

CHAP. 274.—An act to build a bridge across the Tennessee River between a point in Whitesburg Precinct, in Madison County, and Morgan County, in the State of Alabama.

July 27, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Huntsville Bridge Company, a corporation duly organized and existing under the laws of the State of Alabama, its successors or assigns, be, and are hereby, authorized to construct and maintain a bridge, and approaches thereto, across the Tennessee River between a point in Whitesburg Precinct, in Madison County, and Morgan County, in the State of Alabama. Said bridge shall be constructed to provide for the passage of railroad trains, wagons, and vehicles of all kinds, steam and street cars, animals, foot passengers, and for all road travel, for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by said corporation, its successors or assigns, and approved by the Secretary of War.

Huntsville Bridge Company near bridge Tennessee River, Alabama.

Railroad, wagon, and foot bridge.

Toll, etc.

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 said bridge, and it shall enjoy the rights and privileges of other post roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal and telegraph purposes.

Lawful structure and post-route.

Postal telegraph.

SEC. 3. That said bridge shall be constructed as a ponton draw-span bridge, and shall contain a ponton drawspan of not less than two hundred feet in length, which drawspan shall be maintained over the main channel of the river at an accessible and navigable point, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river: *Provided,* That said draw shall be opened promptly by said company or corporation upon reasonable signal for the passage of boats and rafts, 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. No bridge shall be erected or maintained under the authority of this act which shall at any time 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 the entire removal thereof or 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 shall 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 district court of the United States in the State of Alabama in 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 the law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operations of the same: *Provided,* That said company may construct a wagon and foot bridge alone, and in case of the construction of a wagon and foot bridge alone the drawspan shall be of such length and shall be of such construction as shall be approved by the Secretary of War, and shall be subject to all the provisions herein contained in respect to being promptly opened to admit of the unobstructed navigation of said river, and of keeping the said bridge lighted as herein provided in case of a railroad and wagon bridge, and in such

Ponton draw.

Proviso.
Opening draw.

Lights, etc.

Unobstructed navigation.

Litigation.

Existing laws not affected.

Wagon and foot bridge provisions.

case the provisions herein in relation to the use for railroad purposes shall not apply.

Use by railroad companies.

Compensation.

Secretary of War to approve plans, etc.

Changes.

Commencement and completion.

Proviso.

Amendment, etc.

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 railroad trains or cars over the same, and over the approaches to the same, upon the 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 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.

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 approval and examination, a design and drawings of the bridge, and a map of the location, giving for the space of one-half mile above and one-half 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 the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plans of said bridge during the progress of its construction, such changes shall be subject to the approval of the Secretary of War.

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the time this act takes effect: *Provided*, That Congress reserves the right to alter, amend, or repeal this act whenever it may think the public interests so require.

Approved, July 27, 1892.

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CHAP. 275.— An act to provide for the improvement of the outer bar of Brunswick, Georgia,

Brunswick, Ga.
Payments to C. P.
Goodyear upon secur-
ing deep-water chan-
nel over outer bar.

Post. p. 529.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to pay to C. P. Goodyear, his heirs or assigns, upon the procurement by said C. P. Goodyear, his heirs or assigns, of a practicable channel over the outer bar of Brunswick, Georgia, at least one hundred feet in width, and of a minimum depth of twenty-two feet at ordinary mean high tide, on or before November first, eighteen hundred and ninety-two, the sum of ten thousand dollars; upon the procurement as aforesaid on or before January first, eighteen hundred and ninety-three, of a depth of water in said channel over said outer bar of a minimum depth at ordinary mean high tide of twenty-three feet, ten thousand dollars more, to be paid in manner aforesaid; upon the procurement as aforesaid on or before March first, eighteen hundred and ninety-three, of a depth of water in said channel over said outer bar at a minimum depth at ordinary mean high tide of twenty-four feet, ten thousand dollars more, to be paid in manner aforesaid; upon the procurement as aforesaid on or before May first, eighteen hundred and ninety-three, of a depth of water in said channel over said outer bar of a minimum depth at ordinary mean high tide of twenty-five feet, ten thousand dollars more, to be paid in manner aforesaid; upon procurement on or before October first, eighteen hundred and ninety-three, of a minimum depth in said channel over said outer bar of twenty-six