

bridge company, or its assigns, at its or their expense: *Provided*, That if the bridge herein authorized be built as a drawbridge, the draw shall be opened promptly upon reasonable signal for the passage of boats; and whatever kind of a bridge is built the said company or its assigns shall maintain thereon, from sunset to sunrise, such lights or other signals as the Light-House Board shall prescribe.

SEC. 3. That said bridge shall be constructed to provide for the passage of wagons, carriages, automobiles, and vehicles of all kinds, street and suburban car lines, animals and foot passengers, and to provide for telegraph and telephone lines, and two pipe lines to convey water to the east side of the river for irrigation, power, and domestic use; and the said bridge company or its assigns shall have the right to charge, collect, and receive therefor such reasonable rates of toll and under such reasonable rules and regulations for the use of said bridge as the said bridge company or its assigns may prescribe from time to time, subject to the approval of the Secretary of War.

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 and to all street and suburban railways.

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 hereof.

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

Approved, January 20, 1906.

CHAP. 6.—An Act Authorizing the Jasper and Eastern Railway Company, its successors and assigns, to construct and operate a railroad bridge across the Sabine River, in the States of Texas and Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Jasper and Eastern Railway Company, a corporation under the laws of the State of Texas, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a railroad bridge, and the approaches thereto, over and across the Sabine River, in the States of Texas and Louisiana, at any point where said river divides Newton County, in the State of Texas, and Calcasieu Parish, in the State of Louisiana, such point to be subject to approval by the Secretary of War, for crossing said river with its railroad and for the operation of railroad trains, engines, and cars thereon. The said bridge shall be constructed with a draw span therein over the main channel of the river, and the opening on each side of the pivot pier shall not be less than ninety feet in the clear, unless otherwise expressly directed by the Secretary of War, and if so directed, shall be according to such directions, and the said openings shall be accessible at all stages of the water, and the spans shall not be less than two feet above high water. * And said draw shall be opened promptly upon reasonable signal for the passage of boats,

Proviso.
Opening draw.

Lights, etc.

Street car, wagon,
and foot bridge.

Pipe, etc., lines.

Toll.

Lawful structure
and post route.

Telegraph, etc.,
rights.

Time of construc-
tion.

Amendment.

January 26, 1906.
[S. 2159.]

[Public, No. 6.]

Sabine River, Tex.
and La.
Jasper and Eastern
Railway Company
may bridge.

Location.

Drawbridge.

Opening draw.

- Lights, etc. and said company shall maintain at its own expense, from sunset to sunrise, such lights or other signals on such bridge as the Light-House Board may prescribe.
- Lawful structure and post route. SEC. 2. That the 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 no higher charge shall be made for the transmission over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroad leading to the said bridge; and it 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, and telephone purposes.
- Telegraph, etc., rights.
- Unobstructed navigation. SEC. 3. That no bridge shall be erected and maintained under the authority of this Act which shall at any time substantially or materially obstruct the free navigation of said river, and if any bridge erected under such authority 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 all such alterations shall be made and all such obstructions shall be removed at the expense of the owner or owners of said bridge. In case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river caused or alleged to be caused by said bridge, suit or suits may be instituted in the district court of the United States for the eastern district of Texas or in any district court of the United States where any portion of said bridge may be located: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any provisions of law now existing with reference to the obstruction of the navigation of rivers or to exempt said bridge from the operation of the same.
- Changes.
- Litigation.
- Proviso.*
Existing laws not affected.
- Secretary of War to approve plans, etc.
- SEC. 4. That the bridge authorized to be constructed under this Act shall be built and erected under and subject to such regulations for the security of navigation in said river as the Secretary of War shall prescribe, and to secure that object said railway company, its successors or assigns, shall submit to the Secretary of War for his examination and approval a design or drawing of said bridge, and a map of the location, giving for the distance of one-half mile above and one mile below the proposed location the meanders of the river and such other particulars as may be required by the Secretary of War, and until the plan and location of the bridge are approved by the Secretary of War the structure shall not be commenced, and should any change be made in the plan of said bridge during the progress of the construction thereof such change shall be subject to the approval of the Secretary of War.
- Use by other roads.
- SEC. 5. 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 over the approaches thereto upon the payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegation and proofs of the parties.
- Amendment.
- SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.
- Time of construction.
- SEC. 7. That this Act shall be null and void if actual construction of the bridge herein authorized shall not be commenced within one year and completed within three years from the approval of this Act.

Approved, January 26, 1906.