

February 24, 1902.

[Public, No. 21.]

CHAP. 30.--An Act Authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across the White River, in the State of Arkansas.

White River, Ark.
Memphis, Helena
and Louisiana Rail-
way Company may
bridge.

Railway, wagon,
and foot bridge.

Toll.

Lawful structure
and post route.

Postal telegraph.

Proviso.
Aids to navigation.

Lights, etc.

Secretary of War to
cause changes, etc.

Litigation.

Proviso.
Protection of navi-
gation.

Use by other com-
panies.
Compensation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Memphis, Helena and Louisiana Railway Company, a corporation created and existing under and by virtue of the laws of the State of Arkansas, be, and it is hereby, authorized to construct and maintain a bridge across the White River, in the State of Arkansas, at such point on the boundary line between the counties of Arkansas and Desha in said State suitable to the interests of navigation as may hereafter be selected by said railroad company for crossing said river with its railway line. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of said railway company, may be used for the passage of wagons and vehicles of all kinds and for the transit of animals and for foot passengers, for such reasonable rates of toll as may be fixed by said railway company and approved by the Secretary of War.

SEC. 2. That said 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 munitions of war of the United States than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge, and 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 purposes: *Provided,* That the bridge herein authorized to be constructed shall be so kept and managed by the company owning or operating it as to afford proper ways and means for the passage through or under it of vessels, barges, or rafts at all times, both by day and by night; and there shall be displayed on said bridge, from sunset to sunrise, such lights and signals as the Light-House Board shall prescribe.

SEC. 3. That if said bridge erected and maintained under the authority of this Act shall at any time substantially or materially obstruct the free navigation of said river, or 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 such alteration 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 the case may be brought in the district court of the United States in the State of Arkansas for the district in which any portion of said obstruction or bridge may be located: *Provided,* 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 the same.

SEC. 4. That all railroad companies desiring the use of the bridge constructed under this Act 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 parties interested shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridge, all matters of issue between them shall, upon the application of either party, be determined by the district court of the United States in and for any district in which any portion of said bridge may be.

SEC. 5. That the bridge authorized to be constructed under this Act shall 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 said bridge and a map of the location, giving for the space of one mile above and one mile below the proposed location of the bridge the topography of the banks of the river, with shore lines at high and low water, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plans and location of the bridge are approved by the Secretary of War the bridge shall not be built, and should any change be made in the plans of the said bridge during the process of construction or after completion such change shall be subject to the approval of the Secretary of War, and said structure shall be changed at the cost and expense of the owners thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

Secretary of War to approve plans, etc.

Changes.

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 hereof.

Time of construction.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 24, 1902.

CHAP. 31.—An Act Extending the time within which the Mississippi River, Hamburg and Western Railway Company is authorized to construct a bridge across the Bayou Bartholomew in Arkansas.

February 24, 1902.

[Public, No. 22.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which the Mississippi River, Hamburg and Western Railway Company, a corporation existing under the laws of the State of Arkansas, was authorized by the Act approved on the twelfth day of March, eighteen hundred and ninety-eight, entitled "An Act authorizing the Mississippi River, Hamburg and Western Railway Company to construct and maintain a bridge across the Bayou Bartholomew in Arkansas," to construct its said bridge is hereby extended so that the said corporation may continue and complete the said construction within three years from the passage of this Act: *Provided,* That said construction and maintenance thereof shall in all other respects be in compliance with the terms of the said Act approved on the twelfth day of March, eighteen hundred and ninety-eight.

Bayou Bartholomew, Ark. Time extended for bridging.

Vol. 30, p. 276.

Proviso. Construction.

Approved, February 24, 1902.

CHAP. 32.—An Act Granting to the White River Railway Company the right to construct, maintain, and operate a single-track railway across the lands of the United States in the south half of the southwest quarter of section twenty-two, township fourteen north, range eight west of the fifth principal meridian, in the county of Independence, in the State of Arkansas, reserved for use in connection with the construction of Lock Numbered Three, Upper White River, Arkansas.

February 26, 1902.

[Public, No. 23.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the White River Railway Company, a corporation created and existing under and by virtue of the laws of the State of Arkansas, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a single-track railway over and across the lands of the United States in

Lock No. 3, Upper White River, Ark. White River Railway Company granted right of way through lands of.