

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, and said structure shall be changed at the cost and expense of the owners thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

Secretary of War to approve plans, etc.

Changes.

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.

Time of construction.

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

Amendment.

Approved, February 24, 1902.

CHAP. 31.—An Act Extending the time within which the Mississippi River, Hamburg and Western Railway Company is authorized to construct a bridge across the Bayou Bartholomew in Arkansas.

February 24, 1902.

[Public, No. 22.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which the Mississippi River, Hamburg and Western Railway Company, a corporation existing under the laws of the State of Arkansas, was authorized by the Act approved on the twelfth day of March, eighteen hundred and ninety-eight, entitled "An Act authorizing the Mississippi River, Hamburg and Western Railway Company to construct and maintain a bridge across the Bayou Bartholomew in Arkansas," to construct its said bridge is hereby extended so that the said corporation may continue and complete the said construction within three years from the passage of this Act: *Provided,* That said construction and maintenance thereof shall in all other respects be in compliance with the terms of the said Act approved on the twelfth day of March, eighteen hundred and ninety-eight.

Bayou Bartholomew, Ark.
Time extended for bridging.

Vol. 30, p. 276.

Proviso.
Construction.

Approved, February 24, 1902.

CHAP. 32.—An Act Granting to the White River Railway Company the right to construct, maintain, and operate a single-track railway across the lands of the United States in the south half of the southwest quarter of section twenty-two, township fourteen north, range eight west of the fifth principal meridian, in the county of Independence, in the State of Arkansas, reserved for use in connection with the construction of Lock Numbered Three, Upper White River, Arkansas.

February 26, 1902.

[Public, No. 23.]

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 created 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, maintain, and operate a single-track railway over and across the lands of the United States in

Lock No. 3, Upper White River, Ark.
White River Railway Company granted right of way through lands of.

Construction.

Siding.

Flag station.

Restriction.

Rights reserved.

the south half of the southwest quarter of section twenty-two, township fourteen north, range eight west of the fifth principal meridian, in the county of Independence, in the State of Arkansas, reserved for use in connection with the construction of Lock Numbered Three, Upper White River, Arkansas, said railway to be constructed, maintained, and operated upon the following terms and conditions, to wit: The railway track so authorized shall be carried across the above-described land on a trestle affording not less than thirteen feet longitudinal clearance between bents, the cap timbers of said trestle to be not over twelve feet in length, and the batter of the inclined posts not to exceed three inches horizontal distance to one foot vertical distance. Said White River Railway Company, its successors and assigns, shall build and maintain, at their own expense, at some near-by point, a siding or spur track from which the United States can receive and forward freight, either in carload lots or less than car-load lots. Said railway company shall, during the time of the construction of the lock and dam, establish Lock Numbered Three as a flag station for all trains carrying passengers. Said White River Railway Company shall not use the river banks within a distance of one hundred and fifty feet above and below the limits of the lock walls of said Lock Numbered Three as a place for depositing spoil and waste, except under such conditions as may be approved by the United States engineer officer in charge of the improvements of Upper White River, Arkansas.

SEC. 2. That there is hereby specially reserved to the United States the right to erect chutes or other structures over and under said trestle, in such manner as not to interfere with the movement of trains; to load or unload cars while on the main track of said railway in the vicinity of Lock Numbered Three, provided regularly scheduled trains shall not be thereby delayed; and to build temporary warehouses and other structures, not only along said railway trestle, but also along the railway track adjacent to said reservation for said Lock Numbered Three, on each side thereof, and as close thereto as can be done without interfering with the safe movement and operation of trains, and the said White River Railway Company shall permit the United States to enter upon its right of way adjacent to the Government reserve for the purpose of so doing: *Provided*, That the United States in exercising its right to excavate under the aforesaid trestle will not be responsible to the said railway company, its employees, passengers, patrons, or the public for any delay or injury caused by said excavation.

Proviso.
Nonresponsibility of
the United States.

Secretary of War to
approve work.

SEC. 3. That all work done by said White River Railway Company under this Act shall be subject at all times during and after its completion to the approval of the Secretary of War, and shall be done under the supervision of the engineer officer of the United States Army in charge of the improvement of Upper White River, Arkansas.

Amendment.

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

Approved, February 26, 1902.

February 26, 1902.

[Public, No. 24.]

CHAP. 33.—An Act To transfer the county of Carroll from the northwestern division of the northern district of Georgia to the northern district of Georgia of the United States district and circuit courts, and for other purposes.

Georgia northern
judicial district.
Carroll County
transferred from
northwestern divi-
sion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Carroll, in the State of Georgia, be, and is hereby, transferred from the northwestern division of the northern district of Georgia to the northern district of Georgia of the United States district and circuit courts; but this transfer shall not affect any suit or legal proceeding begun prior to the passage of this Act.

Vol. 31, p. 73.

Approved, February 26, 1902.