AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

April 30, 1902.
[Public, No. 93.]

CHAP. 670.—An Act To authorize the construction of a bridge across the Neuse River at or near Kinston, North Carolina.

Neuse River. Kinston and Carolina Railway Company may bridge, at Kinston, N. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kinston and Carolina Railroad Company, a corporation duly created and existing under the laws of the State of North Carolina, is hereby authorized to build and maintain a railroad bridge across the Neuse River, at such point as may be selected by the said company and approved by the Secretary of War, at or near Kinston, North Carolina, the said bridge to be so constructed as not to interfere with the navigation of said river.

Secretary of War to approve plans, etc.

SEC. 2. That any bridge constructed under this Act shall be built and located 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 drawing of the proposed bridge and a map of the location, giving, for the space of at least 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, and the direction and strength of the current, and the soundings, accurately showing the bed of the stream, 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 Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction or after its completion such change shall be subject to the approval of the Secretary of War.

Changes.

Lawful structure and post route.

SEC. 3. That the bridge constructed under this Act 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 transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for a postal telegraph across said bridge; and said structure shall be so kept and managed at all times as to afford reasonable and proper means for the passage of vessels through or under said bridge, and for the safety of vessels passing at night there shall be displayed on said bridge, from sunset to sunrise, at the expense of the owners thereof, such lights and other signals as may be prescribed by the Light-House Board; and the said bridge shall be changed or altered 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.

Postal telegraph.

Unobstructed navigation.

Lights, etc.

Use by other companies. Compensation.

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 at 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; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Litigation.

Telegraph, etc., rights.

Time of construction.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed with three years from the approval of this Act.

Amendment.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 30, 1902.