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their office for the term of four years, or until their successors are appointed and have qualified, and the chief justice and associate justices of the supreme court of said Territory shall each receive as compensation the sum of four thousand dollars per annum. Term.

SEC. 3. That the Territory shall be divided into seven judicial districts, and a district court shall be held in each county, as now provided by law. The supreme court of said Territory shall define said judicial districts and shall fix the times and places at each county seat in each district where the district court shall be held and designate the judge who shall preside therein. Each judge, after assignment, shall reside in the district to which he is assigned. The supreme court of said Territory, or the chief justice thereof, may designate any judge to try a particular case or cases in any district or to hold the district court in any other district when the judge of said district is absent from his district or has been of counsel or is of kin to either party to the action or interested or biased or prejudiced in the cause, or if for any other reason said judge is disqualified or unable to hold said court. Seven judicial districts. Assignment in certain cases.

SEC. 4. That the district court in each of said districts shall have the same jurisdiction that district courts of said Territory now possess. Jurisdiction.

SEC. 5. That the supreme court, or any justice thereof, shall have power to stay the execution or enforcement of any judgment or final order in any cause taken to said court by appeal or proceedings in error on such terms as may be prescribed by the court or justice granting such stay. Stay of execution, etc.

SEC. 6. That no justice of the supreme court of said Territory shall sit as a member of said court or participate in the trial, hearing, or decision of any case decided by him in the district court or in which he has any interest. Disqualification of judges.

Approved, May 2, 1902.

CHAP. 680.—An Act Authorizing the White River Railway Company to construct a bridge across the White River in Arkansas. May 3, 1902.

[Public, No. 99.]

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 organized 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 and maintain a bridge across the White River, in the State of Arkansas, at such point on the boundary line between the counties of Baxter and Marion in said State suitable to the interests of navigation as may hereafter be selected by said railway 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. White River, Ark. White River Railway Company may bridge. Location. Railway, wagon, and foot bridge. Toll.

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 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 Lawful structure and post route. Telegraph, etc. rights.

Proviso. Aids to navigation.

for postal-telegraph purposes: *Provided*, That the bridge herein authorized to be constructed shall be so kept and managed by the company owning and 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.

Lights, etc.

Unobstructed navigation.

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 to exempt said bridge from the operation of the same.

Changes.

Litigation.

Proviso. Existing laws not affected.

Use by other roads.

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.

Secretary of War to approve plans, etc.

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.

Time of construction.

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.

Amendment.

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

Approved, May 3, 1902.