

them shall be decided by the Secretary of War upon reasonable notice to the parties in interest and upon consideration of such allegations and proofs as may be submitted to him.

Amendment of title
of act.
Vol. 25, p. 849.

SEC. 4. That the title of the said act be amended so as to read in lieu thereof: "An act authorizing the construction of a combined wagon, railroad, and foot-passenger bridge, of the kind known as a 'pivot draw-bridge,' across the Missouri River at or near Sioux City, Iowa."

Approved, April 30, 1890.

May 1, 1890.

CHAP. 180.—An act to establish Rockport, in the district of Belfast, Maine, as a port of delivery.

Rockport, Me.
A port of delivery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Rockport shall be a port of delivery in the district of Belfast, State of Maine.

Approved, May 1, 1890.

May 1, 1890.

CHAP. 181.—An act authorizing the Brazos Terminal Railway Company to construct a bridge across the Brazos River in the State of Texas.

Brazos Terminal
Railway Company
may bridge the Brazos
River, Texas, near
mouth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the Brazos Terminal Railway Company, a corporation incorporated and organized under the laws of the State of Texas, and to its successors and assigns, to construct and maintain a bridge and approaches thereto across the Brazos River, in the State of Texas, between its mouth and a point twelve miles up said river. Said bridge shall be so constructed as to provide for the passage of railway trains, and, at the option of the said corporation, may be used 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 company, and approved by the Secretary of War.

Railway, wagon, and
foot bridge.

Tolls.

Pivot-draw.

Spans.

Superstructural
height.

Proviso.

Opening of draw.

Delay.

Lights, etc.

Aids to navigation.

Security of naviga-
tion.

Secretary of War to
approve plans, etc.

SEC. 2. That any bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel at an accessible and the best navigable point, and with spans giving a clear water-way, measured at the lowest stage of water known at the locality, of such width and height as the Secretary of War, may, upon examination, prescribe; and the lowest part of the superstructure of the bridge shall be of such elevation above the plane of the highest flood known at the locality as the Secretary of War may deem advisable; and the piers of said bridge shall be parallel to and the bridge shall be at right angles to the current of the river: *Provided,* That the draw shall be opened promptly upon reasonable signal for the passage of boats and other water-craft, except when trains are passing over the draw; but in no case shall unnecessary delay occur in opening the draw during or after the passage of trains; and said corporation shall maintain, at its own expense, from sunset to sunrise, such lights and other signals on said bridge as the Light-House Board shall prescribe, and said corporation shall provide, at its own expense, such sheer-booms, guide-piers, and other devices as may be necessary to facilitate the safe passage of boats or other water-craft through the spans of said bridge. The said bridge shall be located and built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and a map of the location, giving for the space of one mile below and one mile above 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 current at all stages, and the soundings, accurately showing the bed and channel of the stream, and shall furnish such other information as shall be required for a full and satisfactory understanding of the subject; and, until the said location and plans of the bridge hereby authorized to be constructed are approved by the Secretary of War, the said bridge shall not be built; and should any change be made in the plan of such bridge during the progress of construction thereof, such change shall be subject to the approval of the Secretary of War; and in case of any litigation arising from the obstruction or alleged obstruction caused by said bridge to the free navigation of said river, the cause may be tried before the circuit court of the United States in whose jurisdiction any portion of the bridge is located.

SEC. 3. That the bridge authorized to be constructed under this act 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 of the United States, or for through railway passengers or freight passing over said bridge, than the rate per mile for their transmission over the railroads leading to said bridge; and equal privileges in the use of said bridge shall be granted to all telegraph companies; and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes.

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 or cars over the same, and over the approaches thereto, 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 upon the sum or sums to be paid and upon 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 a hearing of the allegations and proofs of the parties.

SEC. 5. That the right to alter, amend, or repeal this act, whenever Congress shall consider it necessary to the public interest, is hereby expressly reserved; any alterations or changes that may be required by Congress in the bridge constructed under this act, or the entire removal of said bridge, if required by Congress, shall be made by the corporation owning or controlling the same at its own expense; and if said bridge shall not be commenced in one year and be finished within three years from the passage of this act the rights and privileges hereby granted as to such bridge shall be null and void.

Approved, May 1, 1890.

CHAP. 182.—An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States Court in the Indian Territory, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SEC. 1. That all that portion of the United States now known as the Indian Territory, except so much of the same as is actually occupied by the five civilized tribes, and the Indian tribes within the Quapaw Indian Agency, and except the unoccupied part of the Cherokee outlet, together with that portion of the United States known as the Public Land Strip, is hereby erected into a temporary government by the name of the Territory of Oklahoma. The portion of the Indian Territory included in said Territory of Oklahoma is bounded by a line drawn as follows: Commencing at a point where the ninety-eighth meridian

Change in plan.

Litigation.

Lawful structure and post-route.

Through rates.

Use by telegraph companies.
Postal telegraph.

Use by other railroad companies, etc.

Amendment.

Alterations or changes.

Commencement and completion.

May 2, 1890.

Territory of Oklahoma.
Erected in Indian Territory, etc.

Temporary government.

Boundaries.