

CHAP. 1141.—An Act To amend section eight of an Act approved April fifteenth, nineteen hundred and two, authorizing the construction of a bridge across the Missouri River at or near Parkville, Missouri.

April 11, 1904.
[S. 4620.]

[Public, No. 100.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight of the Act of Congress authorizing the construction of a bridge across the Missouri River at or near Parkville, Missouri, approved April fifteenth, nineteen hundred and two, shall be amended so as to read as follows: "Sec. 8. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced by April fifteenth, nineteen hundred and five, and completed by April fifteenth, nineteen hundred and seven."

Missouri River.
Time extended for bridging, by Kansas City, Northeastern and Gulf Railway Company, at Parkville, Mo.
Vol. 32, p. 104, amended.
Time of construction.

Approved, April 11, 1904.

CHAP. 1142.—An Act To amend an Act entitled "An Act to amend an Act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebraska, approved February thirteenth, eighteen hundred and ninety-one," and Acts amendatory thereof, so as to extend the time for completion of said bridge until January first, nineteen hundred and five.

April 11, 1904.
[S. 4837.]

[Public, No. 101.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend an Act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebraska, approved February thirteenth, eighteen hundred and ninety-one, and amended by an Act approved January twenty-eighth, eighteen hundred and ninety-three, and by an Act approved April twenty-first, eighteen hundred and ninety-eight, and to authorize the Omaha Bridge and Terminal Railway Company, successor to the Interstate Bridge and Street Railway Company, to complete, reconstruct, and change a bridge for railway, street railway, vehicle, pedestrian, and other highway purposes over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebraska," approved May twenty-third, nineteen hundred and two, is hereby amended so that the time within which said bridge shall be completed shall be extended to the first day of January, nineteen hundred and five; the said Act in all other respects to remain in full force and effect.

Missouri River.
Time extended for bridging, by Omaha Bridge and Terminal Railway Company.
Location.
Vol. 26, 760.
Vol. 27, p. 427.

Vol. 30, p. 360

Vol. 32, p. 207, amended.

Approved, April 11, 1904.

CHAP. 1143.—An Act To authorize W. Denny and Company to bridge Dog River, in the State of Mississippi.

April 11, 1904.
[H. R. 12886.]

[Public, No. 102.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That W. Denny and Company, a corporation duly incorporated and organized under the laws of the State of Mississippi, its successors or assigns, be, and is hereby, authorized to construct and maintain a railroad bridge, with single or double track and approaches thereto, over and across the Dog River, in Jackson County, Mississippi, at or near a point on said river one thousand five hundred feet west of the line dividing sections nineteen and twenty in township seven south, range five west, there being a straight stretch or continuance of said river for one-half mile or more above and below said point without curve or turn, subject to the conditions and limitations hereinafter specified.

Dog River, Miss.
W. Denny and Company may bridge.

Location.

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| Unobstructed navigation. | SEC. 2. That said bridge shall not interfere with the free navigation of said river beyond what may be necessary to carry into effect the rights and privileges herein granted; and in case of any litigation arising under the provisions of this Act from any obstruction or alleged obstruction to the navigation of said stream, such litigation may be tried and determined by the proper circuit or district court of the United States within whose jurisdiction said bridge is located: <i>Provided</i> , That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt said bridge from the operation of same. |
| Litigation. | |
| <i>Proviso.</i> Existing laws not affected. | |
| Lawful structure and post route. | SEC. 3. 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 no higher charge shall be made for the transmission of mails and the troops and munitions of war of the United States over the same than the rate per mile paid for the transportation over the railroad or approaches leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal, telegraph, and telephone purposes: <i>Provided</i> , 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 the approaches thereto upon payment of a reasonable compensation for such use, or, in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest. |
| Telegraph, etc., rights. | |
| <i>Proviso.</i> Use by other roads. | |
| Drawbridge. | SEC. 4. That any bridge authorized to be constructed under this Act shall be built as a drawbridge under and subject to such regulations for the security of navigation of said Dog River as the Secretary of War shall prescribe, and to secure that object the said company shall submit to the Chief of Engineers and the Secretary of War, for their examination and approval, a design and drawing of the bridge, and a map of location, giving for the space of one-half mile above and one-half 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 currents at all stages, and soundings, accurately showing the bed of the stream and 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; and until said plan and location of the bridge are approved by the Chief of Engineers and the Secretary of War said bridge shall not be built, or commenced, and no changes shall be made in said bridge during the progress of construction or after completion unless approved by the Chief of Engineers and the Secretary of War; and the said company shall, at its own expense, make from time to time such changes in said bridge as the Secretary of War may order in the interest of navigation: <i>Provided</i> , That the draw of said bridge shall be promptly opened, upon reasonable signal, for the passage of boats, and there shall be maintained on said bridge by the owners thereof, from sunset to sunrise, such lights and other signals as the Light-House Board may prescribe. |
| Secretary of War to approve plans, etc. | |
| Changes. | |
| <i>Proviso.</i> Opening draw. Lights, etc. | |
| Amendment. | SEC. 5. That the right to alter, amend, or repeal this Act is hereby expressly reserved. |
| Time of construction. <i>Post</i> , p. 708. | 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 of approval hereof. |

Approved, April 11, 1904.

CHAP. 1245.—An Act Making Vinalhaven, Maine, a subport of entry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Vinalhaven, in the State of Maine, be, and is hereby, constituted a subport of entry in the customs collection district of Belfast, Maine.

Approved, April 12, 1904.

April 12, 1904.
[H. R. 7292.]

[Public, No. 103.]

Vinalhaven, Me., made a subport of entry. R. S., sec. 2517, p. 493, amended.

CHAP. 1246.—An Act For the establishment of Dayton, Ohio, as a port of delivery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Dayton, Ohio, be, and is hereby, established as a port of delivery in the customs collection district of New Orleans, Louisiana, and that the privileges of the seventh section of the Act approved June tenth, eighteen hundred and eighty, governing the immediate transportation of dutiable merchandise without appraisement, be, and are hereby, extended to said port; and there shall be appointed a surveyor of customs to reside at Dayton, who shall receive a salary to be determined by the Secretary of the Treasury.

Approved, April 12, 1904.

April 12, 1904.
[H. R. 13212.]

[Public, No. 104.]

Customs. Dayton, Ohio, made a port of delivery. R. S., sec. 2568, p. 507, amended.

Immediate transportation privileges granted. Vol. 21, p. 174. Surveyor.

CHAP. 1247.—An Act To authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky or the boundary line between the States of West Virginia and Virginia.

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 the Norfolk and Western Railway Company, a railroad corporation owning and operating lines of railroad in West Virginia, in the improvement, relocation, or extension of any part or parts of its line or the building of branches therefrom, to construct and maintain bridges and approaches thereto across the Tug Fork of the Big Sandy River at such points where the same forms the boundary line between the States of West Virginia and Kentucky or the boundary line between the States of West Virginia and Virginia as the said company may deem suitable for the passage of its road over the said fork of the Big Sandy River, subject to the approval of the Secretary of War.

SEC. 2. That any bridge or bridges authorized to be constructed under this Act shall be lawful structures, and shall be recognized and known as post routes, and they shall enjoy all the rights and privileges of other post-roads in the United States, upon which also no higher charge shall be made for the transmission over the same of the mails or for through passengers or freight passing over said bridge or bridges and approaches than the rate per mile paid for transportation over the railroads leading to said bridge or bridges; and the United States shall have the right of way for postal telegraph and telephone purposes without charge therefor across said bridge or bridges and approaches. Said bridge or bridges shall be built and located under and subject to such regulations for the security of navigation 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 bridge or bridges and a map of the location or locations, giving for the space of one mile above and one mile below the proposed location or locations

April 12, 1904.
[H. R. 5811.]

[Public, No. 105.]

Tug Fork of Big Sandy River. Norfolk and Western Railway Company may bridge.

Location.

Lawful structures and post routes.

Secretary of War to approve plans, etc.