

of the currents, and the soundings, accurately showing the bed of the stream, 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 no work upon the bridge shall be commenced; and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.

Amendment.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this act at any time; and that if at any time navigation of said river shall in any manner be obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said railroad company to alter and change the said bridge at its own expense, in such manner as may be proper to secure free and complete navigation without impediment; and if upon reasonable notice to said railroad company to make such change or improvements the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company, and all the rights conferred by this act shall be forfeited; and Congress shall have power to do any and all things necessary to secure the free navigation of the river.

Changes.

Free navigation.

Toll.

SEC. 4. That said company shall be permitted to charge and take such rates of toll for crossing said bridge, as may be reasonable, subject to the approval of the Secretary of War.

Opening draws.

SEC. 5. That the draw provided for the bridge herein authorized to be constructed shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light House Board shall prescribe.

Lights, etc.

Use by other companies.

SEC. 6. 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 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 a hearing of the allegations and proofs of the parties; and if said bridge is not commenced within three years and completed within five years from the passage of this act the rights and privileges hereby granted shall be null and void.

Compensation.

Decision by Secretary of War.

Commencement and completion.

Approved, March 2, 1889.

March 2, 1889.

**CHAP. 398.**—An act to authorize the construction of a bridge over the Saint John's River in the State of Florida.

Saint John's and Halifax River Bridge Company may bridge Saint John's River at Palatka.

Unobstructed navigation.

Lawful structure and post-route.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Saint John's and Halifax River Bridge Company be, and is hereby, authorized to construct a bridge over the river Saint John's, in the county of Putnam and State of Florida, at or near the city of Palatka.

SEC. 2. That said bridge shall be constructed with a draw, so that a free and unobstructed passage may be secured to all vessels and other water-craft navigating said river.

SEC. 3. 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, or passengers or

freight passing over said bridge, 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; and equal privileges in the use of said bridge shall be granted to all telegraph companies, and the United States shall have right of way over said bridge for postal telegraph purposes.

Postal telegraph.

SEC. 4. That the draw shall be opened promptly upon reasonable signal for the passage of boats, and said company or corporation shall maintain, at its own expense, from sunset till 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 substantially or materially 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 such change or alteration of said bridge to be made as will effectually obviate such obstruction, and all such obstructions shall be removed, and alterations made, at the expense of the owner or owners of said bridge; *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 the bridge erected under this act from the operation of the same.

Opening draw.

Lights, etc.

Changes, etc.

Proviso.

Existing laws.

SEC. 5. 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 a hearing of the allegations and proofs of the parties.

Use by other companies.

Compensation.

Decision of Secretary of War.

SEC. 6. 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, said company or corporation shall submit to the Secretary of War a design and drawings of said bridge to be erected, for his examination and approval and a map of its location, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject, and in all things shall be subject to such rules and regulations as may be prescribed by the Secretary of War, and until said plan and location of said bridge are approved by the Secretary of War, said bridge shall not be commenced or built; and should any change be made in the plan of any bridge authorized to be constructed by this act during the progress of the work of construction, such change shall be subject to the approval of the Secretary of War.

Secretary of War to approve plans, etc.

Amendment.

SEC. 7. 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 thereof, whenever Congress or the Secretary of War shall decide that the public interest requires it, is also expressly reserved.

SEC. 8. 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.

Commencement and completion.

Approved, March 2, 1889.