

CHAP. 409.—An act to authorize the building of a bridge at Pine Bluff, Arkansas, across the Arkansas River.

June 10, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Cable City Bridge Construction Company, a corporation duly organized and existing under the laws of the State of Missouri, its successors and assigns, be, and are hereby, authorized to construct and maintain a pontoon bridge and approaches thereto across the Arkansas River in front of Pine Bluff, at a point at least one mile from any other bridge, which shall not be detrimental to the interest of navigation or of any river improvement. Said bridge shall be constructed so as to provide for the passage of wagons and vehicles of all kinds, animals, and foot passengers, and for all road travel, for such reasonable rates of toll as may be fixed by the county court of Jefferson County, Arkansas, and under such reasonable rules and regulations as may be prescribed by said corporation, its successors or assigns, and to be approved from time to time by the Secretary of War.

SEC. 2. That any bridge built under this act and 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, the troops, and the munitions of war of the United States than is charged other parties for like privileges; and it shall enjoy the rights and privileges of other post-roads in the United States, and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes. And equal rights as to constructing and maintaining their lines over said bridge shall be granted to all telegraph and telephone companies desiring to use the same.

SEC. 3. That said bridge shall be constructed as a pontoon draw-span bridge, and shall contain a pontoon draw-span of not less than three hundred feet in length, which said draw-span shall be maintained on the main channel of the river at an accessible and navigable point; and the piers of said bridge shall be parallel with, and the bridge itself at right angles to, the current of the river: *Provided also,* That said draw shall be opened promptly by the said company upon a reasonable signal for the passage of boats and rafts; and said company or corporation shall maintain, at their own expense, from sunset to sunrise, such lights or other signals on such bridge as the Light-House Board shall prescribe. No bridge shall be constructed 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 said 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 all such obstructions be removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, suit may be brought in the district court of the United States of the eastern district of the State of Arkansas, to remove or remedy the same: *Provided further,* That nothing in this act shall be so construed as to repeal or modify any of the provisions of the law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

SEC. 4. That any bridge authorized to be constructed under this act be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and 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 said bridge, and a map of

Cable City Bridge Construction Company may bridge Arkansas River at Pine Bluff, Ark.

Location.

Wagon and foot bridge. Tolls.

Lawful structure and post-route.

Postal telegraph.

Use by telegraph, etc., companies.

Pontoon draw-span.

Provisos.

Opening of draw.

Lights, etc.

Unobstructed navigation.

Changes, etc.

Litigation. Protection of navigation.

Secretary of War to approve plans, etc.

the location, giving, for the space of one-half mile below the proposed location, the topography of the banks of the river, the shorelines 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 satisfactory understanding of the subject; but 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.

Change in plan.

Amendment.

Changes, etc.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in the said structure or its entire removal at the expense of the owners thereof, whenever the Secretary of War shall decide that the public interest so requires, is also expressly reserved.

SEC. 6. 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.

Approved, June 10, 1890.

Commencement and completion.

June 10, 1890.

CHAP. 410.—An act donating Lake Contrary, in the State of Missouri, to the city of Saint Joseph, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the city of Saint Joseph, in the State of Missouri, the tract of land covered by water and known as Lake Contrary, together with lands on the margin thereof, not heretofore disposed of by the Government and not occupied by persons in good faith, claiming to enter the same under the settlement laws of the United States, as said tract of land is shown upon the official maps of the survey of townships numbered fifty-six and fifty-seven north, range thirty-six west, fifth principal meridian, Missouri, on file in the General Land Office, approved July twenty-third, eighteen hundred and forty-two, and November fourth, eighteen hundred and forty, and being portions of fractional sections numbered three, ten, and eleven of the first-named township, and fractional sections twenty-six, twenty-seven, twenty-eight, and thirty-five of the last-named township, upon the express condition that said lake shall be held for public use, resort, and recreation without discrimination or distinction, said lands or any right hereby granted to be inalienable; and whenever said tracts shall cease to be used for the purposes above mentioned, or whenever Congress shall declare the trust herein declared to have been violated, said tract, and all rights hereby granted shall revert immediately to the United States, but the rights of lessees under this act shall be saved to them according to the terms of their respective leases.

SEC. 2. That leases may be made by said city of Saint Joseph of privileges to keep places of entertainment, boats, and other appliances for purposes of recreation upon said lake for terms not exceeding ten years, the proceeds to be applied to the improvement of said lake and the roads leading thereto; but no lease shall be so made as to interfere with the proper use of said lake by the public.

Approved, June 10, 1890.

Lake Contrary granted to St. Joseph, Mo.
Grant of lake and described marginal lands.

Condition.

Grant inalienable.

Violation of trust, etc., to work a reversion.

Rights of lessees saved.

Leases.

Limitations, etc.