

CHAP. 79.—An act to amend an act passed February fifteenth, eighteen hundred and forty-three, chapter thirty-three, to authorize the legislatures of certain States to sell certain lands appropriated for school purposes. June 12, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the act of Congress passed February fifteenth, eighteen hundred and forty-three, chapter thirty-three, be amended so as to read as follows, to wit:

School lands in Illinois, Arkansas, Louisiana, and Tennessee; sale, etc., of, authorized.

“That the legislatures of the States of Illinois, Arkansas, Louisiana, and Tennessee be, and they are hereby, authorized to make such laws and needful regulations as may be deemed expedient to secure and protect from injury or waste the sections reserved by the laws of Congress for the use of schools to each township, and to provide by law, if not deemed expedient to sell, for leasing the same for any term of years they may think proper, in such manner as to render them productive and most conducive to the object for which they are designed”

Approved, June 12, 1884.

CHAP. 80.—An act in relation to the legislature of Dakota Territory. June 12, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legislature of the Territory of Dakota shall hereafter consist of twenty-four members of the council and forty-eight members of the house of representatives, and that there shall be elected at the next general election in said Territory two members of the council and four members of the house of representatives in each of the twelve legislative districts provided for in chapter seven of the Territorial statutes of eighteen hundred and eighty-three of said Territory.

Dakota Territory; legislature of, to consist, etc.

Approved, June 12, 1884.

CHAP. 81.—An act to authorize the construction of bridges across the Wisconsin Chippewa, and Saint Croix Rivers, in the State of Wisconsin. June 12, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Winona, Alma and Northern Railway Company, a corporation existing under the laws of the State of Wisconsin, and having authority to build its line of railroad from a point in the State of Illinois, through the State of Wisconsin, to a point in the State of Minnesota, be, and is hereby, authorized to construct and maintain, for the purpose of making a more perfect connection of its said line, the following railroad bridges, to be used by it, its successors or assigns, for railway purposes, over the rivers and at the localities named following, that is to say: Across the Wisconsin River, near the city of Prairie du Chien, Wisconsin, at the most suitable and convenient point within five miles of the confluence of the Wisconsin with the Mississippi River; across the Chippewa River, within five miles of its confluence with the Mississippi River; and across the Saint Croix River or Lake, at the most suitable and convenient point between the mouth of the Saint Croix River and the town of Hudson, Saint Croix County.

Bridges across the Wisconsin, Chippewa, and Saint Croix Rivers, in Wisconsin.

SEC. 2. That any bridge built under this act shall be constructed and built without material interference with the security and convenience of navigation of said rivers, or either of them, beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order to secure a compliance with these conditions the corporation, previous to commencing the construction of the bridge, or of the accessory works in the booms, dikes, or piers designed to secure the best

Construction.
Free navigation of river preserved.

Plan to be submitted to and approved by the Secretary of War.

practical channel-way for navigation and confine the flow of the water to a permanent channel, and for the guiding of steamboats and rafts safely through the draw-spans at said point, shall submit to the Secretary of War a plan of the bridge and of such accessory works, together with a detailed map of the river at the proposed site of the bridge and for a distance of a mile above and below the site, together with all other information touching said bridge and river and accessory works as may be deemed requisite by the Secretary of War to determine whether the said bridge, when built, will conform to the prescribed conditions of this act; 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 if it be found hereafter that the said bridge or accessory works materially interfere with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted, by reason of any defect or failure in the accessory works aforesaid to accomplish the purpose for which they are designed, it shall be the duty of the Secretary of War to require the necessary changes to be made therein in the interest of navigation, at the expense of the owners: *Provided*, That as to any bridge built under this act, if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than two hundred feet in length, and the main span shall be over the main channel of the river and not less than two hundred 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 not less than ten feet above extreme high-water mark at the point of location, and of not less length than stipulated below for the several bridges, namely: Over Lake Saint Croix the draw-spans shall not be less than one hundred and sixty feet, and over the Chippewa River, the draw-span shall not be less than one hundred and forty feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans shall not be less than one hundred and forty feet; over the Wisconsin River the draw-spans shall not be less than one hundred feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans shall be not less than one hundred and twenty-five feet in length, unless otherwise expressly directed by the Secretary of War, and if so directed shall be according to such direction: *Provided also*, That said draw 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: *Provided also*, 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 all 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.

Proviso.

Spans.

Proviso.

Pivot draw-bridge.

Spans.

Proviso.

Lights and signals.

Proviso.

Privileges of other railroads.

Notice of approval of plans, etc., by Secretary of War, to be given, etc.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving any such plans and map and other information, and upon being satisfied that a bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an erection of said bridge, conforming strictly to the approved plan and location; but until the Secretary of War approve the plan and location of said bridge and accessory works, and notify the company of the same, the bridge shall not be; and should any change be made in the plan of the bridge or said accessory works, during the progress of the work

thereon, such change shall be subject likewise to the approval of the Secretary of War.

SEC. 4. That any bridge and accessory works, when built and constructed under this act and according to the terms and limitations thereof, shall be a lawful structure; and said bridge 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 than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge; and said bridge shall enjoy the rights and privileges of other post-routes in the United States; and Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge.

Declared a lawful structure and post-route.

Charges for freight and passengers.

SEC. 5. That the United States shall have the right of way for postal telegraph across said bridges.

Right of way for postal telegraph.

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 interests requires it, is also expressly reserved.

Approved, June 12, 1884.

CHAP. 82.—An act to authorize the construction of a bridge across the Missouri River at a point to be selected between the north and the south line of the county of Douglas, State of Nebraska, and to make the same a post-route.

June 12, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Nebraska Central Railway Company, an incorporation organized under the laws of the State of Nebraska, is hereby authorized to construct and maintain a bridge across the Missouri River at such a point as may be hereafter selected by said corporation between the north and the south line of the county of Douglas, in the State of Nebraska, and at least one-third of a mile from any other bridge, as shall best promote the public convenience and welfare and the necessities of business and commerce, and also to construct accessory works to secure the best practicable channel-way for navigation and confine the flow of the water to a permanent channel at such point, and also to lay on and over said bridge a railway track for the more perfect connection of any railroads that are or shall be constructed to said river at or opposite said point; and said corporation shall construct and maintain ways for wagons, carriages, and for foot-passengers, charging and receiving reasonable toll therefor as may be approved from time to time by the Secretary of War: *Provided* said bridge and all property belonging to or connected with the bridge shall be constructed, maintained and used as a combined railway and wagon bridge for the safe and convenient passage of wagons, carriages, stock, steam cable and street-cars and all road travel; but the same track, shall not be upon the same space, as used for railroad track and cars.

Bridge across the Missouri River, Douglas County, Nebraska.

Proviso.

SEC. 2. That said bridge shall be constructed and built without material interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order 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 currents 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

Navigation of river preserved.

Plan to be submitted to and approved by the Secretary of War.