

CHAP. 326.—An act for the relief of Oscar Eastmond and James W. Atwill.

May 11, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and hereby is, authorized and directed to cause to be issued and delivered to Oscar Eastmond a commission as colonel and to James W. Atwill a commission as lieutenant-colonel of the First Regiment North Carolina Volunteers, to date as of June twentieth, eighteen hundred and sixty-five, and to cause them to be duly mustered out as of date June twenty-seventh, eighteen hundred and sixty-five: *Provided,* That this act, and the said commissions and musters-out issued thereunder, shall not entitle said Eastmond and Atwill, or either of them, or any person claiming by, through, under, or from them, or either of them, to any pay, compensation, or allowance of any kind whatever, and shall only entitle them respectively to the rank of colonel and lieutenant-colonel of said regiment.

Oscar Eastmond,
commissioned as
colonel 1st N. C.
Vols.
James W. Atwill,
commissioned as
lieutenant-colonel
1st N. C. Vols.
Proviso.
Not to entitle to
pay.

Approved, May 11, 1886.

CHAP. 327.—An act to authorize the Secretary of War to furnish certificates of discharge to certain members of the Missouri Home Guards.

May 15, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized and directed to furnish, upon their several applications therefor, a certificate of discharge to each and every member of the Missouri Home Guards whose claims for pay were adjudicated by the Hawkins-Taylor commission, under the act approved March twenty-fifth, eighteen hundred and sixty-two, and the several acts supplementary thereto.

Missouri Home
Guards.
Discharges to be
issued to members
of.
Vol. 12, pp. 374,
623, 824.

Approved, May 15, 1886.

CHAP. 328.—An act authorizing the District of Columbia to convey the alley, fifteen feet wide, running east and west between lots six and seven, in square six hundred and thirty-five, comprising an area of three thousand four hundred and eighty square feet of land, to the owner of said lots.

May 15, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia, in their discretion, are hereby authorized and empowered to convey to the owner of lots six and seven, in square six hundred and thirty-five, in the city of Washington, District of Columbia, the alley, fifteen feet wide, running east and west between said lots, and comprising an area of three thousand four hundred and eighty square feet of ground, and to vacate and close up said alley: *Provided,* That said owner shall appropriate for public use as an alley the north half of lot five, in said square, being twenty-nine feet wide, and comprising an area of four thousand three hundred and fifty square feet of ground.

Vacation of al-
ley in square 635,
Washington, D.C.,
authorized.

Proviso.

Approved, May 15, 1886.

CHAP. 329.—An act to authorize the Chicago, Freeport and Saint Paul Railroad Company to construct a bridge across the Saint Croix River (or lake) at any accessible point between Prescott, Wisconsin, and Stillwater, Minnesota.

May 15, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chicago, Freeport and Saint Paul Railroad Company, a corporation duly organized under the laws of the States of Illinois, Wisconsin, and Minnesota, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Saint Croix River (a part of which is commonly called Lake Saint Croix⁷), between the States of Minnesota and Wisconsin, at any accessible point on said river between Prescott, Wisconsin,

Chicago, Free-
port and St. Paul
R. R. Co. author-
ized to bridge the
St. Croix River be-
tween Prescott,
Wis., and Stillwa-
ter, Minn.

- Wagon and foot bridge.** and Stillwater, Minnesota. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which 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.
- Tolls.**
- Navigation not to be materially interfered with.** SEC. 2. That any bridge built under this act shall be constructed and built without material interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order to secure compliance with these conditions, the corporation, previous to commencing the construction of the bridge, or of the accessory works designed to secure the best practical channel-way for navigation and confine the flow of the water to a permanent channel at said point, shall submit to the Secretary of War a plan of the bridge and other accessory works provided for in this act, together with a detailed map of the river at the proposed site of the bridge and for a distance of a mile above and below the site, together with all other information touching said bridge and river and accessory works as may be deemed requisite by the Secretary of War to determine whether the said bridge, when built, will conform to the prescribed conditions of this act. That as to any bridge built under this act, if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge over the main channel be less than two hundred feet in length, and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river and not less than two hundred feet in length. That if any bridge built under this act shall be constructed as a drawbridge, the same 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 draw-openings of not less than one hundred and sixty feet in length in the clear on each side of the central or pivot pier of the draw, which said draw shall be opened promptly upon reasonable signal for the passing of boats, vessels, and other water-craft; and the spans adjoining said draw shall not be less than two hundred feet wide in the clear, and the elevation of the bottom chord of said bridge shall not be less than ten feet above the extreme high-water mark: *Provided, however,* That no bridge shall be built under the provisions of this act except there also be built, at the time of the erection of the piers, proper sheer-booms or other proper protections to safely guide boats, vessels, rafts, and other water-craft through said draw-spans, and at the expense of the company or corporation erecting the bridge; and said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Secretary of War shall prescribe.
- Plans to be submitted to Secretary of War.**
- Spans.**
- Draw.**
- Proviso.**
- Protection to navigation; lights, etc.**
- Approval of Secretary of War.** SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving any such plan and map and other information, and upon being satisfied that a bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an erection of said bridge, conforming strictly to the approved plan and location; but until the Secretary of War approve the plan and location of said bridge and other accessory works provided for in this act, and notify the company of the same, the bridge shall not be built; and should any change be made in the plan of the bridge or other accessory works provided for in this act, during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War, not, however, to be in any wise inconsistent with the provisions or conditions of this act.

SEC. 4. That any bridge and accessory works, when built and constructed under this act and according to its provisions and conditions, shall be a lawful structure; and said bridge 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 the transportation over the railroads or public highways leading to said bridge; and said bridge shall enjoy the rights and privileges of other post-routes in the United States; and Congress reserves the right at any time to regulate, by appropriate legislation, the charges for freight and passengers over said bridge; and the United States shall have the right of way for postal-telegraph and telegraph lines, free of charge, across said bridge.

Bridge declared a lawful structure and post-route.

Charges.

Postal telegraph.

SEC. 5. That it shall be the duty of the Secretary of War, on satisfactory proof that a necessity exists therefor, to require the company or persons owning said bridge to cause such aids to the passage of said bridge authorized by the provisions of this act to be constructed, placed, and maintained, at their own cost and expense, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent channel, and for the guiding of rafts, steamboats, and other water-craft safely through the draw and raft spans, as shall be specified in his order in that behalf; and on the failure of the company or persons aforesaid to make and establish such additional structures within a reasonable time, the said Secretary shall proceed to cause the same to be built or made at the expense of the United States, and shall refer the matter, without delay, to the Attorney-General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in any circuit court of the United States in which such bridge, or any part thereof, is located, for the recovery of the cost thereof; and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

Aids to navigation, if necessary, to be provided.

Attorney-General to bring suit in case of failure.

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, at the expense of the owners thereof, whenever Congress shall decide that the public interests require it, is also expressly reserved.

Right to amend, etc., reserved.

SEC. 7. That this act shall take effect and be in force from and after its passage.

Approved, May 15, 1886.

CHAP. 330.—An act authorizing the construction of a bridge across the Mississippi River at or near Keithsburg, in the State of Illinois, and for other purposes.

May 15, 1886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the New York and Council Bluffs Railway Company, a corporation duly created and organized under the laws of the States of Ohio, Indiana, Illinois and Iowa, or its successors or assigns, to build a bridge across the Mississippi River at such point on said river at or near Keithsburg, in the State of Illinois, as may accommodate lines of railroad which said corporation may build to said point on the said Mississippi River, or to a point on the west bank of said river in the State of Iowa, opposite to said point at or near Keithsburg, in the State of Illinois, and to lay on or over said bridge a railroad track or tracks, for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free naviga-

New York and Council Bluffs Railway Company authorized to bridge the Mississippi River, at Keithsburg, Ill.

Free navigation not to be interfered with.

Litigation.