

funds to defray the expenses incurred," is hereby confirmed, ratified, and declared valid.

Approved, June 14, 1902.

CHAP. 1090.—An Act To authorize the construction of a bridge across Waccamaw River, at Conway, in the State of South Carolina, by Conway and Seashore Railroad Company.

June 14, 1902.

[Public. No. 160.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Conway and Seashore Railroad Company, a corporation organized under the laws of the State of South Carolina, be, and it is hereby, authorized to construct and maintain a bridge and approaches thereto over the Waccamaw River, at Conway, in the State of South Carolina.

Waccamaw River,
S. C.
Conway and Seashore Railroad Company may bridge, at Conway.

SEC. 2. That said bridge shall be located and built under and subject to such regulations for the security of navigation as the Secretary of War shall prescribe, and shall be provided with a suitable draw, to be maintained and operated by said railroad company at its own expense, and said draw shall be promptly opened upon reasonable signal for the passage of all water craft.

Protection to navigation.

Drawbridge.

SEC. 3. That the company building the said bridge shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location thereof, and until the said plan and location are approved by the Secretary of War the said bridge shall not be commenced or built, and no changes shall be made in said bridge during the progress of construction or after completion unless approved by the Secretary of War; and the said company shall at its own expense make, from time to time, such changes in said bridge as the Secretary of War may order in the interests of navigation: *Provided,* That the said company shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board may prescribe.

Secretary of War to approve plans, etc.

Changes.

Proviso.
Lights, etc.

SEC. 4. That said bridge 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 munitions of war of the United States than the rate per mile paid for the transportation over the railroads 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 and telephone purposes.

Lawful structure and post route.

Telegraph, etc., rights.

SEC. 5. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges in the passage of railroad trains over the same and the approaches thereto upon 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 one 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 the use of said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Use by other companies.

Compensation.

SEC. 6. That this Act shall be null and void unless the construction of the bridge herein authorized shall be commenced and completed within two years from the date of the approval of this Act.

Time of construction.

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

Amendment.

Approved, June 14, 1902.

June 17, 1902.
[Public, No. 161.]

CHAP. 1093.—An Act Appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all moneys received from the sale and disposal of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, beginning with the fiscal year ending June thirtieth, nineteen hundred and one, including the surplus of fees and commissions in excess of allowances to registers and receivers, and excepting the five per centum of the proceeds of the sales of public lands in the above States set aside by law for educational and other purposes, shall be, and the same are hereby, reserved, set aside, and appropriated as a special fund in the Treasury to be known as the "reclamation fund," to be used in the examination and survey for and the construction and maintenance of irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the said States and Territories, and for the payment of all other expenditures provided for in this Act: *Provided*, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the Act of August thirtieth, eighteen hundred and ninety, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to make examinations and surveys for, and to locate and construct, as herein provided, irrigation works for the storage, diversion, and development of waters, including artesian wells, and to report to Congress at the beginning of each regular session as to the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also the cost of works in process of construction as well as of those which have been completed.

SEC. 3. That the Secretary of the Interior shall, before giving the public notice provided for in section four of this Act, withdraw from public entry the lands required for any irrigation works contemplated under the provisions of this Act, and shall restore to public entry any of the lands so withdrawn when, in his judgment, such lands are not required for the purposes of this Act; and the Secretary of the Interior is hereby authorized, at or immediately prior to the time of beginning the surveys for any contemplated irrigation works, to withdraw from entry, except under the homestead laws, any public lands believed to be susceptible of irrigation from said works: *Provided*, That all lands entered and entries made under the homestead laws within areas so withdrawn during such withdrawal shall be subject to all the provisions, limitations, charges, terms, and conditions of this Act; that said surveys shall be prosecuted diligently to completion, and upon the completion thereof, and of the necessary maps, plans, and estimates of cost, the Secretary of the Interior shall determine whether or not said project is practicable and advisable, and if determined to be impracticable or unadvisable he shall thereupon

Irrigation.
"Reclamation fund" established from certain public land receipts.
Post, p. 1119.
Exception.

Proviso.
Support of agricultural, etc., colleges.
Vol. 26, p. 417.
Vol. 12, p. 503.
Deficiency.

Location and construction of irrigation works.
Estimates of cost.
Lands withdrawn from public entry.
Restoration.
Entry of irrigable lands.
Proviso.
Homestead entries.
Surveys, etc.