

United States; this provision to be operative when the city of Saint Augustine shall by ordinance abolish that part of Marine street south of the north line of said powder-house lot, or sooner, at the discretion of the Secretary of War.

Approved, March 3, 1899.

March 3, 1899.

CHAP. 448.—An Act To authorize the construction of a bridge across the Missouri River at the city of Yankton, South Dakota.

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 Dakota Southern Railroad Company, a corporation organized for that purpose under the general corporation laws of the State of South Dakota, or its assigns, to construct, under and subject to the conditions and limitations hereafter provided, a combined railroad, wagon, and foot-passenger bridge across the Missouri River, at the city of Yankton, South Dakota, and to lay on and over said bridge railway tracks for the more perfect connection of any and all railways that now are, or which may hereafter be, constructed to the Missouri River at the city of Yankton, or to the river on the opposite side of the same, near the city of Yankton, and to build, erect, and lay on and over said bridge ways for wagon, vehicles of all kinds, and for the transit of animals, and to provide ways for foot passengers, and to maintain and operate said bridge for the purposes aforesaid; and that when said bridge is constructed all trains of railroads terminating at said river, and on the opposite side thereof, at the city of Yankton, South Dakota, shall be allowed to cross said bridge for reasonable compensation to be made to the owners of the same; and if the amount of said compensation can not be agreed upon by the parties the same shall be fixed by the Secretary of War. The owners of said bridge may also charge and receive reasonable compensation or tolls for the transit over said bridge of all wagons, carriages, vehicles, animals, and foot passengers: *Provided*, That the Secretary of War may at any time prescribe such rates of toll for such transit over said bridge as may be deemed proper and reasonable.

Dakota Southern Railroad may bridge Missouri River at Yankton.

Transit, etc.

Tolls.

Proviso.
—rates.

May be drawbridge, etc.

Provisos.
Construction if built of unbroken spans.

—if as drawbridge.

Draw.
Lights.

SEC. 2. That any bridge built under the provisions of this Act may, at the option of the corporation building the same, be built as a drawbridge, or with unbroken or continuous spans: *Provided*, That if the same shall be made of unbroken continuous spans, it shall not be in any case of less elevation than fifty feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure; nor shall the spans of said bridge be less than three hundred feet in the clear at low-water mark; and the piers of said bridge shall be parallel with the current of the river at high water, and the main spans shall be over the main channels of the river: *And provided also*, That if a bridge shall be built under this Act as a drawbridge the same shall be constructed as a pivot drawbridge, with one or more draws, as the Secretary of War may prescribe, and with spans of not less than two hundred feet in length in the clear on each side of the central or pivot piers of the draws, and the next adjoining spans over the river to the draws shall not be less than two hundred and fifty feet in the clear, measured at low water; and said spans shall not be less than ten feet above extreme high-water mark, measuring to the lowest part of the superstructure of the bridge; and the piers of said bridge shall be parallel with the current of the river at high water: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, without unnecessary delay; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe, and such sheer booms or other structures as may be necessary to safely guide vessels, rafts, or other water craft safely

through said channel span, or draw openings, and as shall be designated and required by the Secretary of War: *And provided further*, That the corporation building said bridge may, subject to the approval of the Secretary of War, enter upon the banks of said river, either above or below the point of location of said bridge, and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said object, but shall not impede or obstruct the navigation of said river, and shall be liable in damages for all injuries to private property; and all plans for such works or erections upon the banks of the river shall first be submitted to the Secretary of War for his approval: *And provided further*, That any bridge built under the provisions of this Act shall be at right angles to the current of the river at high water: *And provided further*, That the bridge herein authorized to be constructed shall not be built within less than one mile of any other bridge across said Missouri River.

Permanent channel, etc.

Position of bridge.

Proximity to other bridges.

Secretary of War to approve plans, etc.

SEC. 3. That no bridge shall be erected or maintained under the authority of this Act which shall at any time substantially or materially obstruct the free navigation of said river; and no bridge shall be commenced or built under this Act until the location thereof and the plans and specifications for its construction shall have been submitted to and approved by the Secretary of War; and any change in the plan of its construction or any alteration in the bridge after its construction shall be subject to the like approval; and whenever said bridge or its accessory works shall, in the opinion of the Secretary of War, unreasonably obstruct the free navigation of said river, he is hereby authorized to cause such change or alteration of said bridge or its accessory works 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 owner or owners of said bridge, or the persons operating or controlling the same; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of the Missouri River, at or near the crossing of said bridge, caused or alleged to be caused thereby, the cause shall be commenced and tried in the circuit courts of the United States of either judicial district of South Dakota or Nebraska in which the said bridge or any portion of such obstruction touches. And the bridge shall not be open to traffic until all piling and other false work used in constructing the bridge shall have been wholly removed to the satisfaction of the Secretary of War.

Changes

Litigation.

Removal of piling, etc.

SEC. 4. That any bridge built 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 transportation over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for their transportation over the railroad or public highways leading to such bridge. The United States shall also have the right to construct, without charge therefor, telegraph or telephone lines across said bridge.

To be lawful structure, etc.

Telegraph, etc., lines.

SEC. 5. That Congress may at any time alter, amend, or repeal this Act.

Amendment.

SEC. 6. 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.

Commencement and completion.

Approved, March 3, 1899.

CHAP. 449.—An Act For the erection of a public building at Tampa, Florida.

March 3, 1899.

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 be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site for, and cause to be erected, a suitable building, with proper fireproof vaults therein, for the accommodation of the courts of the United States, post-office,

Tampa, Fla. Public building authorized.