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rules and regulations as may be laid down by the proper officers of said corporation not in conflict with the rules and regulations provided by the Secretary of War.

Lawful structure and post route.

SEC. 4. That the bridge to be built under this Act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post road, 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 than the rate per mile paid for such transportation over public highways leading to said bridge; and said bridge shall enjoy the rights and privileges of other post roads in the United States, and the United States shall have the right of way across said bridge and its approaches 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.

Time of construction.

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

Amendment.

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

Approved, February 23, 1906.

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February 24, 1906.
[S. 2106.]
[Public, No. 24.]

**CHAP. 506.**—An Act To authorize the construction of a bridge across the Arkansas River at or near Van Buren, Arkansas.

Arkansas River.
Fort Smith and Van Buren Bridge and Traction Company may bridge, at Van Buren, Ark.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Fort Smith and Van Buren Bridge and Traction Company, a corporation organized and existing under the laws of the State of Arkansas, and being empowered by the terms of its charter to construct, own, operate, and maintain a railroad, electric, steam, or traction railway, passenger, and wagon bridge over and across the Arkansas River at or near the city of Van Buren, Crawford County, Arkansas, be, and the said Fort Smith and Van Buren Bridge and Traction Company, its successors and assigns, are hereby, authorized and empowered to construct said bridge across said river, and to maintain and operate the same as a railroad, electric, steam, or traction railway, animal, stock, foot passenger, and wagon bridge, or for either one or more of said purposes, as the Fort Smith and Van Buren Bridge and Traction Company, its successors and assigns, may from time to time see fit.

Railroad, wagon, and foot bridge.

Secretary of War to approve plans, etc.

SEC. 2. That such bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of War and Chief of Engineers for their approval, nor until they shall have approved such plans and specifications and the location of such bridge and accessory works; and when the plans for any bridge to be constructed under the provisions of this Act have been approved by the Chief of Engineers and by the Secretary of War it shall not be lawful to deviate from such plans, either before or after completion of the structure, unless the modification of such plans has previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War.

Lawful structure and post route.

SEC. 3. That any bridge built in accordance with 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 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 any railroad, street railway, or public highway leading

to said bridge; and the United States shall have the right to construct, maintain, and repair, without any charge therefor, telegraph and telephone lines across and upon said bridge and its approaches; and equal privileges in the use of said bridge and its approaches shall be granted to all telegraph and telephone companies.

Telegraph, etc., rights.

Unobstructed navigation.

SEC. 4. That no bridge erected or maintained under the provisions of this Act shall at any time unreasonably obstruct the free navigation of the waters over which it is constructed; and if any bridge erected in accordance with the provisions of this Act shall, in the opinion of the Secretary of War, at any time unreasonably obstruct such navigation, either on account of insufficient height, width of span, or otherwise, or if there be difficulty in passing the draw opening or the draw span of such bridge, by rafts, steamboats, or other water craft, it shall be the duty of the Secretary of War, after giving the parties interested reasonable opportunity to be heard, to notify the persons owning or controlling such bridge to so alter the same as to render navigation through or under it reasonably free, easy, and unobstructed, stating in such notice the changes required to be made, and prescribing in each case a reasonable time in which to make such changes, and if at the end of the time so specified the changes so required have not been made, the persons owning or controlling such bridge shall be deemed guilty of a violation of this Act; and all such alterations shall be made and all such obstructions shall be removed at the expense of the persons owning or operating said bridge. The persons owning or operating any such bridge shall maintain, at their own expense, such lights and other signals thereon as the Secretary of Commerce and Labor shall prescribe. If the bridge shall be constructed with a draw, then the draw shall be opened promptly by the persons owning or operating such bridge upon reasonable signal for the passage of boats and other water craft. If tolls shall be charged for the transit over any bridge constructed under the provisions of this Act of engines, cars, street cars, wagons, carriages, vehicles, animals, foot passengers, or other passengers, such tolls shall be reasonable and just, and the Secretary of War may at any time, and from time to time, prescribe the reasonable rates of toll for such transit over such bridge, and the rates so prescribed shall be the legal rates and shall be the rates demanded and received for such transit.

Changes.

Lights, etc.

Opening draw.

Toll.

Failure to comply with order of Secretary of War, etc., a misdemeanor.

Penalty.

SEC. 5. That any persons who shall fail or refuse to comply with the lawful order of the Secretary of War or the Chief of Engineers, made in accordance with the provisions of this Act, shall be deemed guilty of a violation of this Act; and any persons who shall be guilty of a violation of this Act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished in any court of competent jurisdiction by a fine not exceeding five thousand dollars, and every month such persons shall remain in default shall be deemed a new offense and subject such persons to additional penalties therefor; and in addition to the penalties above described the Secretary of War and the Chief of Engineers may, upon refusal of the persons owning or controlling any such bridge and accessory works to comply with any lawful order issued by the Secretary of War or Chief of Engineers in regard thereto, cause the removal of such bridge and accessory works at the expense of the persons owning or controlling such bridge, and suit for such expense may be brought in the name of the United States against such persons and recovery had for expense in any court of competent jurisdiction; and the removal of any structures erected or maintained in violation of the provisions of this Act or the order or direction of the Secretary of War or Chief of Engineers made in pursuance thereof may be enforced by injunction, mandamus, or other summary process, upon application to the circuit court in the district in which such

Removal of bridge, etc.

Suit to recover expenses.

Enforcement by injunction, etc.

structure may, in whole or in part, exist, and proper proceedings to this end may be instituted under the direction of the Attorney-General of the United States at the request of the Secretary of War; and in case of any litigation arising from any obstruction or alleged obstruction to navigation created by the construction of any bridge under this Act, the cause or question arising may be tried before the circuit court of the United States in any district which any portion of said obstruction or bridge touches.

Litigation.

SEC. 6. That the authority hereby granted shall cease and be null and void unless the actual construction of the bridge authorized in this Act be commenced within one year and completed within three years from the date of the passage of this Act.

Time of construction.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved as to any and all bridges which may be built in accordance with the provisions of this Act, and the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or any persons interested in any bridge which shall have been constructed in accordance with its provisions.

Amendment.

SEC. 8. That the word "persons" as used in this Act shall be construed to import both the singular and the plural, as the case demands, and shall include municipalities, quasi municipal corporations, corporations, companies, and associations.

Meaning of "persons."

Approved, February 24, 1906.

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**CHAP. 507.**—An Act To allow the entry and clearance of vessels at San Luis Obispo, Port Harford, and Monterey, California.

February 24, 1906.
[S. 3318.]
[Public, No. 25.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the collector of customs at San Francisco is hereby authorized to depute an officer of the customs from his collection district to proceed to San Luis Obispo, Port Harford, or Monterey in his district for the purpose of receiving at those places the entries of vessels arriving there in ballast and of clearing them with cargoes of petroleum and its products only in the same manner as if they had proceeded to San Francisco before entry.

Customs.
San Francisco, Cal., district.
Petroleum vessels may enter and clear at San Luis Obispo, Port Harford, and Monterey.
R.S., sec. 2582, p. 511, amended.

Approved, February 24, 1906.

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**CHAP. 508.**—An Act To provide for the purchase of certain coal claims in the island of Batan in the Philippine Islands.

February 26, 1906.
[H. R. 12864.]
[Public, No. 26.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to purchase the coal claims owned by Messrs. Munoz and Villanueva, lying on the island of Batan, Philippine Islands, and upon which the War Department now holds an option; and to provide for the purchase of said claims the sum of fifty thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated; and the above sum is made immediately available in order that purchase may be made before the said option expires, to wit, before March first, nineteen hundred and six.

Philippine Islands.
Purchase of coal claims on Batan Island.

Appropriation.

Approved, February 26, 1906.