

March 2, 1889.

CHAP. 385.—An act for the establishment of a light-house and fog-signal at Old Orchard Shoal, in Princess Bay, New York, and for other purposes.

Old Orchard Shoal,
New York.
Light, etc., estab-
lished.
Waacaack, N. J.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be established a light-house and fog-signal at or near old Orchard Shoal, Princess Bay, New York; and a new tower at Waacaack light-station, New Jersey, at a cost not to exceed sixty thousand dollars.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 386.—An act to provide for the erection of a public building at the city of New Berne, North Carolina.

New Berne, N. C.
Public building.
Site.

Plans, etc.

Estimates.

Limit of cost.

Proviso.

Title.

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 and directed to purchase or otherwise provide a suitable site, and cause to be erected thereon a substantial and commodious building, with fire-proof vaults extending to each story, for the use and accommodation of the post-office, the United States courts, custom-house, internal-revenue offices, and other Government offices, at the city of New Berne, in the State of North Carolina. The site, and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of seventy-five thousand dollars; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury, involving an expenditure exceeding the sum of seventy-five thousand dollars for site and building; and the site purchased shall leave the building independent and unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys: *Provided,* That no part of said sum shall be expended until a valid title to said site shall be vested in the United States, nor until the State of North Carolina shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil processes therein.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 387.—An act to establish a railway bridge across the Illinois River, between a point within five miles of Columbiana, in Greene County, and a point within five miles of Kampsville, in Calhoun County, in the State of Illinois.

Litchfield, Carrollton
and Western Railroad
Company may bridge
Illinois River between
Columbiana and
Kampsville, Ill.

Litigation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Litchfield, Carrollton and Western Railroad Company, a corporation organized under the laws of the State of Illinois, its successors and assigns, are hereby authorized and empowered to erect, establish, and maintain a railway bridge across the Illinois River, between a point to be by them selected within five miles of Columbiana, in Greene County, and a point to be selected by them, within five miles of Kampsville, in Calhoun County, in the State of Illinois; and that said bridge shall not interfere with the free navigation of said river, and in case of any litigation arising from any obstruction or alleged obstruction to

the free navigation of said river, the same shall be instituted and determined in the district court of the United States for the southern district of the State of Illinois.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a draw-bridge, with a pivot or other form of draw, or with unbroken or continuous spans: *Provided*, That if the said bridge shall be built with unbroken or continuous spans it shall have one or more channel spans, each having not less than three hundred and fifty feet clear channel-way, and not less than fifty-five feet clear head-room above high-water mark, and the clear head-room under the other channel spans may be less than fifty-five feet: *Provided*, That no part of the superstructure of such spans shall give a less head-room than ten feet above high-water mark: *And provided further*, That the interests of navigation be not injured by such reduction in height; and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river, and not less than three hundred and fifty feet in length: *And provided also*, That if any bridge built under this act shall be constructed as a draw-bridge, the same shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and navigable point and with spans of not less than one hundred and sixty feet in length on each side of the central or pivot-pier of the draw; and the next adjoining spans to the draw shall not be less than three hundred and fifty feet in length; and every part of the superstructure shall give a clear head-room of not less than ten feet above high-water mark: *Provided*, That the spans of both high and low bridges shall be so located as to afford the greatest possible accommodations to the river traffic, and a draw-opening of low bridges shall, if practicable, be located next or near shore; and the piers of said bridge shall be parallel with the current of the river when said bridge may be erected: *And provided also*, That said draw shall be opened promptly upon reasonable signal for the passage of boats.

SEC. 3. That any bridge constructed under this act and according to its limitation shall be a lawful structure, and shall be known and recognized as a post-route, and the same is hereby declared to be 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 their transportation over the railroads and public highways leading to the said bridge, and the United States shall have the right of way for a postal telegraph across said bridge.

SEC. 4. That all railway companies desiring to use said bridge shall have and be entitled to equal rights and privileges in the passage of the same and in the use of the machinery and fixtures thereof, and of the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in case they shall not agree.

SEC. 5. That the structure herein authorized 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 said bridge 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 current 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

Construction.

Provisos.
Spans.

Height.
Unobstructed navigation.

Draw.

Location of spans, etc.

Opening draw.
Lawful structure and post-route.

Postal telegraph.
Use by other companies.

Terms.

Secretary of War to approve location, etc.

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 plan of said bridge during the process of construction such change shall be subject to the approval of the Secretary of War; and the said structure shall be at all times so managed and kept as to offer reasonable and proper means for the passage of vessels through or under said structure; and to secure the safe passage of vessels at night there shall be displayed on said bridge, from the hour of sunset to that of sunrise, such lights as may be prescribed by the Light-House Board, 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 river.

Changes. 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 date thereof.

Lights, etc. SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Commencement and completion. SEC. 8. That this act shall take effect and be in force from and after its passage.

Amendment. Approved, March 2, 1889.

Effect.

March 2, 1889.

CHAP. 388.—An act to authorize the Montgomery and Sylacauga Railroad Company to construct a bridge across the Tallapoosa River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Montgomery and Sylacauga Railroad Company, organized under the laws of the State of Alabama, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Tallapoosa River at or near Judkin's Ferry, in the State of Alabama. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers.

Montgomery and Sylacauga Railroad Company may bridge Tallapoosa River at Judkin's Ferry, Ala.

Railway, wagon, and foot bridge.

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, 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 over said bridge for postal telegraph purposes.

Postal telegraph.

Use by other companies.

SEC. 3. 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 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 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.

Compensation.

Secretary of War to decide.

Secretary of War to approve plans, etc.

SEC. 4. That the 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 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