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Conditions of sale.

by the United States authorities, to be appraised in the same manner as hereinbefore provided for the appraisements of such lands, subdivisions, and lots, and shall cause the same, together with the tract or lot upon which they are situate, to be sold at public sale, to the highest bidder for cash, at not less than the appraised value of such land and improvements, first giving the sixty days' notice as hereinbefore provided; or he may, in his discretion, cause the improvements to be sold separately, at public sale for cash, at not less than the appraised value, to be removed by the purchaser within such time as may be prescribed, first giving the sixty days' public notice before provided; and if in any case the lands and improvements, or the improvements separately, as the case may be, are not sold for want of bidders, then the Secretary of the Interior may, in his discretion, cause the same to be reoffered for sale, at any subsequent time, in the same manner as above provided, or may cause the same to be sold at private sale for not less than the appraised value: *Provided*, That where buildings or improvements have been heretofore sold by the United States authorities the land upon which such buildings or improvements are situate not exceeding the smallest subdivision or lot provided for by this act upon the reservation on which said buildings are situate shall be offered for sale to the purchaser of said improvements and buildings at the appraised value of the lands and if said purchaser shall fail for sixty days after notice to complete said purchase of lands the same shall be sold under the provisions of this act: *And provided further* That the proceeds of the military reservation lands sold on Bois Blanc Island near to Fort Mackinaw military reservation shall be set apart as a separate fund for the improvement of the National Park on the Island of Mackinaw Michigan under the direction of the Secretary of War.

*Proviso.*

Lands to be first offered to owners of buildings and improvements.

*Proviso.*

Proceeds of sale of lands on Bois Blanc Island set apart for improvement of National Park, etc.

11 Stat., 87.

11 Stat., 336.

Military reservations in Florida.

SEC. 4. That the provisions of the act of August eighteenth, eighteen hundred and fifty-six, relative to military reservations in the State of Florida, and the sixth section of the act of June twelfth, eighteen hundred and fifty-eight, relative to the sale of military sites be, and the same are hereby, repealed.

Lands containing mineral deposits subject to mineral land laws of United States.

SEC 5. Whenever any lands containing valuable mineral deposits shall be vacated by the reduction or abandonment of any military reservation under the provisions of this act, the same shall be disposed of exclusively under the mineral land laws of the United States.

Secretary of War may grant certain privileges; erection of bridges, extension of roads, etc.

SEC. 6 The Secretary of War shall have authority, in his discretion, to permit the extension of State, county, and Territorial roads across military reservations; to permit the landing of ferries, the erection of bridges thereon; and permit cattle, sheep or other stock animals to be driven across such reservation, whenever in his judgment the same can be done without injury to the reservation or inconvenience to the military forces stationed thereon.

Approved, July 5, 1884.

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July 5, 1884.

**CHAP. 215.**—An act to authorize foot and carriage or railroad bridges across the Mississippi River at Saint Paul, in the State of Minnesota.

Bridges across Mississippi River at St. Paul, Minn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the common council of the city of Saint Paul, in the State of Minnesota, and its successors, are hereby authorized and empowered to erect, establish, and maintain, or authorize the erection, establishment, and maintenance, of one or more foot and carriage or railroad bridge or bridges across the Mississippi River, extending from such point or points to be selected as lie between the easterly and westerly boundaries of said city to a point or points on the opposite side of said river, now known as the sixth ward of said city; that said bridge or bridges shall not interfere with

the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the Federal court of the United States in the district in which such bridge or bridges may be situated.

Free navigation of river.

Litigation, where triable.

SEC. 2. That any bridge or bridges built under the provisions of this act may, by direction of said common council, be built as a draw-bridge, with a pivot or other form of draw, or with unbroken or continuous spans: *Provided*, That if said bridge or bridges shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than fifty five and one half feet above extreme high water mark over the main channel of said river, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge or bridges give a clear width of water-way of less than two hundred and fifty feet, and the piers of said bridge or bridges shall be parallel with the current of said river, and the main span shall be over the main channel of the river and give a clear width of water-way of not less than three hundred feet. *And provided also*, That if any bridge or bridges 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 the best navigable point, and with spans giving a clear width of water-way of not less than one hundred and sixty feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans to the draw shall give a clear width of water-way of not less than two hundred and fifty feet, and said spans shall not be less than thirty feet above low-water mark and not less than ten feet above extreme high-water mark, measuring to the bottom chord of the bridge or bridges, and the piers of said bridge or bridges shall be parallel with the current of the river where said bridge or bridges may be erected: *And provided also*, That said draw shall be opened promptly upon reasonable signal for the passage of boats, vessels or other water-craft; *Provided however*, That no bridge or bridges shall be built under the provisions of this act except there also be built at the time of the erection of the piers, proper sheer booms or other proper protection to safely guide boats, vessels, rafts and other water crafts through said spans and at the expense of the city of Saint Paul, or of the persons or corporation constructing, owning, or operating said bridge

Draw-bridge, or continuous spans.

Construction.

*Proviso.*

Sheer booms.

SEC 3 That any bridge or bridges constructed under this act and according to its provisions and conditions shall be a lawful structure or structures, over which may be transmitted the mails, troops, and the munitions of war of the United States free of charge; and the United States shall have the right of way for a postal telegraph and telephone lines free of charge across said bridge or bridges, and may declare the same to be a postal route.

Declared a lawful structure.

Transmission of mails, troops, etc., free of charge.

Right of way for postal telegraph and telephone lines reserved.

SEC. 4 That the structure or structures herein authorized shall be build and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe not however to be in any wise inconsistent with any of the provisions or conditions of this act; and to secure that object the said common council shall submit to the Secretary of War, for his examination and approval, a design and drawing of said bridge or bridges and other accessory works provided for in this act 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 shall be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge

Plans, etc., to be submitted to Secretary of War for approval.

or bridges and other accessory works provided for in this act 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 bridge or bridges during the process of construction, such change shall be subject to the approval of the Secretary of War; and the said structure or structures shall be at all times so kept and managed as to offer reasonable and proper means for the passage of vessels through or under said structure or structures; and to secure the safe passage of vessels at night there shall be displayed on said bridge or bridges, from the hour of sunset to that of sunrise, such lights as may be prescribed by the Secretary of War; and the said structure or structures shall be changed at the cost and expense of said city of Saint Paul, from time to time as Congress may direct, so as to preserve the free and convenient navigation of said river; and the authority to erect and continue said bridge or bridges shall be subject to revocation and modification by law whenever the public good shall, in the judgment of Congress, so require, without any expense or charge to the United States.

Lights and signals.

SEC. 5. That it shall be the duty of the Secretary of War, on satisfactory proof that a necessity exists therefor, to require the company or persons owning said bridge to cause such aids to the passage of said bridge to be constructed, placed, and maintained, at their own cost and expense, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent channel and for the guiding of rafts, steamboats, and other water-craft safely through the draw and raft-spans, as shall be specified in his order in that behalf; and on the failure of the company or persons aforesaid to make and establish such additional structures within a reasonable time, the said Secretary shall proceed to cause the same to be built or made at the expense of the United States, and shall refer the matter without delay to the Attorney-General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in any circuit court of the United States in which such bridge, or any part thereof, is located, for the recovery of the cost thereof; and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

Booms, dikes, and piers; construction and maintenance of; penalty for failure.

Rights reserved.

SEC. 6 That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in such structure, or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it is also expressly reserved

Approved, July 5, 1884.

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July 5, 1884.

**CHAP. 216.**—An act respecting a bridge at Tonawanda, in the State of New York.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any bridge erected in pursuance of chapter two hundred and seventy-nine of the laws of the State of New York of the year eighteen hundred and eighty-three, entitled "An act to incorporate the Tonawanda Island Bridge Company for the purpose of constructing and operating a bridge from Tonawanda Island to North Tonawanda" is hereby declared to be a lawful structure: *Provided*, That said bridge shall not be built or commenced until the plan and location of the bridge have been submitted to the Secretary of War and by him approved.

Bridge at Tonawanda, N. Y.

Declared a lawful structure; *proviso.*

SEC. 2. That the right of Congress to alter, amend, or repeal this act is hereby expressly reserved.

Approved, July 5, 1884.

Right of Congress to repeal, etc., reserved.