same when tax is paid.

Limitation.

SEC. 24. That for the purpose of securing harmony of action and economy in expenditures in the work to be done by the United States and the State of California, respectively, the former in its plans for the improvement and protection of the navigable streams and to prevent the depositing of mining debris or other materials within the same, and the latter in its plans authorized by law for the reclamation, drainage, and protection of its lands, or relating to the working of hydraulic mines, the said commission is empowered to consult thereon with a commission of engineers of said State, if authorized by said State for said purpose, the result of such conference to be reported to the Chief of Engineers of the United States Army, and if by him approved shall be followed by said commission.

Commission may consult with State commission of engineers.

Report on conference.  
Approval.

SEC. 25. That said commission, in order that such material as is now or may hereafter be lodged in the tributaries of the Sacramento and San Joaquin River systems resulting from mining operations, natural erosion, or other causes, shall be prevented from injuring the said navigable rivers or such of the tributaries of either as may be navigable and the land adjacent thereto, is hereby directed and empowered, when appropriations are made therefor by law, or sufficient money is deposited for that purpose in said debris fund, to build at such points above the head of navigation in said rivers and on the main tributaries thereof, or branches of such tributaries, or at any place adjacent to the same, which in the judgment of said commission, will effect said object (the same to be of such material as will insure safety and permanency), such restraining or impounding dams and settling reservoirs, with such canals, locks, or other works adapted and required to complete same. The recommendations contained in Executive Document Numbered Two hundred and sixty-seven, Fifty-first Congress, second session, and Executive Document Numbered Ninety-eight, Forty-seventh Congress, First session, as far as they refer to impounding dams, or other restraining works, are hereby adopted, and the same are directed to be made the basis of operations. The sum of fifteen thousand dollars is hereby appropriated, from moneys in the Treasury not otherwise appropriated, to be immediately available to defray the expenses of said commission.

Appropriations from debris fund to be expended in restraining works, etc., above head of navigation, etc.

Recommendations adopted and made the basis of operations.

Appropriations.

Approved, March 1, 1893.

**CHAP. 184.**—An act authorizing the Saint Louis and Madison Transfer Company to construct a bridge over the Mississippi River.

March 1, 1893.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby given to the Saint Louis and Madison Bridge Transfer Company, a corporation created by the laws of the State of Illinois, or its successors or assigns, to build a bridge, as hereinafter described, and maintain the same across the Mississippi River immediately adjoining and south of the Merchants' Bridge, at Saint Louis, Missouri. Said

Saint Louis and Madison Transfer Company may bridge Mississippi River at Saint Louis, Mo.

Street-car, wagon, and passenger bridge.	bridge hereby authorized shall be constructed to provide for the passage of street cars, wagons, and vehicles, and for the transit of animals and foot passengers, for such reasonable rates of toll as may be prescribed by said company and approved by the Secretary of War.
Lawful structure and post route.	<p>SEC. 2. That any bridge built under this act shall be a lawful structure, over which and its approaches may be transmitted the mails, the troops, and the munitions of war of the United States free of charge; and the United States shall have the right of way for postal telegraph purposes across said bridge; and said bridge shall enjoy the privileges of other post roads in the United States, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies: <i>Provided</i>, That all street railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of street-railway 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 bridge and the several street-railway 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 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.</p>
Postal telegraph.	
Use by telegraph, etc., companies. <i>Provided</i> , Use by other street railway companies.	
Terms.	
Construction. Spans. Vol. 24, p. 375.	<p>SEC. 3. That said bridge shall be made of unbroken and continuous spans of the same length as those of the Saint Louis Merchant's Bridge, built under the act approved February third, eighteen hundred and eighty-seven, with the same clear height above the water, and resting upon piers placed in the same lines as those of the said Merchants' Bridge as now built.</p>
Piers.	
Unobstructed navigation.	<p>SEC. 4. That riprapping or other protection for imperfect foundations which will materially lessen the waterway shall not be employed in the channel ways of the high spans, and piers which will produce cross currents or bars dangerous to navigation shall not be constructed; and if, after construction, any piers or protection walls are found to produce the above-mentioned effects the nuisance shall be abated or corrected by the owners of said bridge.</p>
Aids to navigation.	<p>SEC. 5. That in case the approaches to the channel span in said bridge, be found dangerous or difficult of access by any important class of river traffic, the Secretary of War shall order the construction of such sheer booms, guide piers, or other similar devices as will obviate the difficulty, which sheer boom, guide pier, or other device shall be paid for by the person owning or operating said bridge.</p>
Lights, etc.	<p>SEC. 6. That the persons owing, controlling, or operating the bridge authorized by this act shall maintain, at their own expense, from sunset to sunrise, throughout the year and during heavy fogs, such lights or other signals as the Light-House Board shall prescribe, and shall, during the season of navigation, have posted in a conspicuous place on or near the bridge the clear head room under the channel span on that day, the figure expressing this height to be not less than two feet high, and to be readily visible from any point in the channel of the river for a stretch of three thousand feet above the bridge and one thousand feet below the bridge.</p>
Free navigation.	<p>SEC. 7. That no bridge shall be erected or maintained under authority of this act which shall at any time substantially or materially obstruct the free navigation of said river, and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of such bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions be removed at the expense of the persons owning or controlling said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case may be brought in the</p>
Structural changes.	
Litigation.	

circuit courts of the United States of Illinois or Missouri in whose jurisdiction any portion of said bridge may be located.

SEC. 8. 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 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 of the bridge, the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current at low, medium, and high-water 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 changes be made in the plan of said bridge during the progress of construction such changes shall be subject to the approval of the Secretary of War.

Secretary of War to approve plans, etc.

Changes.

Commencement and completion.

SEC. 9. That in case the construction of the bridge authorized in this act be not commenced within one year and completed within three years from the date of its approval then this act shall be null and void.

Amendment, etc.

SEC. 10. That the right to alter, amend, or repeal this act is hereby expressly reserved. And it is further provided that no bridges shall be constructed across the Mississippi River within two miles above or two miles below the bridge herein provided for, unless authorized by Congress, and the plans therefor approved by the Secretary of War.

Proviso.  
Limit of location.

Approved, March 1, 1893.

**CHAP. 185.**—An act to authorize the construction of a bridge across the Calumet River.

March 1, 1893.

*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 Calumet and Blue Island Railway Company, a corporation organized and existing under the laws of the State of Illinois, or its successors and assigns, to construct and maintain a bridge and approaches thereto across the Calumet River, in Cook County, in the State of Illinois, at a point on and opposite that part of lot one, in block sixty-three, lying south of block sixty-two and east of an imaginary line drawn south from the southwest corner of block sixty-two to the river Calumet, of the subdivision of sections five and six, township thirty-seven north, range fifteen east, of the third principal meridian; that said bridge may be constructed for railway and postal service, with single or double track for railway traffic, and which shall be under the conditions and limitations hereinafter specified.

Calumet and Blue Island Railway Company may bridge Calumet River, in Cook County, Ill.

Location.

Railway bridge.

SEC. 2. That said bridge shall not interfere with the free navigation of said river beyond what may be necessary to carry into effect the rights and privileges herein granted, and in case of any litigation arising under the provisions of this act such litigation may be tried and determined by the circuit court of the United States within whose jurisdiction said bridge is located.

Free navigation.

Litigation.

SEC. 3. That any bridge built under the provisions of 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 transmission over the same of the mails, the troops, and the munitions of war of the United States, or passengers or freight passing over the said bridge, than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post roads in the United States; and the United States shall

Lawful structure and post route.

Charges for passengers, freight, etc.