

Drawback certificates, to be considered as money.
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including drawback certificates, of said District. And all the drawback certificates heretofore or hereafter received for general taxes under the acts of June twenty-seventh, eighteen hundred and seventy-nine, and July fifth, eighteen hundred and eighty-four, and paid or deposited in the Treasury, shall be considered and treated as money in the keeping and settlement of accounts between the United States and the District of Columbia under this or any other act, and one-half of the same less any amounts heretofore credited shall be credited to said District as such, together with all other revenues, as received, upon the books of the Treasury.

Approved, July 9, 1886.

July 10, 1886.

CHAP. 758.—An act relating to the supreme court of Montana Territory, and providing for the establishment of judicial districts in said Territory.

Montana Territory:
Additional justice in supreme court of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the supreme court of the Territory of Montana shall consist of a chief justice and three associate justices, three of whom shall constitute a quorum; they shall hold their offices for four years, and until their successors are appointed and qualified; they shall hold a term annually at the seat of government of said Territory: *Provided, however,* That no justice shall act as a member of the supreme court of said Territory of Montana in any action or proceeding brought to such court by writ of error, bill of exceptions, or appeal from a decision, judgment, or decree rendered by him as judge of a district court.

Proviso.
No judge to sit in appeal from his decision.

Territory to be divided into four districts.

SEC. 2. That said Territory shall be divided into four judicial districts, and a district court shall be held in each district of the Territory by one of the justices of the supreme court, at such time and place as may be prescribed by law.

Offenses committed prior to act to be tried in present courts.

SEC. 3. That all offenses committed before the passage of this act shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

Approved, July 10, 1886.

July 10, 1886.

CHAP. 759.—An act to authorize the construction of a bridge across the Missouri River at or near the city of Saint Joseph, in the State of Missouri, and to establish it as a post-road.

Saint Joseph and Rio Grande Railroad Company, authorized to bridge Missouri River, at Saint Joseph, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Saint Joseph and Rio Grande Railroad Company of the State of Kansas, its successors or assigns, are hereby, authorized to build a bridge across the Missouri River at or near the city of Saint Joseph, in the State of Missouri, and to lay on or over said bridge railway tracks for the more perfect connection of any railroads that are or shall be constructed to the said river at or opposite said point, under the limitations and conditions hereinafter provided: *Provided,* That said bridge shall not interfere with the free navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted.

Proviso.
Free navigation not to be impaired.

Construction.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the company building the same, be built either as a pivot draw-bridge or with unbroken or continuous spans: *Provided,* That 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 high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than three hundred feet in length, and the piers of said bridge shall be parallel with the current of the river, and the main span shall be over the main channel of the river and not be less than three hundred feet in

Provisos.
Spans.

length: *And provided also*, That if any bridge built under this act shall be constructed as a pivot draw-bridge, the same shall be constructed with a draw over the main channel of the river at an accessible and navigable point, with spans 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; and the next adjoining spans to the draw shall be not less than three hundred feet, if the proper location of the draw over the channel will admit spans of this width between it and the shore; and said spans shall not be less than thirty feet above low-water mark, and not less than twenty feet above extreme high-water mark, measuring to the bottom chord of the bridge; and the piers of the said bridge shall be parallel with the current of the river: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, for passage of boats.

Draw.

SEC. 3. That in case said bridge be constructed as a low bridge, there shall be at least one protection-pier of masonry, crib-work, or piling extending from the upper end of a pivot-pier or one of the rest piers of a draw-span, up stream, for a distance of not less than five hundred feet from the center line of the bridge, or such other distance as may be determined by the Secretary of War, which protection-pier shall be properly arranged with ring-bolts and fender-planking so as to enable boats to tie up alongside of it and drop down through the draw-openings at such times as it may be dangerous to attempt the passage of the draw-opening under headway. That all draw or pivot spans authorized by this act shall be operated by steam or other reliable mechanical power, and shall be opened promptly upon reasonable signal for the passage of boats, except when trains are passing over said span or spans; but in no case shall unnecessary delay occur in opening said draw after the passage of trains; and in case the opening of a draw be delayed by reason of the passing of a train after the signal has been given from a boat ready to pass through, the draw shall be opened for the passage of such boat before another train is allowed to pass over the bridge. That the piers of all high channel spans and all pivot-spans shall be built parallel with the current of the river at that stage of water which is most important for navigation; and riprapping, or other protection for imperfect foundations which will materially lessen the water-way, shall not be employed in the channel-ways of the high spans or of the draw-openings, 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 or at the expense of the persons owning said bridge. That in case the approaches to draw-span openings, channel-spans, or raft-passages 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 device as will obviate the difficulty, which sheer-booms, guide-piers, or other device shall be paid for by the persons owning said bridge. That the persons owning, 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, in case a high bridge be constructed, 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 figures 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 and one thousand feet below the bridge.

Construction, if a low bridge.

Opening draw.

Aids to navigation.

Lights, etc.

SEC. 4. That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized 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

To be a lawful structure and post-route.

their transportation over the railroads or public highways leading to the said bridge.

Other companies to have use of.

SEC. 5. That all railway companies desiring to use the said bridge shall have and be entitled to equal rights and privileges in the passage of the same and in the use of the machinery and fixtures thereof, under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in case they shall not agree.

Secretary of War to prescribe terms.

Secretary of War to approve plans, location, etc.

SEC. 6. That any bridge 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, a design of the drawings of the bridge and piers and a map of the location, giving, for the space of at least one mile above and one mile below the proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents at all 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 said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and if any change be made in the plan of construction of said bridge during the progress of the work thereon, or before the completion of said bridge, such change shall be subject to the approval of the Secretary of War; and the said structure 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 structure; and the said structure shall be changed at the cost and expense of the owners thereof, from time to time, as Congress may direct, so as to preserve the free and convenient navigation of said river; and the authority to erect and continue said bridge shall be subject to the revocation or modification by law whenever the public good shall, in the judgment of Congress, so require, without any expense or charge to the United States; 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, suit may be brought in the circuit courts of the United States of Missouri or Kansas in whose jurisdiction any portion of said bridge may be located.

Litigation.

Right to amend, etc., reserved.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

Approved, July 10, 1886.

July 10, 1886.

CHAP. 760.—An act declaring forfeited certain grants of land made to certain States in aid of the construction of railroads.

Grants of lands to railroads in Mississippi forfeited; exceptions.

Vol. 11, p. 30.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the several acts and parts of acts of Congress as are below recited be, and they are hereby, repealed, namely:

Chapter eighty-three, eleventh Statutes at Large, page thirty, approved August eleventh, eighteen hundred and fifty-six, entitled "An act granting public lands in alternate sections to the State of Mississippi to aid in the construction of railroads in said State, and for other purposes," except so much of said act as relates to a grant of land in aid of "a railroad from Jackson to the line between the State of Mississippi and the State of Alabama," which road was completed within the time prescribed by said act; also except so much of said act as relates