

**CHAP. 286.**—An act to authorize the construction of a bridge across the Saint Louis River between the States of Wisconsin and Minnesota.

February 24, 1891.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Duluth, Red Wing and Southern Railroad Company, a corporation organized and existing under the laws of the States of Wisconsin and Minnesota, and the Superior Belt Line and Terminal Railway Company, a corporation existing under the laws of Wisconsin, be, and are hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Saint Louis River between the States of Minnesota and Wisconsin at the most feasible point in the State of Wisconsin, in section ten or eleven, township forty-eight north, of range fifteen west, to a point opposite in the State of Minnesota. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the said corporation by which it may be built, may be used for the passage of wagons and vehicles of all kinds, and for the transit of animals, and for foot passengers; and all for such reasonable rates of toll in all cases as may be approved from time to time by the Secretary of War.

**SEC. 2.** That any bridge built under this act shall be built and constructed 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 compliance with these conditions the corporation, previous to commencing the construction of the bridge, or of the accessory works designed to secure the best practical channel way for navigation, and confine the flow of water to a permanent channel at said point, shall submit to the Secretary of War a plan of the bridge and accessory works provided for in this act, 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, with all such other information touching said bridge and river and accessory works as may be deemed requisite by the Secretary of War to determine whether said bridge, when built, will conform to the prescribed conditions of this act.

**SEC. 3.** That the bridge built under this act shall be constructed as a pivot drawbridge with a draw over the main channel of the river at an accessible and best navigable point, and with a span of not less than one hundred and ten feet in length in the clear on each side of the central or pivot pier of the draw, measured at right angles to the axis of the channel: *Provided*, That the said draw shall be opened promptly upon reasonable signal for the passage of boats, vessels, and other water craft: *Provided, however*, That no bridge 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 protections to safely guide boats, vessels, rafts, and other water craft through said spans, and at the expense of the company or corporation erecting said bridge; and said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

**SEC. 4.** That the Secretary of War is hereby authorized and directed, upon receiving any such plan and map and other information, and upon being satisfied that the 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 the 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

Duluth, Red Wing and Southern Railroad Company and Superior Belt Line and Terminal Railway Company may bridge Saint Louis River between Minn. and Wis.

Location.

Railway, or railway, wagon, and foot bridge.

Toll.

Security of navigation.

Secretary of War to approve plans, etc.

Pivot draw.

Span.

Provisos.

Opening of draw.

Sheer booms, etc.

Lights, etc.

Notification of approval.

Limitation.	and notify the company of the same, the bridge shall not be built or commenced; and should any change be made in the plan of the bridge or accessory works during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War, not, however, to be in anywise inconsistent with the provisions or conditions of this act: <i>Provided</i> , That if at any time, in the opinion of the Secretary of War, a raft span in said bridge shall be necessary for the interests of commerce the said company shall put in a span of such width, not less than one hundred and fifty feet, as the Secretary of War may direct.
Change of plan.	
<i>Proviso</i> .	
Raft span.	
Lawful structure and post route.	SEC. 5. 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 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 the other post routes in the United States; and Congress reserves the right at any time to regulate by proper legislation the charges for freight and passengers over said bridge; and the United States shall have the right of way for postal telegraph and telephone lines free of charge across said bridge.
Freight, etc., charges.	
Postal telegraph.	
Use by other railroad 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 railroad trains or cars over the same, and over the approaches thereto, upon the 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 on the sum or sums to be paid, and upon the 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 the hearing of the allegations and proofs of the parties.
Terms.	
Disagreements.	
Secretary of War to decide.	SEC. 7. That it shall be the duty of the Secretary of War to require the company or persons owning said bridge to cause such aids to the passage of said bridge authorized by the provisions of this act to be constructed, placed, and maintained at their own expense and cost, in the form of booms, dykes, piers, or other suitable and proper structures for the confining of the flow of water to a permanent channel and for the guiding of steamboats, rafts, and other water craft safely through the draw and raft span, 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 for the circuit in which said 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.
Aids to navigation.	
Failure to construct.	
United States to build.	
Proceedings to recover costs.	
Disposal of accruing moneys.	
Amendment, etc.	SEC. 8. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, at the expense of the owners thereof, whenever Congress shall decide that the public interests require it, is also expressly reserved.
Structural changes.	
Commencement and completion.	SEC. 9. 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: <i>And provided</i> , That if either of the corporations named in this act shall for the period of eight months from the date hereof neglect, refuse, or
<i>Proviso</i> .	
Neglect of either corporation to begin.	

fail to begin operations hereunder, then the other party shall succeed to all the rights and privileges herein granted, and may proceed under the terms hereof to construct and equip said bridge.

Succession to rights.

SEC. 10. That this act shall take effect and be in force from and after its passage.

Operation.

Approved, February 24, 1891.

**CHAP. 287.**—An act fixing the salaries of the several judges of the United States district courts at five thousand dollars per annum.

February 24, 1891.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the salaries of the several judges of the district courts of the United States shall hereafter be at the rate of five thousand dollars per annum.

United States district court judges' salaries.

Rate.

Approved, February 24, 1891.

**CHAP. 288.**—An act to authorize the Kansas and Arkansas Valley Railway to construct and operate additional lines of railway through the Indian Territory, and for other purposes.

February 24, 1891.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Kansas and Arkansas Valley Railway, a corporation created under and by virtue of the laws of the State of Arkansas, having been heretofore by act of Congress, approved June first, anno Domini eighteen hundred and eighty-six, authorized and empowered to construct and operate a line of railway from the eastern boundary line of said Territory at or near Fort Smith to the northern boundary line of said Territory, with the right to construct and operate a branch line through said Territory to Coffeyville, in the State of Kansas, be, and the said Kansas and Arkansas Valley Railway is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining, in addition to the lines in said hereinbefore-recited act specified, the following lines of railway through the Indian Territory, together with a telegraph and telephone line, namely: A line beginning at the most suitable point on the present main line of said railway at or near Wagoner, in the Indian Territory, and thence running in a westerly and northwesterly direction by the most feasible and practicable route, passing through or near the town of Guthrie, in the Oklahoma country, and through or near Fort Supply military reservation to a point on the western boundary line of the Indian Territory. Also an additional or branch line, running from the most suitable point on the line last above described, in a southwesterly direction, and passing through or near Oklahoma City, and through or near Fort Reno military reservation, to a point on the western boundary line of the Indian Territory south of the point where the Canadian River crosses said boundary line; also a line commencing at the most practicable point on the main line at or near Fort Gibson, and running thence in a southwesterly direction through the Cherokee, Creek, Choctaw, and Chickasaw countries, either or all of them, to a point on the southern boundary line of the Indian Territory, with the right to construct, use, and maintain such tracks, turn-outs, and sidings as said company may deem it to its interest to construct along and upon the right of way and depot grounds herein provided for.

Kansas and Arkansas Valley Railway may construct, etc., additional lines of railway, etc., through the Indian Territory, etc. Vol. 24, p. 73.

Location of one additional railway line, etc.

Of another.

Of another.

Sidings, etc.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, and for no other purpose, a right of way one

Right of way.