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and currents 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 deemed requisite by 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 such plan and map and upon being satisfied that a bridge built on such plan and at such locality 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 corporation that he approves the same; and upon receiving such notification the said corporation may proceed to the erection of said bridge, conforming strictly to the approved plan and location; but until the Secretary of War shall approve the plan and location of said bridge and notify the said corporation of the same in writing the 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 the said bridge shall be changed by the said company at its own expense whenever the Secretary of War shall so direct in the interest of navigation.

Changes.

Lawful structure and post route.

SEC. 4. That any bridge constructed under this Act shall be a lawful structure, and shall be known as a post-road, for which no higher charge shall be made for the transportation of mail, troops, and munitions of war or other property of the United States over the same than the rate per mile charged for such transportation over the railways leading to said bridge. The United States shall also have a right of way over said bridge for postal, telegraph, and telephone purposes, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Telegraph, etc., rights.

Lights, etc.

SEC. 5. That the said bridge shall be so kept and managed at all times as not to interfere with the passage of vessels, barges, and rafts, both by day and by night, and there shall be displayed on said bridge by the owner thereof, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe.

Use by other roads.

SEC. 6. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and the approaches thereto upon payment of a reasonable compensation for such use, or, 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.

Compensation.

Time of construction.

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

Amendment.

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

Approved, January 28, 1905.

January 31, 1905.
[H. R. 12898.]

[Public, No. 33.]

CHAP. 287.—An Act To create a new division in the eastern judicial district of the State of Missouri.

United States courts.
Missouri eastern district.
Southeastern division established.
Vol. 24, p. 424, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new division of the eastern judicial district of the State of Missouri, to be known as the southeastern division judicial district of Missouri, be, and the same is hereby, established, to be composed of the following counties, to wit: Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscot, Dunklin,

Stoddard, Butler, Ripley, Carter, Oregon, Shannon, Reynolds, Wayne, Madison, Bollinger, and Perry, and said counties be, and the same are hereby, transferred to said southeastern division of said eastern district of Missouri; but no additional clerk or marshal shall be appointed in or for said division of said district.

Terms at Cape Girardeau.

SEC. 2. That terms of the circuit and district courts of the said southeastern division judicial district of Missouri shall be held in the city of Cape Girardeau, in said State, on the second Monday in April and October of each year, after this Act goes into effect.

Existing judicial officers to act, etc.

SEC. 3. That the clerks of the district and circuit courts for the eastern district of Missouri and the marshal and attorney of the United States for said district shall perform the duties appertaining to their offices, respectively, for said courts of said southeastern division judicial district, and the clerk's office of said courts shall be at Saint Louis, where all records of said courts may be kept and all duties performed, except when court is in session at Cape Girardeau; but should the business of said courts hereafter warrant a deputy clerk at Cape Girardeau, in the judgment of the district judge, then new books and records may be opened for the courts herein created and kept at Cape Girardeau, and a deputy clerk appointed to reside and keep his office at Cape Girardeau.

Deputy clerk at Cape Girardeau.

Suits against one or more defendants.

SEC. 4. That all suits not of a local nature in said circuit and district courts against a single defendant, inhabitant of said State, must be brought in the division of the district where he resides; but if there are two or more defendants residing in different divisions of the district such suits may be brought in either division.

Prosecution of crimes.

SEC. 5. That all prosecutions for crimes or offenses hereafter committed in either of the divisions of said district shall be cognizable within the division in which the said crimes are committed, and all prosecutions for crimes or offenses heretofore committed in the eastern district of Missouri, as heretofore constituted, shall be commenced and proceeded with as if this Act had not been passed.

Jurors.

Process.

SEC. 6. That all grand and petit jurors summoned for service in each division shall be residents of such division. All mesne and final process, subject to the provisions hereinbefore contained, issued in either of said divisions, may be served and executed in either or any of the divisions.

Removal of suits.

SEC. 7. That in all cases of removal of suits from courts of the State of Missouri to the courts of the United States in the eastern district of Missouri such removal shall be to the United States courts in the division in which the county is situated from which the removal is made, and the time within which the removal shall be perfected, in so far as it refers to or is regulated by the terms of the United States courts, shall be deemed to refer to the terms of the United States courts held in said southeastern division judicial district.

Effect.

SEC. 8. That this Act shall be in force from and after the thirty-first day of July, anno Domini nineteen hundred and five, and all Acts or parts of Acts so far as inconsistent herewith are hereby repealed: *Provided, however*, That suitable rooms and accommodations are furnished for the holding of said court at said place free of expense to the Government of the United States.

Proviso.
Court room.

Approved, January 31, 1905.