

Postal telegraph.	other post routes in the United States, and the United States shall have a right of way for postal telegraph across said bridge.
Use by other companies.	SEC. 5. That all railroad companies desiring the use of any 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 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 proof of the parties.
Compensation.	
Commencement and completion.	SEC. 6. That this act shall be null and void if actual construction of the bridge or bridges herein authorized be not commenced within one year and completed within three years from the date of this act.
Amendment, etc.	SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.
	Approved, January 26, 1893.

January 26, 1893.

CHAP. 48.—An act to authorize the construction of a bridge across the Mississippi River above New Orleans.

Southern Bridge and Railway Company may bridge Mississippi River at New Orleans, La.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Southern Bridge and Railway Company, a corporation duly incorporated under the laws of the State of Louisiana, be, and the same is hereby, authorized and empowered to erect, construct, and maintain a bridge over the Mississippi River, the approach to which, on its left bank, shall be within the upper limits of the city of New Orleans, if practicable, or within five miles above said city limits, in the State of Louisiana, at such location as may be approved by the Secretary of War. Said bridge shall be constructed for the use and connections of the railroads on either side of the river, and for other purposes.

Lawful structure and post route.

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 transportation over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post roads in the United States.

Construction.

SEC. 3. That the said bridge shall be made with three unbroken and continuous spans between the river banks, as defined by a medium stage of water, and with but two piers in the river. The length of the main channel span shall be at least one thousand feet long, measured between the piers at the surface of the water at low water, and the height of the superstructure above high water shall be fixed and determined by the Secretary of War; and the bridge shall be at right angles to, and its piers parallel with, the current of the river: *Provided*, That the lower chord of the bridge shall be horizontal and the lowest point of the superstructure shall not be less than eighty-five feet above extreme high water: *Provided, also*, That said Southern Bridge and Railway Company shall have posted in a conspicuous place, on or near the bridge, the clear headroom under the channel span on each 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. The bridge shall be located above the city of New Orleans. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the navigation of said river, and if

Main span

Proviso.

Minimum height.

Notice of headroom.

Unobstructed navigation.

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; and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of 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 court of the United States within whose jurisdiction any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

Changes.

Litigation.

Existing legislation not affected.

SEC. 4. 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 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 reasonable notice to the parties in interest, and upon consideration of such allegations and proofs as may be submitted to him. But the last foregoing provision shall not be held to exclude the ordinary jurisdiction of the courts of the United States in such cases.

Use by railroad companies.

Compensation.

Determination of disputes.

SEC. 5. 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 to secure that object 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 two miles above and two miles below the proposed location, the topography of the banks of the river, the shore lines at high and low water, and at least one medium stage, 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 or commenced; and should any change be made in the plans of said bridge during the process of construction, such change shall be subject to approval of the Secretary of War, and shall not be made or commenced until the same is approved; and the said company or corporation shall cause to be displayed on said bridge from the hours of sunset to sunrise such lights or other signals as may be prescribed by the Light-House Board: *Provided*, That nothing in this section shall be construed as giving authority to the Secretary of War to diminish the height of bridge or the width of spans as specified in section three of this act.

Secretary of War to approve plans, etc.

Changes.

Lights, etc. *Proviso.*

Height and width.

SEC. 6. 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 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 the guiding of rafts, tows, steamboats, and other water craft safely through the passageway, as shall be specified in his order in their behalf, and on failure of the company or persons aforesaid to make and establish and maintain such additional structures within a reasonable time, the said Secretary may cause the said bridge to be removed at the expense of the owners thereof, or may proceed to cause the same to be built or made at the expense of the owners of said

Aids to navigation.

Removal of bridge on failure to provide.

bridge, and in that case 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 within whose jurisdiction such bridge, or any part thereof, is located for the recovery of the amount so expended by the Government and all costs of such proceedings, and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

Commencement and completion.

SEC. 7. That if the construction of the bridge hereby authorized shall not be commenced within two years from the time this act takes effect, and be completed within five years after the same date, then this act shall be void, and all rights hereby conferred shall cease and determine.

Amendment, etc.

SEC. 8. 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, whenever the Secretary of War shall decide that the public interests require it, is also expressly reserved.

Approved, January 26, 1893.

January 27, 1893.

CHAP. 50.—An act to establish a life-saving station at Gay Head, on the coast of Massachusetts.

Gay Head, Mass.
Life-saving station established.

Proviso.
Cost.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station at or near Gay Head, on the coast of Massachusetts, at such point as the General Superintendent of the Life-Saving Service may recommend: *Provided,* That the cost thereof shall not exceed the sum of ten thousand dollars.

Approved, January 27, 1893.

January 28, 1893.

CHAP. 51.—An act relating to post traderships.

Post traderships.
Vacancies not to be filled.

Proviso.
Closing business of deceased traders.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where a vacancy now exists or hereafter occurs in the position of post trader at any military post it shall not be filled, and the authority to make such appointment is hereby terminated: *Provided,* That in the event of the death of a post trader his personal representative shall be allowed by the Secretary of War a reasonable time in which to close the business.

Approved, January 28, 1893.

January 28, 1893.

CHAP. 52.—An act to authorize the Court of Claims to hear and determine the claims of certain New York Indians against the United States.

New York Indians.
Claim to be tried in Court of Claims.

Vol. 7, p. 550.

Proceedings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims to hear and enter up judgment as if it had original jurisdiction of said case, the claim of the New York Indians, being those Indians who were parties to the treaty of Buffalo Creek, New York, on the fifteenth of January, eighteen hundred and thirty-eight, against the United States, growing out of the alleged unexecuted stipulations of said treaty on the part of the United States. In the hearing and adjudication of said case said court may proceed upon the finding of facts already made, upon a reference of said claim to said court, filed on the eleventh day of January, eighteen hundred