

Changes.

SEC. 4. That such alterations or changes as may be required by the Secretary of War or Congress in the bridge constructed under the provisions of this act shall be made by the said city of Salem, at its own expense; and at any time after the completion of such bridge the said city of Salem may, at its option, surrender and transfer to the counties of Marion and Polk, in the State of Oregon, the said bridge, and the entire control and management thereof, in which event, and in case of the acceptance thereof by said counties of Marion and Polk, they shall thenceforth be subject to all the obligations and conditions imposed on the city of Salem by the provisions of this act. And it is hereby expressly provided that Congress reserves the right at any time to alter, amend, or repeal this act.

Approved, July 29, 1886.

July 29, 1886.

CHAP. 806.—An act granting to the Oregonian Railway Bridge Company of Oregon the right to construct a bridge over the Willamette River in the vicinity of Ray's Landing, Oregon.

Oregonian Railway Bridge Company authorized to bridge the Willamette River, at Ray's Landing, Oregon.

Construction.

Provisos.

Spans.

Draw.

Opening draw.

Lights, etc.

Wagon and foot bridge.

Tolls.

To be a lawful structure and post-route.

Postal telegraph.

Secretary of War to approve plans, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Oregonian Railway Bridge Company, a corporation duly organized under the laws of Oregon, be authorized and permitted to build a railroad bridge across the Willamette River south of Oregon City, at such point as it may select in the vicinity of Ray's Landing, within the State of Oregon.

SEC. 2. That the bridge built under the provisions of this act may, at the option of said bridge company, be built as a draw-bridge or with unbroken and continuous spans: *Provided*, That if such bridge shall be made with unbroken and continuous spans, the main span shall be over the main channel of such navigable river, and shall be of such width, and the lowest part of the superstructure shall be of such height above extreme high-water mark, as the Secretary of War may prescribe, and such bridge shall be at right angles to and its piers parallel with the current or channel of the river over which it may be constructed; and if the bridge built under this act shall be constructed as a draw-bridge, the same shall be constructed with an opening over the center of the channel of the river, and shall be of such width, character, and construction as the Secretary of War shall prescribe, and the piers of said bridge shall be parallel with the current, and the draws of said bridge shall be over the main or deep channel of the river, as may be fixed and determined by the Secretary of War: *Provided also*, That said draw shall be opened promptly upon reasonable signal for the passage of boats, and in no case shall unnecessary delay occur; 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 Light-House Board shall prescribe: *Provided also*, That said bridge, at the option of the corporation or company by which it may be built, may be used for the passage of wagons or vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rate of toll as may be approved from time to time by the Secretary of War.

SEC. 3. That the bridge authorized to be constructed under this act shall be a lawful structure, and shall be recognized and known as a post-route, and it shall enjoy the rights and privileges of other post-roads in the United States, upon which also no higher charge shall be made for transmission over the same of the mails, the troops, and the munitions of war of the United States, or for through passengers or freight passing over said bridge, than the rate per mile for their transportation over the railroads leading to the said bridge; and the United States shall have the right of way for a postal telegraph across said bridge. Said bridge shall be built and located under and subject to such regulations for the security and navigation of navigable rivers as the Secretary of War shall prescribe; and to secure that object the said company or

corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of such bridge, and a map of the location, giving, for the space of 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 current at all stages, and the soundings, accurately showing the bed and channel 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 plans and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of such bridge during the progress of construction thereof, such change shall be subject to the approval of the Secretary of War.

SEC. 4. That all railroad companies desiring the use of the bridge constructed under this act, shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon 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.

Other companies to have right of way.

Secretary of War to decide terms.

SEC. 5. That the right to alter or amend this act so as to prevent or remove all material obstructions to the navigation of said river is hereby expressly reserved; and all changes or alterations so required shall be made at the expense of the parties owning or controlling said bridge.

Right to amend, etc., reserved.

Changes.

Approved, July 29, 1886.

CHAP. 807.—An act to authorize the construction of bridges across the Tennessee and Cumberland Rivers by the Ohio Valley Railway Company.

July 29, 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Ohio Valley Railway Company, organized under act of the general assembly of the commonwealth of Kentucky, be, and is hereby, authorized to construct and maintain bridges, and approaches thereto, over the Tennessee River at any point below Aurora, in the State of Kentucky, and the Cumberland River at any point below Canton, on said river. Said bridges shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which they 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.*

Ohio Valley Railway Company authorized to bridge Tennessee and Cumberland Rivers.

Railway, wagon, and foot bridges.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, and it shall enjoy the rights and privileges of other post-roads in the United States.

To be lawful structures and post-routes.

SEC. 3. That all railroad companies desiring the use of said bridges shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and over the approaches thereto, upon the payment of a reasonable compensation for such use; and in case the owner or owners of said bridges and the several railroad companies, or any of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridges, 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.

Other companies to have right of way.

Secretary of War to decide terms.

SEC. 4. That any bridges 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 rivers as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall

Secretary of War to approve plans, etc.