

CHAP. 857.—An Act To provide for an additional judge of the district court of the United States for the eastern district of Pennsylvania.

April 1, 1904.
[S. 3015.]

[Public, No. 79.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the eastern district of Pennsylvania, who shall reside in said district and who shall possess the same powers, perform the same duties, and receive the same salary as the present district judge of said district.

United States courts.
Pennsylvania eastern district.
Additional judge.

Approved, April 1, 1904.

CHAP. 858.—An Act Authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, South Dakota.

April 5, 1904.
[S. 270.]

[Public, No. 80.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Winnipeg, Yankton and Gulf Railroad Company, a corporation organized for that purpose under the general corporation laws of the State of South Dakota, or its assigns, to construct, under and subject to the conditions and limitations hereafter provided, a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, South Dakota, and to lay on and over said bridge railway tracks for the more perfect connection of any and all railways that now are, or which may hereafter be, constructed to the Missouri River at the city of Yankton, or to the river on the opposite side of the same, near the city of Yankton; and if the said railroad company so chooses also to build, erect, and lay on and over said bridge ways for wagons, vehicles of all kinds, and for the transit of animals, and to provide ways for foot passengers, and to maintain and operate said bridge for the purposes aforesaid; and that when said bridge is constructed all trains of railroads terminating at said river, and on the opposite side thereof, at the city of Yankton, South Dakota, shall be allowed to cross said bridge for reasonable compensation to be made to the owners of the same; and if the amount of said compensation can not be agreed upon by the parties the same shall be fixed by the Secretary of War. And if the owners elect to build, erect, and lay on and over said bridge roadway for wagons, vehicles, and animals, the owners of said bridge may also charge and receive reasonable compensation or tolls for the transit over said bridge of all wagons, carriages, vehicles, animals, and foot passengers: *Provided,* That the Secretary of War may at any time prescribe such rates of toll for such transit over said bridge as may be deemed proper and reasonable.

Missouri River.
Winnipeg, Yankton and Gulf Railroad Company may bridge, at Yankton, S. Dak.

Railroad, wagon, and foot bridge.

Use by other roads.

Toll.

Proviso.
Rates.

Construction.

Provisos.
Continuous spans.

Pivot draw.

SEC. 2. That any bridge built under the provisions of this Act may, at the option of the corporation building the same, be built as a drawbridge, or with unbroken and continuous spans: *Provided,* That if the same shall be made of unbroken continuous spans it shall not be in any case of less elevation than fifty feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructures; nor shall the spans of said bridge be less than three hundred feet in the clear at low-water mark; and the piers of said bridge shall be parallel with the current of the river at high water, and the main spans shall be over the main channels of the river: *And provided also,* That if a bridge shall be built under this Act as a drawbridge, the same shall be constructed as a pivot drawbridge, with one or more draws, as the Secretary of War may prescribe, and with spans of not less than two hundred feet in length in the clear on each side of the central or pivot piers of the draws, and the next adjoining spans over