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Obstruction to 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 shall 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.

Litigation.

Proviso.
Protection to navigation.

Secretary of War to approve plans, etc.

SEC. 4. 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 the 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 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 from time to time at the cost of the owners thereof, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

Changes.

Lawful structure and post route.

SEC. 6. That any bridge built under the provisions of 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, troops, and munitions of war of the United States passing over said bridge than the rate per mile paid for the transportation over the public highways leading to said bridge; 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 approaches for postal telegraph purposes.

Telegraph, etc., rights.

Time of construction.

SEC. 7. That this Act shall be null and void unless the bridge herein authorized is commenced within one year and completed within three years from the date hereof.

Amendment.

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

Approved, January 12, 1905.

CHAP. 41.—An Act To aid the Western Alaska Construction Company.

January 18, 1905.
[S. 5088.]

[Public, No. 10.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Western Alaska Construction Company to hereafter operate its railroad in the district of Alaska for a period of five years after the passage of this Act without the payment of the license fee of one hundred dollars per mile per annum on each mile operated, as provided in section twenty-nine, chapter one, of the Act entitled "An Act for

Alaska.
Western Alaska Construction Company may operate without payment of license fee.
Time limit.
Vol. 31, p. 331.

making further provisions for a civil government for Alaska, and for other purposes," approved June sixth, nineteen hundred: *Provided, however*, That this exemption from said license fees is upon the condition that said company shall build at least ten miles of railroad each year; but if more than ten miles be built in any one year it shall be credited to the work of the succeeding year.

Proviso.
Condition of exemption.

Approved, January 18, 1905.

January 18, 1905.
[H. R. 15606.]
[Public, No. 11.]

CHAP. 42.—An Act To authorize the county of Itawamba, in the State of Mississippi, to construct a bridge across the Tombigbee River, near the town of Fulton, in the said county and State.

Tombigbee River.
Itawamba County may bridge, at Fulton, Miss.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Itawamba, one of the counties of the State of Mississippi, duly created and organized under and by virtue of the laws of the said State, is hereby authorized and empowered to erect, construct, and maintain a bridge, by and through its proper officers, over the Tombigbee River, near the town of Fulton, Mississippi, at the point on said river where the public road from Fulton, Mississippi, to Tupelo, Mississippi, now crosses the said river: *Provided*, That the plans and location of the said bridge shall be approved by the Secretary of War before the construction of the bridge is commenced. Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, under such rules and regulations as may be laid down by the proper officers of said county under the laws of the said State of Mississippi.

Proviso.
Secretary of War to approve plans, etc.
Wagon and foot bridge.

Lawful structure and post route.

SEC. 2. That the bridge shall be a lawful structure, and shall be known and recognized as a post route, and shall enjoy the rights and privileges of other post-roads of the United States; and no charge shall be made for the transmission over same of the mails, troops, and munitions of war of the United States. 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; and any changes in the said bridge which the Secretary of War may require in the interest of navigation shall be made by the person or corporation owning or operating the same at their own expense.

Telegraph, etc., rights.

Changes.

Time of construction.

SEC. 3. That this Act shall be null and void if actual construction of said bridge herein authorized shall not be commenced in one year and completed within three years from the date of approval hereof.

Amendment.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 18, 1905.

January 18, 1905.
[H. R. 15810.]
[Public, No. 12.]

CHAP. 43.—An Act To authorize Caldwell Parish, Louisiana, to construct a bridge across the Ouachita River.

Ouachita River.
Caldwell Parish may bridge, at Columbia La.
Wagon and foot bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the parish of Caldwell, Louisiana, through its corporate authority, is hereby authorized and empowered to construct and maintain a wagon and foot bridge, with necessary approaches, across the Ouachita River at the town of Columbia, in said parish. Such bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, animals, foot passengers, and for all road travel.