AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

General Crook, dated, Omaha, Nebraska, May seventh, eighteen hundred and seventy-five, and approved by the Secretary of War, and described as follows, namely: The northwest quarter of the southeast quarter, and the northeast quarter of the southwest quarter, and the northwest fractional quarter of the southwest fractional quarter, and the north half of the southeast quarter of the southwest fractional quarter, and the north fractional half of the southwest fractional quarter of the southwest fractional quarter of section thirty-three, township one north, range one east of the Salt Lake meridian, containing in all one hundred and fifty-one and eighty-one hundredths acres, more or less, and all lying within the said Camp Douglas Military Reservation.

Description.

SEC. 2. That the Secretary of the Interior, after said restoration, shall, at the expense of said Charles Popper, cause the lands to be surveyed and segregated from the reservation by the surveyor-General of Utah; and that at any time within ninety days after the restoration of the lands the said Charles Popper shall be permitted to make a private entry of the said lands at the rate of one dollar and twenty-five cents per acre; and during the ninety days no other person or persons shall be permitted to make an entry of the same, or to commence any proceedings to obtain title thereto under the home-stead law or any other laws by which the lands of the United States are disposed of.

Secretary of Interior to cause survey to be made.

Charles Popper to have right to entry of same for ninety days after.

Approved, January 21st, 1885.

CHAP. 30.—An act to authorize the construction of bridges across the Mississippi River, one within the State of Minnesota and one between the States of Minnesota and Wisconsin.

Jan. 21, 1885.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chicago, Saint Paul and Saint Louis Railroad Company, its successors and assigns, be, and they are hereby, authorized to construct and maintain a railroad bridge across the Mississippi River at the most suitable point between the cities of Hastings and Red Wing: *Provided*, That Congress may at any time prescribe such rules and regulations in regard to toll and otherwise as may be deemed reasonable.

Chicago, Saint Paul, and Saint Louis Railroad Company authorized to construct bridge over the Mississippi River between Hastings and Red Wing.

Proviso.

SEC. 2. That any bridge built under this act may, at the option of the company building the same, be built as a pivot-draw bridge or with unbroken or continuous spans: *Provided*, That if made with continuous or unbroken spans it shall not be of less elevation in any case than fifty-five and one-half feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans give a clear width of water-way of less than two hundred and fifty feet; 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 any bridge built under this act as a pivot-draw bridge shall have a draw over the main channel at an accessible and 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 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, measured to the bottom chord of the bridge: *Provided*, That said draw shall always be opened promptly upon reasonable signal; and said company, or its successors and assigns, shall at all proper times keep and maintain such lights as the Light-House Board may direct; and all plans for the construction of said bridge and approaches thereto must first be submitted to the Secretary of War for his approval, and when the same shall be approved by the said Secretary the work thereon may be commenced and prosecuted to completion: *And pro-*

Bridge to be either pivot-draw or continuous spans.

Proviso.

Elevation.

Spans.

Water-way.

Draw.

Proviso.

Signal.

Lights.

Plans to be approved by Secretary of War.

To be built at right angles to river current.

vided further, That as nearly as practicable the said bridge shall be at right angles to and the piers parallel with the current of said river: *And provided further*, That any change in the mode of construction of said bridge shall be first submitted to the said Secretary for his approval, and when approved the said company may then proceed with the construction in accordance with said change: *And provided further*,

Free navigation to be preserved.

That if said bridge when constructed shall, in the opinion of the Secretary of War, be a substantial obstruction to the navigation of said river, the said Secretary shall require said company to change the construction thereof so as to avoid any serious and substantial obstruction to the navigation of said river, at the expense of the owners of said bridge.

Shall be a post-route with no more than usual charges per mile.

SEC. 3. That the bridge hereby authorized shall be a lawful structure, and shall be a post-route, upon which no higher charge shall be made for the transportation of the mails of the United States, and the troops and munitions of war, or for passengers or freight passing over said bridge, than the rate per mile paid to railroads and transportation companies leading to said bridge.

Railroad companies entitled to equal rights and privileges.

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 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: *Provided*, That the provisions of section three in regard to charges for passengers and freight across said bridge shall not govern the Secretary of War in determining any question arising as to the sum or sums to be paid to the owners of said bridge by said companies for the use of said bridge.

Secretary of War to decide upon disagreement.
Proviso.

Subject otherwise to limitations and provisions of act for construction of bridge at Clinton.
1872, vol. 17, ch. 281, p. 215.

SEC. 5. That this act shall be subject, except as above mentioned, to the limitations and provisions of an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near the town of Clinton, in the State of Iowa, and other bridges across said river, and to establish them as post-roads," approved April first, eighteen hundred and seventy-two.

Secretary of War to require owners to build structures for confining flow of water to permanent channel and aids to navigation, if necessary.

SEC. 6. 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.

U. S. to have right of way for postal telegraph.

SEC. 7. That the United States shall have the right of way for postal telegraph across said bridge.

Right to alter, amend, or repeal reserved.

SEC. 8. 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 require it is also expressly reserved.

Same company may construct bridge over the Mississippi River between Hastings and Saint Paul, Minn.
Proviso.

SEC. 9. That said company, its successors and assigns, may construct and maintain a bridge across the Mississippi River at a suitable point between the western limits of Hastings, Minnesota, and the western limits of Saint Paul, Minnesota: *Provided*, That the bridge authorized by this section shall have all the privileges and be subject to all the terms, restrictions, reservations of power, and requirements contained in the foregoing sections of this act.

Approved, January 21st, 1885.