

CHAP. 681.—An Act Authorizing the Secretary of War to loan certain tents for use at Knights of Pythias encampment to be held at San Francisco, California.

May 3, 1902.

[Public, No. 100.]

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 is hereby, authorized to loan, at his discretion, to committee of citizens in charge of arrangements for the encampment of the Uniform Rank, Knights of Pythias, to be held in San Francisco, California, August tenth to twentieth, nineteen hundred and two, and deliver to Charles L. Patton, president and executive director of said committee, one thousand wall tents, size ten by twelve, with poles, ridges, and pins for each: *Provided,* That no expense shall be caused the United States Government by the delivery and return of such property; the same to be delivered to said committee designated above at such time prior to the date of said encampment as may be agreed upon by the Secretary of War and said Charles L. Patton, the number of tents so loaned not to exceed one thousand: *And provided further,* That the Secretary of War shall, before delivering such property, take from said Charles L. Patton a good and sufficient bond for the safe return of said property in good order and condition; and the whole without expense to the United States.

Knights of Pythias Encampment, San Francisco, Cal. Secretary of War authorized to loan tents for use of.

Provisos. No expense to Government.

Bond.

Approved, May 3, 1902.

CHAP. 682.—An Act To authorize the New Orleans and Mississippi Midland Railroad Company of Mississippi to build and maintain a railway bridge across Pearl River.

May 3, 1902.

[Public, No. 101.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Orleans and Mississippi Midland Railroad Company, a corporation duly incorporated and existing under and by virtue of the laws of the State of Mississippi, be, and is hereby, authorized to construct and maintain, by itself or through its assignees, a railway bridge across Pearl River at a point suitable to the interest of navigation between the towns of Monticello and Columbia, in the State of Mississippi. Said bridge shall be constructed to provide for passage of railway trains, and for transmission of the mails at such legal rates of toll as may be fixed by said railroad company, or its transferees, and approved by the Secretary of War.

Pearl River, Miss. New Orleans and Mississippi Midland Railroad company may bridge. Location.

Toll.

SEC. 2. That said 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 munitions of war of the United States than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge, and 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: *Provided,* That the bridge herein authorized to be constructed shall be so kept and managed by the company owning or operating it as to afford proper ways and means for the passage through or under it of vessels, barges, or rafts at all times, both by day and by night; and if said bridge be constructed as a drawbridge, the draw shall be opened promptly upon reasonable signal for the passage of boats; and upon whatever kind of bridge is built there shall be displayed from sunset to sunrise, at the expense of said company, such lights and signals as the Light-House Board shall prescribe.

Lawful structure and post route.

Telegraph, etc., rights.

Proviso. Aids to navigation.

Opening draw.

Lights, etc.

Unobstructed navigation.

SEC. 3. That if said bridge erected and maintained under the authority of this Act shall at any time unreasonably obstruct the free navigation of said river, or shall, in the opinion of the Secretary of War, unreasonably 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 be removed at the expense of the owners or operators of said bridge; and in case of any litigation arising from the obstruction or alleged obstruction to the free navigation of said river the case may be brought in the district court of the United States for the western district of Louisiana: *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 same.

Changes.

Litigation.

Proviso.
Existing laws not affected.

Use by other roads.

SEC. 4. That all railroad companies desiring to use the 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 the payment of a reasonable compensation for such use, which compensation may be different in case of different railways. In case of disagreement as to compensation for the use of said bridge the difference shall be determined by the Secretary of War upon hearing the allegations and proof of the parties in interest.

Compensation.

Secretary of War to approve plans, etc.

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 drawing 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, the direction and strength of the currents at all stages, and the soundings accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject. And until 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 plan 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.

Changes.

Time of construction.

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 four years from the date hereof.

Amendment.

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

Approved, May 3, 1902.

May 3, 1902.

[Public, No. 102.]

CHAP. 683.—An Act To make the provisions of an Act of Congress approved February twenty-eighth, eighteen hundred and ninety-one (Twenty-sixth Statutes, seven hundred and ninety-six), applicable to the State of Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the provisions of an Act of Congress approved February twenty-eighth, eighteen hundred and ninety-one, which provides for the selection of lands for educational purposes in lieu of those appropriated for other purposes, be, and the same are hereby, made applicable to the State of Utah, and the grant of school lands to said State, including sections two and

Public lands.
Grant of school
lands to Utah.
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