AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

SEC. 2. That this Act shall take effect upon its acceptance by said voluntary association at its next regular annual session. Effect.

SEC. 3. That the right to alter, amend, or repeal this Act at any time is hereby expressly reserved. Amendment.

Approved, January 28, 1899.

CHAP. 64.—An Act To authorize the construction of a bridge across the Missouri River at or near Oacoma, South Dakota. January 28, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chicago, Sioux Falls and Pacific Railway Company, a corporation duly created and existing under the laws of the State of South Dakota, its successors or assigns, be, and they are hereby, authorized to construct and maintain a bridge and approaches thereto over the Missouri River from a point at or near the village of Oacoma, in the county of Lyman and State of South Dakota, to the opposite shore of said river, in the county of Brule and State of South Dakota: *Provided*, That a location is found within such limits suitable to the interests of navigation. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of said corporation, its successors or assigns, may be so constructed to provide for and be used also for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for reasonable rates of toll, to be fixed by said corporation, its successors or assigns, and approved by the Secretary of War, and the Secretary of War shall have the right from time to time to revise such rates of toll: *Provided*, That the bridge herein authorized to be constructed shall not be built within less than one mile of any other bridge across the said Missouri River.

Chicago, Sioux Falls and Pacific Railway may bridge Missouri River.

Provisos.
Location.
Transit of railway trains, etc.

Tolls.

Proximity to other bridges.

SEC. 2. That any bridge built under the provisions of this Act may, at the option of the corporation building the same, be built as a drawbridge or with unbroken or continuous spans: *Provided*, That if the same shall be made of unbroken continuous spans it shall not be in any case of less elevation than fifty feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure; nor shall the spans of said bridge be less than three hundred feet in the clear at low-water mark, and the piers of said bridge shall be parallel with the current of the river at high water, and the main spans shall be over the main channels of the river: *And provided also*, That if a bridge shall be built under this Act as a drawbridge the same shall be constructed as a pivot drawbridge, with one or more draws, as the Secretary of War may prescribe, and with spans of not less than two hundred feet in length in the clear on each side of the central or pivot piers of the draws, and the next adjoining spans over the river to the draws shall not be less than two hundred and fifty feet in the clear, measured at low water; and said spans shall not be less than ten feet above extreme high-water mark, measuring to the lowest part of the superstructure of the bridge; and the piers of said bridge shall be parallel with the current of the river at high water: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, without unnecessary delay; 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, and such sheer booms or other structures as may be necessary to safely guide vessels, rafts, or other water craft safely through said channel spans or draw openings, and as shall be designated and required by the Secretary of War: *And provided further*, That the corporation building said bridge may, subject to the approval of the Secretary of War, enter upon the banks of said river, either above or below the point of location of said bridge, and confine the flow of the water to a permanent channel, and do whatever may be necessary to accomplish said object,

May be drawbridge or spans.

Provisos.
—height, if spans, etc.

—pivot drawbridge, etc.

Opening draw.

Lights.

Making permanent channel; limitation.

but shall not impede or obstruct the navigation of said river, and shall be liable in damages for all injuries to private property; and all plans for such works or erections upon the banks of the river shall first be submitted to the Secretary of War for his approval: *And provided further*, That any bridge built under the provisions of this Act shall be at right angles to the current of the river at high water.

Position of bridge.

Not to obstruct navigation.

Secretary of War to approve plans.

—changes.

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 river; and no bridge shall be commenced or built under this Act until the location thereof and the plans and specifications for its construction shall have been submitted to and approved by the Secretary of War; and any change in the plan of such construction or any alteration in the bridge after its construction shall be subject to the like approval; and whenever said bridge shall, in the opinion of the Secretary of War, substantially obstruct the free navigation of said river 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 alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge or the persons operating or controlling the same; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of the Missouri River at or near the crossing of said bridge, caused or alleged to be caused thereby, the cause shall be commenced and tried in the circuit courts of the United States of either judicial district of South Dakota in which the said bridge or any portion of such obstruction touches. And the bridge shall not be opened to traffic until all piling and other false work used in constructing the bridge shall have been wholly removed to the satisfaction of the Secretary of War.

Litigation.

Removal of piling, etc.

To be lawful structure and post route.

SEC. 4. That any bridge built under this Act and according 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 transportation over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for their transportation over the railroad or public highways leading to such bridge. The United States shall also have the right to construct, without charge therefor, telegraph or telephone lines across said bridge.

Telephone and telegraph lines.

Amendment.

SEC. 5. That Congress may at any time alter, amend or repeal this Act.

Commencement and completion.

SEC. 6. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within four years from the date hereof.

Approved, January 28, 1899.

January 28, 1899.

CHAP. 65.—An Act To authorize the Arkansas and Choctaw Railway Company to construct and operate a railway through the Choctaw and Chickasaw nations, in the Indian Territory, and for other purposes.

Arkansas and Choctaw Railway granted right of way through Choctaw and Chickasaw lands, Indian Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Arkansas and Choctaw Railway Company, a corporation created under and by virtue of the laws of the State of Arkansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway and telegraph and telephone line through the Choctaw and Chickasaw nations, in the Indian Territory, beginning at the point on the boundary line between the said Choctaw Nation and the county of Little River, in the State of Arkansas, where the said railway as now constructed runs, thence running by the most feasible and practicable route in a westerly direction through the said Choctaw Nation and through the Chickasaw Nation to such point on the western boundary line of the Chickasaw Nation at or near the town of Sugden, in said nation, as said corporation may select, with the right to construct, use, and maintain such tracks, turn-

Location.