

SEC. 6. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

Limit to consideration.

SEC. 7. That at such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of ten o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

Arrangements for joint meeting.

Not to dissolve until result declared.

Approved, February 3, 1887.

CHAP. 91.—An act authorizing the construction of a bridge over the Mississippi River at Saint Louis, Missouri.

Feb. 3, 1887.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the Saint Louis Merchants' Bridge Company of Saint Louis, Missouri, a corporation created by the laws of the State of Illinois, or its assigns or successors, or any legally incorporated railroad company or companies which may be associated with it therein, to build a bridge as hereinafter described, and maintain the same, across the Mississippi River at some suitable point between the present Saint Louis bridge known as the Eads Bridge, Saint Clair County, Illinois, and the mouth of the Missouri River: *Provided,* That no bridge shall be constructed across the Mississippi River within two miles above or two miles below the bridge heretofore constructed and known as the Eads bridge. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles, for the transit of animals, and for foot-passengers.

Saint Louis Merchants' Bridge Company authorized to bridge the Mississippi River.

Proviso.
Location.

Railway, foot, and wagon bridge.

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, 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 railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States.

To be lawful structure and post-route.

SEC. 3. That if the bridge shall be made with unbroken and continuous spans, it shall have at least two channel-spans of not less than five hundred feet clear width each, and one span of three hundred feet clear width of channel-way: *Provided,* That said bridge may have two spans of not less than seven hundred and fifty feet each clear width of channel

Construction.

Proviso.
Spans.

way, if thought best, instead of three spans as aforesaid, the said channel-ways to be measured at right angles to the current at any and all stages of water; and said span or spans 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 chords of the bridge, and the piers of said bridge shall be parallel with the current of the river, and there shall not be less than fifty feet at high-water mark from the surface of the water to the bottom chords of said bridge.

Piers.

SEC. 4. That the piers of all high channel-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, 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.

Aids to navigation.

SEC. 5. That in case the approaches to 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-boom, guide-pier, or other device shall be paid for by the persons owning or operating said bridge.

Lights, etc.

SEC. 6. 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, 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.

Free navigation not to be impaired.

SEC. 7. 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 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 such bridge 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 persons owning or controlling said bridge; 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, the case may be brought in the circuit courts of the United States of Missouri or Illinois in whose jurisdiction any portion of said bridge may be located.

Litigation.

Right of way to railroads.

SEC. 8. That all railroad companies desiring the use of said bridge 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 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 the 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.

Secretary of War to decide disagreements.

Plans, etc., to be approved by Secretary of War.

SEC. 9. That any bridge 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 river as the Secretary of War shall prescribe; and the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings

of the bridge, and a map of the location, giving, for the space of one mile above and one mile below the proposed location of the bridge, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the current at low, medium, and high-water 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 the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any changes be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.

SEC. 10. That in case the construction of the bridge authorized in this act be not commenced within two years and completed within seven years from the date of its approval, then this act shall be null and void. To be finished in two years.

SEC. 11. That whereas a principal reason for giving authority to build the bridge herein contemplated is to secure reasonable rates and tolls for corporations and individuals for passing over the same, the Saint Louis Merchants' Bridge Company, or its successors or assigns, shall not agree or consent to the consolidation of this bridge with any other bridge across the Mississippi River, or to the pooling of the earnings of this bridge company with the earnings of any other bridge company on said river, nor shall any person who is or may be a stockholder or director or manager of any other bridge over said river be a stockholder or director or manager of the bridge herein provided for: *Provided*, That if this provision of this act shall at any time be violated in any of these particulars, such violation shall, without legal proceeding, at once forfeit the privilege hereby granted, and said bridge shall become the property of the United States, and the Secretary of War shall take possession of the same in the name and for the use of the United States. Pooling of earnings forbidden.

SEC. 12. That the right to alter, amend, or repeal this act is hereby expressly reserved. *And it is further provided* that no bridge shall be constructed across the Mississippi River within two miles above or two miles below the bridge herein authorized. Right to amend, etc., reserved.

Approved, February 3, 1887. *Provido.*

CHAP. 92.—An act to amend an act entitled "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June third, eighteen hundred and eighty-four. Right to amend, etc., reserved.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June third, eighteen hundred and eighty-four, be, and is hereby, amended so as to read as follows: *Provido.*

"That the joint resolution approved July eleventh, eighteen hundred and seventy, entitled 'Joint resolution amendatory of joint resolution for the relief of certain officers of the Army,' approved July twenty-sixth, eighteen hundred and sixty-six, is hereby so amended and shall be so construed that in all cases arising under the same any person who was duly appointed and commissioned, whether his commission was actually received by him or not, shall be considered as commissioned to the grade therein named from the date from which he was to take rank under and by the terms of his said commission, and shall be entitled to all pay and emoluments as if actually mustered at that date: *Provided*, That at the date from which he was to take rank by the terms of his commission there was a vacancy to which he could be so commissioned and that he was actually performing the duties of the grade to which he was so commissioned, or, if not so performing such

Feb. 3, 1887.

Date of commission to certain volunteer officers.

Vol. 23, p. 34.
Vol. 16, p. 335.
Vol. 14, p. 363.

To receive pay, etc., from date of commission.
Provido.
If vacancy existed, or duties were performed.