

proval, a design and drawings of said bridges, and each of them, 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 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 or bridges are approved by the Secretary of War the bridge or bridges shall not be built; and should any change be made in the plan of said bridges, or either of them, during the progress of construction, such change shall be subject to approval of the Secretary of War. And the said structures shall be changed at the cost and expense of the owners thereof, from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said rivers, and the authority to erect and continue any and all of said bridges shall be subject to revocation by the Secretary of War whenever the public good, in his judgment, so requires.

Changes.

Amendment, etc. SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Commencement and completion. SEC. 7. 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 approval of this Act.

Approved, April 2, 1894.

April 5, 1894.

CHAP. 56.—An Act Authorizing the Texarkana and Fort Smith Railway Company to bridge Caddo Lake at or near Mooringsport, Louisiana, and Cross Bayou, near Shreveport, Louisiana.

Texarkana and Fort Smith Railway Company may bridge Caddo Lake, Mooringsport, La., and Cross Bayou, Shreveport, La.

Railway, wagon, and foot bridges.

Toll.

Draw bridges.

Opening draws.

Lights, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Texarkana and Fort Smith Railway Company, its successors or assigns, be, and is hereby, authorized to construct and maintain a railway bridge, and approaches thereto, over and across Caddo Lake, near Mooringsport, Louisiana, and also a railway bridge, and approaches thereto, over and across Cross Bayou, near Shreveport, Louisiana, at such point as may be selected by said railway company for crossing said bayou with its railroad line. Said bridges shall be constructed to provide for the passage of railway trains, and, at the option of said company, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War. That the bridges over the said streams shall be constructed as draw or pivot bridges, the draw or pivot pier shall be over the main channel of the stream at an accessible navigable point, and the openings on each side of the pivot pier shall not be less than one hundred feet in the clear, unless otherwise expressly directed by the Secretary of War, and if so directed shall be according to such direction, and the said openings shall be accessible at all stages of water, and the spans shall be not less than ten feet above extreme high water, as understood at the point of location, to the lowest part of the superstructure of the bridge, and the piers and draw rests shall be parallel with, and the bridge or bridges at right angles to, the current of the stream or streams, and no riprap or other outside protection for imperfect foundations shall be permitted to approach nearer than four feet to the surface of the water at its extreme low stage, or otherwise to encroach upon the channel ways provided for in this Act; and all and each of said draws shall be opened promptly upon reasonable signals for the passage of boats; and said company shall maintain, at its own expense, from sunset till sunrise, throughout the season of navigation, such lights or other signals on said bridges as the Light-House Board may prescribe.

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.

Lawful structures and post routes.

SEC. 3. 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 streams; 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 said bridge or bridges 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 streams, caused or alleged to be caused by said bridge, the case may be brought in the district court of the United States for the western district of Louisiana: *Provided*, 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 said bridges from the operation of the same.

Unobstructed navigation.

Litigation.

Proviso.
Existing laws not affected.

SEC. 4. That all railway companies desiring the use of said bridges, or either of them, 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.

Use by other companies.

SEC. 5. That the 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 streams 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 said bridges, and each of them, 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 streams, 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 or bridges are approved by the Secretary of War the bridge or bridges shall not be built; and should any change be made in the plan of said bridges, or either of them, during the progress of construction, such change shall be subject to approval of the Secretary of War. And the said structure shall be changed at the cost and expense of the owners thereof, from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said streams, and the authority to erect and continue any and all of said bridges shall be subject to revocation by the Secretary of War whenever the public good, in his judgment, so requires.

Secretary of War to approve plans, etc.

Changes.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment, etc.

SEC. 7. 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 approval of this Act.

Commencement and completion.

Approved, April 5, 1894.

April 6, 1894.

CHAP. 57.—An Act To give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals.

Fur seal arbitration.
Preamble.

Whereas the following articles of the award of the Tribunal of Arbitration constituted under the treaty concluded at Washington the twenty-ninth of February, eighteen hundred and ninety-two, between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland were delivered to the agents of the respective governments on the fifteenth day of August, eighteen hundred and ninety-three:

Paris tribunal
award.
Vol. 27, p. 947.

Art. 1.

ARTICLE 1.

Killing, etc., fur
seals forbidden.

The governments of the United States and Great Britain shall forbid their citizens and subjects respectively to kill, capture, or pursue at any time, and in any manner whatever, the animals commonly called fur seals, within a zone of sixty miles around the Pribilov Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of sixty to a degree of latitude.

Art. 2.

ARTICLE 2.

Closed season for
killing, etc., seals in
Pacific Ocean.

The two governments shall forbid their citizens and subjects respectively to kill, capture or pursue, in any manner whatever, during the season extending, each year, from the first of May to the thirty-first of July, both inclusive, the fur seals on the high sea, in the part of the Pacific Ocean, inclusive of the Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude, and eastward of the one hundred and eightieth degree of longitude from Greenwich till it strikes the water boundary described in article one of the treaty of eighteen hundred and sixty-seven between the United States and Russia, and following that line up to Berings Straits.

Art. 3.

ARTICLE 3.

Restriction of seal-
ing to sailing vessels.

During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will however be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

Art. 4.

ARTICLE 4.

License, etc.

Each sailing vessel authorized to fish for fur seals must be provided with a special license issued for that purpose by its Government, and shall be required to carry a distinguishing flag to be prescribed by its Government.

Art. 5.

ARTICLE 5.

Record of opera-
tions.

The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two governments to the other at the end of each fishing season.

Art. 6.

ARTICLE 6.

Use of nets, etc.,
forbidden.

The use of nets, firearms and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Behring Sea, during the season when it may be lawfully carried on.