

SEC. 5. That Congress may at any time alter, amend, or repeal this Act. Amendment.

SEC. 6. That this Act shall be null and void if the actual construction of the bridge herein authorized be not commenced within six months and completed within one year. Time of construction.

Approved, June 28, 1902.

CHAP. 1316.—An Act For the purchase of real estate, for revenue and customs purposes, at Wilmington, North Carolina.

June 28, 1902.

[Public, No. 197.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, empowered and directed to cause an examination to be made of the wharf in front of the custom-house, and other property, at the port of Wilmington, North Carolina, known as the O. G. Parsley estate, offered by George D. Parsley and others of said city, namely, the following real estate: Lot five, block one hundred and sixty-four, and all that part of lot six, block one hundred and sixty-four, not now owned by the United States, and the two-story brick fireproof storehouse on said lot six, fronting west thirty-nine feet on Water street, running thence east seventy-seven and five-tenths feet on Ewing's alley, abutting the United States bonded warehouse on the east and the United States custom-house on the south; the wharf front of said lots fronting on the Cape Fear River one hundred and four feet, and also the easement of said Parsleys in the wharf front of lot four, block one hundred and sixty-four, fronting the Cape Fear River thirty-four feet, and abutting said lot five on the north. And on inquiry as to their necessity for use for the Revenue-Cutter Service and other customs purposes at that port, and if it shall be found advantageous and necessary for such purposes, to purchase the same at a reasonable price: *Provided*, That it shall not exceed sixteen thousand dollars, which amount shall be paid out of any money in the Treasury not otherwise appropriated: *And provided further*, That the owners of said property shall accept such sum as may be agreed upon for the same in full of all rights, easements, and so forth, belonging thereto, including any claims and demands, legal or equitable, and all causes of action, legal or equitable, which they may have against the United States growing out of the use by the United States of said wharf or any part thereof, and all claims of every character, whether from tort, trespass, use, and occupation, or otherwise.

Wilmington, N. C.
Purchase of real estate for revenue, etc., purposes, directed.

Post, p. 1037.

Location.

Provisions.
Limit of cost.
Rights, easements, etc.

Approved, June 28, 1902.

CHAP. 1321.—An Act To authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania.

June 30, 1902.

[Public, No. 198.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the West Elizabeth and Dravosburg Bridge Company, a corporation organized under the laws of the State of Pennsylvania, is hereby authorized to construct, maintain, and operate a bridge across the Monongahela River between a point on the eastern side of said river, at or near property of the Glassport Brick Company, in the borough of Port Vue, in the county of Allegheny, and a point on the western side of said river, in the township of Jefferson, in said county, on property of the Monongahela River Consolidated Coal and Coke Company, fronting on the public road, known as the river road, between Dravos and West Elizabeth. The

Monongahela River, Pa.
West Elizabeth and Dravosburg Bridge Company may bridge.
Location.

Lawful structure.

said bridge, when built in accordance with the requirements of this Act, shall be a legal structure, and may be used for either or both railroad purposes or as a highway for the passage of persons, vehicles, and passenger cars.

Secretary of War to approve plans, etc.

SEC. 2. That the bridge authorized to be constructed under this Act shall be located and built under and subject to such requirements for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the bridge company shall submit to the Secretary of War, for his examination and approval, a design and drawing for the bridge and a map of the location, giving for a space of one mile the depth and current of the river at all points, and the location of any other bridge or bridges, together with all other information touching said bridge and river as may be requisite for the Secretary of War to determine whether said bridge, when built, will conform to the provisions of this Act and cause no serious obstruction to the navigation of the river or injuriously affect the flow of water.

Unobstructed navigation.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving said plan and map, and upon being satisfied that a bridge built upon said plan and at said location will conform to the provisions of this Act and cause no serious obstruction to the navigation of the river or injuriously affect the flow of water, to notify the said company that he approves the same, and upon receiving said notification the said company may proceed to the erection of the said bridge, conforming strictly to the approved plan and location; and until the Secretary of War shall approve the plan and location of the said bridge and notify the said company, in writing, a bridge shall not be built or commenced; and should any change be made in the plan of the bridge during the progress of the work thereon, or after completion, such change shall be subject likewise to the approval of the Secretary of War. And any changes in said bridge which the Secretary of War may at any time deem necessary, and order in the interests of navigation, shall be made by the owners thereof at their own expense.

Changes.

Railroad, wagon, and foot bridge.

SEC. 4. That said bridge, at the option of the said West Elizabeth and Dravosburg Bridge Company, may be so constructed that the same can be used for the passage of wagons and vehicles of all kinds, and passenger cars, and for the transit of animals and foot passengers over the same, and also, in addition to these purposes, may be used for railroad purposes; and the company maintaining the same shall have the right to charge such reasonable rates for toll as bridge companies are authorized to collect under the laws of the State of Pennsylvania:

Toll.

Provido. Use by other companies.

Provided, That if said bridge shall be constructed for railroad purposes, all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railroad trains or cars over the same upon the 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 one of them, desiring such use 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 at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Compensation.

Failure to agree.

Post route.

SEC. 5. That any bridge constructed under this Act shall be known as a post road, over which no higher charge shall be made for the transportation of mails, troops, and munitions of war, or other property of the United States, than the rate per mile charged for their transportation over the public highways leading to said bridge. The United States shall also have the right of way over said bridge for postal-telegraph purposes, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Telegraph, etc., rights.

SEC. 6. That the said bridge shall be so kept and managed at all times as not to interfere with the passage of vessels, barges, or rafts, both by day and by night, and there shall be displayed on said bridge by the owners thereof, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe.

Lights, etc.

SEC. 7. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced in one year and completed within three years from the date hereof.

Time of construction.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 30, 1902.

CHAP. 1322.—An Act To authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Central Railway or its successors.

June 30, 1902.

[Public, No. 199.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Tennessee Central Railway, a corporation created and organized under the laws of the State of Tennessee, and its successors be, and it and they are hereby, authorized to construct and maintain a bridge and approaches thereto over the Emory River, in the State of Tennessee, at such point at or near the city of Harriman as said company or its successors may deem suitable for the passage of its or their railroad over said river.

Emory River, Tenn. Tennessee Central Railway may bridge at Harriman.

SEC. 2. That said bridge shall be constructed for the passage of railway trains, and 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 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 railroads 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 and telephone purposes.

Lawful structure and post route.

SEC. 3. That said bridge shall be built, and located under and subject to such regulations for the security of navigation of such river as the Secretary of War shall prescribe; and to secure that object the company building the said bridge shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location thereof, and until the said plan and location are approved by the Secretary of War the said bridge shall not be commenced or built, and no changes shall be made in said bridge during the progress of construction, or after completion, unless approved by 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 interests of navigation: *Provided*, That if said bridge shall be built as a drawbridge the draw shall be opened promptly upon reasonable signal for the passage of all water craft; and upon whatever kind of bridge is constructed the said company shall maintain, at its own expense, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe.

Telegraph, etc., rights.

Secretary of War to approve plans, etc.

Map.

Changes.

Proviso.
Opening draw.

Lights, etc.

Use by other companies.
Compensation.

Failure to agree.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges in the passage of railroad trains over the same and 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 one of them desiring such use shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in the use of said bridge, all matters at issue between them shall be