

Stations, etc.

from said lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction of said railroad; also ground adjacent to said right of way for station-buildings, depots, machine-shops, side tracks, turnouts, and water-stations, not to exceed in amount three hundred feet in width and three thousand feet in length for each station, to the extent of one station for each ten miles of its road.

Compensation.

SEC. 3. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid the Indians for such right of way, and provide the time and manner for the payment thereof; but no right of any kind shall vest in said railway company in or to any part of the right of way herein provided for until plats thereof, made upon actual survey for the definite location of such railroad, and including the points for station-buildings, depots, machine-shops, side-tracks, turnouts, and water-stations, shall be filed with, and approved by the Secretary of the Interior which approval shall be made in writing and be open for the inspection of any party interested therein, and until the compensation aforesaid has been fixed and paid; and the surveys, construction, and operation of such railroad shall be conducted with due regard for the rights of the Indians, and in accordance with such rules and regulations as the Secretary of the Interior may make to carry out this provision: *Provided*, That the President of the United States may, in his discretion, require that the consent of the Indians to said right of way shall be obtained by said railroad company, in such manner as he may prescribe, before any right under this act shall accrue to said company.

Location, etc., to be approved by the Secretary of the Interior.

Proviso.
Consent of Indians may be required.

Not assignable till completion.

Provisos.
Mortgage.

Forfeited if not used in two years.

Not to enter National Park.
Conditions.

Proviso.
Violation to forfeit.

SEC. 4. That said company shall not assign, or transfer, or mortgage this right of way for any purpose whatever until said road shall be completed through that part of said reservation through which it shall be constructed: *Provided*, That the company may mortgage said franchise, together with the rolling-stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order through said reservation on said line within two years from the passage of this act: *And provided further*, That no part of said line shall touch any portion of the National Park.

SEC. 5. That said railway company shall accept this right of way upon the expressed condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing the present tenure of the Indians in their land, and will not attempt to secure from the Indian tribes any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

SEC. 6. That Congress may at any time amend, add to, alter, or repeal this act.

Approved, March 3, 1887.

Mar. 3, 1887.

CHAP. 367.—An act to authorize the construction of a railroad bridge over the Mississippi River at Grand Tower, Illinois.

Construction of bridge across Mississippi River at Grand Tower, Ill., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for S. W. Fordyce, James H. Benedict, R. C. Kerens, William M. Senter, and Stephen A. Bemis, their associates, successors, or assigns, or any corporation which they may form for that purpose, under the laws of any State of the United States, or their or its successors or assigns, to construct and maintain a bridge and approaches thereto over the Mississippi River at such point on said river at or near Grand Tower, in the State of Illinois, and to lay on and over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall

hereafter be constructed to the said river on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; said bridge may also, at the option of the owners thereof, be so constructed as to be used for the passage of wagons and vehicles of all kinds, for the transit of animals of all kinds, and for foot passengers, for such reasonable rates of toll as may be approved by the Secretary of War.

Railway, wagon and foot bridge.

SEC. 2. That any bridge built under this act is subject 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 transmission over the same of the mails, troops, and the munitions of war or other property of the United States than the rate per mile paid for the transportation of the same over the railroads or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States.

To be a lawful structure and post-route.

SEC. 3. That the bridge herein authorized shall be constructed as a high bridge with unbroken and continuous spans, the main span to be over the main channel of the river, with a clear width of not less than six hundred and fifty feet channel-way, to be measured at right angles to the current, at any and all stages of water. The other spans of said bridge shall have a clear width of channel-way as aforesaid of not less than five hundred feet, measured at right angles to the current. The main or channel span shall be at least eighty-five feet in height measuring from high water mark, as understood at the point of location, to the bottom chords of the bridge, and the other spans shall not be less than fifty feet in height measured in the same way. That the piers shall be built parallel with the current of the river at that stage of water which is most important for navigation; and riprapping or other protection for imperfect foundations which will materially lessen the waterway shall not be employed in the channel-ways of the high spans and piers which will produce cross-currents or bars dangerous to navigation, and if, after construction, any piers or protection-walls are found to produce the above-mentioned effects, the nuisance shall be abated or corrected by or at the expense of the persons owning said bridge. That the persons owning, controlling, or operating the bridge authorized by this act shall maintain, at their own expense, from sunset to sunrise, throughout the year, and during heavy fogs, such lights or other signals as the Light-House Board shall prescribe, and shall, during the season of navigation, have posted in a conspicuous place on or near the bridge the clear head-room under the channel-span on that day, the figures expressing this height to be not less than two feet high, and to be readily visible from any point in the channel of the river for a stretch of three thousand feet above and one thousand feet below the bridge. 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 if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, 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 such obstructions removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from such obstruction or alleged obstruction to the free passage or navigation of said river, caused or alleged to be caused by said bridge, the case may be brought in the district court of the United States of any State in which any portion of said obstruction or bridge may be located.

Spans.

Height.

Lights.

Not to obstruct navigation.

Litigation.

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 over the same, and over the approaches to the same, 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 of them, desiring such use, shall fail to agree

Other companies may use.

Compensation.

upon the sum or sums to be paid, and upon rules and conditions which each shall perform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon hearing of the allegations and proofs of the parties.

Secretary of War
to decide terms.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to the regulations for the security of said river as the Secretary of War shall prescribe; and to secure that object the owner or owners thereof 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 line at high or low water, the direction and strength of the current at all stages, and the soundings actually 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 the full and satisfactory understanding of the subject, and until such plan and location of the bridge are approved by the Secretary of War, the bridge shall not be commenced or built, and should any change be made in the plan of said bridge during the progress of construction such change shall be subject to the approval of the Secretary of War.

Secretary of War
to approve plans,
etc.

To be commenced
in two years.

SEC. 6. That if the construction of the bridge herein authorized shall not be commenced within two years from the passage of this act, and be completed in four years from the same date, the rights and privileges hereby granted shall cease and be determined.

Right to amend,
etc., reserved.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structure, or its entire removal, at the expense of the owners thereof, whenever the Congress shall decide that the public interest requires it, is also expressly reserved.

Approved. March 3, 1887.

Mar. 3, 1887.

CHAP. 368.—An act granting the Utah Midland Railway Company the right of way through the Uncompahgre and Uintah Reservations, in the Territory of Utah, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way is hereby granted, as hereinafter set forth, to the Utah Midland Railway Company, a corporation created and existing under and by virtue of the laws of the Territory of Utah, and it is hereby authorized and empowered, to locate, construct, own, equip, operate, use, and maintain a railway, telegraph, and telephone line through the Indian reservations situated in the Territory of Utah and known as the Uncompahgre Reservation and the Uintah Reservation, occupied by the Tabequache Utes, Uintah Utes, White River Utes, and other tribes of Indians. Said railway shall enter said Uncompahgre Reservation at a point on the east boundary-line of Utah Territory at or near the place where the White River crosses said boundary-line, running thence by the most feasible route in a general westerly direction across said Uncompahgre Reservation and across said Uintah Reservation to the western boundary of said Uintah Reservation, crossing such western boundary at the most feasible point to reach Salt Lake City.

Right of way to
Utah Midland Rail-
way Company
through Uncom-
pahgre and Uint-
ah Reservations,
Utah.

Location.

Dimensions.

Stations, etc.

SEC. 2. That the right of way hereby granted to said company shall be seventy-five feet in width on each side of the central line of said railroad as aforesaid; and said company shall also have the right to take from said lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction of said railroad; also ground adjacent to such right of way for station-buildings, depots, machine-shops, side-tracks, turnouts, and water-stations, not to exceed in amount three hundred feet in width and three thousand feet in length for each