

**CHAP 350.**—An Act To authorize the Biloxi and Back Bay Bridge Company to construct and maintain a bridge over that portion of the bay of Biloxi, in the State of Mississippi, known as Back Bay.

August 27, 1894.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Biloxi and Back Bay Bridge Company be, and is hereby, authorized and empowered to construct, build, and maintain a bridge over and across that part of Biloxi Bay, in the State of Mississippi, known as Back Bay, so as to connect the town of Biloxi, Mississippi, with the mainland north of it by wagon road and street-car lines.

Biloxi and Back Bay Bridge Company may bridge Back Bay.

Wagon, etc., bridge.

**SEC. 2.** That any bridge built under this Act shall be a lawful structure, and United States mails and United States troops and munitions of war shall be allowed to pass over it free of charge.

Lawful structure and post route.

**SEC. 3.** That said bridge shall be constructed with a draw over the main channel of said bay of a sufficient length to afford ample space to admit of the passage through it of such vessels as can navigate said Back Bay, and said draw shall be at right angles to the current of the bay at that point: *Provided,* That said draw shall be opened promptly by said company, upon reasonable signal, for the passage of boats; and said company shall maintain, at its own expense, from sunset to sunrise, such lights or other signals as the Light-House Board shall prescribe.

Draw.

*Proviso.*  
Opening draw.

Lights, etc.

**SEC. 4.** 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 Back Bay. 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 said bridge to be made as will effectually obviate such obstruction; all of such changes or alterations shall be made at the expense of the owners of said bridge.

Free navigation.

Changes.

**SEC. 5.** That construction of the bridge shall not be commenced until a copy of the Coast Survey chart of said Back Bay, with the proposed line of crossing and location of draw marked upon it, and detailed plan showing width of draw and character of proposed construction of bridge and draw, shall have been submitted to and approved by the Secretary of War.

Secretary of War to approve plans.

**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.

*Post,* p. 701.

**SEC. 7.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment, etc.

Approved, August 27, 1894.

**CHAP. 351.**—An Act To authorize the construction of a bridge across the Osage River, in the State of Missouri.

August 27, 1894.

*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 Duluth, Springfield and Gulf Railroad Company, a corporation organized under the laws of the State of Iowa, its successors or assigns, to construct and maintain a bridge across the Osage River at some point on the river in the counties of Morgan or Camden, and State of Missouri, the location to be subject to the approval of the War Department; that said bridge may be constructed for railway, wagon, and postal service, with single or double tracks for railway traffic, and shall be constructed under the conditions and limitations hereinafter specified.

Duluth, Springfield, and Gulf Railroad Company may bridge Osage River, Mo.

Railway and wagon 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.

High bridge.

SEC. 3. That the bridge hereby authorized to be constructed must be constructed as a high bridge, with unbroken and continuous spans, having at least one channel span with not less than four hundred feet clear channel way, and all other spans to have a clear channel way of not less than three hundred feet, and all spans shall have a clear head-room of not less than fifty feet above high-water mark, and the piers of said bridge shall be parallel with the current of said river where said bridge may be erected.

Lawful structure and post route.

SEC. 4. That any bridge constructed under this Act shall be a lawful structure and shall be a post road, over which no higher charge shall be made for the transmission of mails, troops, and munitions of war of the Government of the United States, or for passengers or freight passing over the same than the rate per mile charged for their transportation over the railroad or public highways leading to the said bridge; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies. The United States shall have also the right of way over said bridge for postal-telegraph purposes.

Postal telegraph.

Use by other companies.

SEC. 5. That all railway companies desiring to use said bridge shall be entitled to equal rights and privileges in using the same, including the machinery and fixtures thereto belonging, and also the approaches thereto, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest, in case they shall not be able to agree upon such terms and conditions.

Terms.

Secretary of War to approve plans, etc.

SEC. 6. That the said railway company, before entering upon the construction of said bridge, shall submit to the Secretary of War plans and drawings of said structure, together with a map of the location thereof for one mile above and one mile below said location, giving the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current of said river at all stages of the water, showing also the bed of the river and the channel, with such other and further information as the Secretary of War may require, which said drawings and other information aforesaid shall be examined by him, and if he shall approve the same he shall so notify the said railway company of such approval, and thereupon said company may proceed to the erection of said bridge. The Secretary of War may direct such alterations in such plans as he may deem necessary to the better protection of navigation, and such alterations shall be made by the said railway company at its expense. The said railway company may at any time make any alterations deemed advisable to be made in said bridge, but must first submit such proposed alterations to the Secretary of War, and his approval shall be first had before they shall be authorized or made.

Alterations.

Aids to navigation.

SEC. 7. That the said bridge herein authorized to be constructed shall be so kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts under it both by day and night. There shall be displayed on said bridge, from sunset to sunrise, such lights and signals as may be directed by the Light-House Board, and such changes may be made from time to time in the structure of said bridge as the Secretary of War may direct, at the expense of said railway, in order the more effectually to preserve the free navigation of said river, or the said structure shall be altogether removed if, in the judgment of the Secretary of War, the public good may require such removal, and without expense or charge to the United States.

Lights, etc.

Commencement and completion.

SEC. 8. 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 of the approval of this Act.

Amendment, etc.

SEC. 9. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 27, 1894.