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April 28, 1904.
[H. R. 15195.]

[Public, No. 209.]

CHAP. 1777.—An Act Authorizing the construction of a wagon, toll, and electric railway bridge over the Missouri River at Lexington, Missouri.

Missouri River.
Lexington Suburban Railway Company may bridge, at Lexington, Mo.
Post, p. 715.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Lexington Suburban Railway Company, duly incorporated under the laws of Missouri, is hereby authorized to construct and maintain a bridge and approaches thereto across the Missouri River, between the city of Lexington, Missouri, and Ray County, Missouri, at a point to be selected consistent with the interests of navigation.

Street-car, wagon, and foot bridge.

Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, street-railway cars, electric motors, railway cars (but not steam locomotives), animals, foot passengers, and for all road travel for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by the said company, and to be approved from time to time by the Secretary of War: *Provided*, That the said company, or its successors and assigns, shall build and maintain at all times, as accessory works to said bridge, such booms, piers, dikes, guard fences, and similar devices as may be necessary, in the judgment of the Secretary of War, to insure at all times a permanent channel for a sufficient distance above and below the bridge site, and for the guiding of rafts, steamboats, and other water craft safely under said bridge: *Provided further*, That the said company, or its successors and assigns, shall maintain on said bridge, from sunset to sunrise, such lights and other signals as the Light-House Board shall prescribe: *And provided further*, That all street-railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars over the same, and over approaches thereto, upon payment of a reasonable compensation for such use, and, 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.

Toll.

Provisos.
Aids to navigation.

Lights, etc.

Use by other roads.

Changes.

SEC. 2. That said bridge shall not be built or commenced until the plan and specifications for its construction have been submitted to the Secretary of War for his approval, nor until he shall approve the plan and location of said bridge and accessory works; and if any change be made in the plan of construction of said bridge and accessory works at any time, such change shall be subject to the approval of the Secretary of War, and any change in the construction or any alteration of said bridge and accessory works that may be directed at any time by Congress or the Secretary of War shall be made at the cost and expense of the said company or its successors and assigns; that the said bridge shall be constructed without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted, and in order to secure that object the said company, or its successors and assigns, shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and accessory works and a map of the proposed location, giving for the space of one mile above and one mile below such proposed location the topography of the banks of the river with shore lines and soundings, and such other information as may be required for a full understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the construction of said bridge shall not be commenced.

Secretary of War to approve plans, etc.

High bridge.

SEC. 3. That said bridge shall be built as a high bridge with unbroken and continuous spans, all spans over the waterway to have a clear channel way of not less than four hundred feet and a clear headroom of not less than fifty feet above high-water mark; and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right angles thereto.

SEC. 4. That the Secretary of War is hereby authorized and directed, upon receiving such plan and other information, and upon being satisfied that a bridge so built will conform to the requirements of this Act, to notify the company authorized to build the same that he approves of the same; and upon receiving such notification the said company may proceed to erect said bridge, conforming strictly to the approved plan and location, and should any change be made in the plan of the bridge or accessory works during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War. Notice of approval.

SEC. 5. 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 also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the street railways or public highways 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 purposes. Lawful structure and post route. *Post*, p. 716. Telegraph, etc., rights.

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 thereof, and the right to alter, amend, or repeal this Act is hereby expressly reserved. Time of construction. *Post*, p. 716. Amendment.

Approved, April 28, 1904.

CHAP. 1778.—An Act To amend and codify the laws relating to municipal corporations in the district of Alaska. April 28, 1904. [S. 3338.]

[Public, No. 210.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any community in the district of Alaska having three hundred or more permanent inhabitants may incorporate as a municipal corporation termed a town in the manner hereinafter provided. A petition praying for such incorporation shall first be presented to the judge of the United States district court presiding over the court in the judicial division in which the community seeking incorporation is located, which petition shall be signed by at least sixty male adults, bona fide residents of such community, and shall specify the boundaries and the number of inhabitants of the proposed corporation, and shall also specify the name by which it is to be known, and such other facts as may tend to show good grounds for such incorporation. The judge shall thereupon, by an order, fix the time and place for considering said petition, which time shall not be less than thirty days after the date of such order. A printed or typewritten copy of said order shall be posted in three of the most public places within the limits of the territory proposed to be incorporated at least thirty days prior to the time fixed for considering said petition. At the time and place fixed for considering said petition the judge shall give a reasonable hearing to those who are in favor of and to those who are opposed to the same; and if he is satisfied that it is for the best interest and welfare of the community to be incorporated as a town he shall, by an order, so adjudge; and he may, by the order, change or modify the proposed boundaries. He shall also, by said order, designate the name and the boundaries of the corporation, and the time and place when and where an election shall be held to determine whether the people of the community desire to be incorporated; and he shall also, by said order, appoint three quali- Alaska. Incorporation of towns in. Vol. 31, p. 520, amended. Petition. Order of the court. Hearing. Election.