

Secretary of War shall have authority, and it shall be his duty, to require the said bridge company to alter and change the said bridge, at its own expense, in such manner as may be proper to secure free and complete navigation without impediment.

Opening draw.

Lights, etc.

Time of construction.

SEC. 4. That the draw provided for the bridge herein authorized to be constructed shall be opened promptly, upon reasonable signal, for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

SEC. 5. That if actual construction of the bridge herein authorized shall not be commenced within one year and be completed within three years from the date of approval of this Act, the rights and privileges hereby granted shall cease and be determined.

Approved, March 9, 1904.

March 9, 1904.
[H. R. 11812.]
[Public, No. 43.]

CHAP. 503.—An Act Relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated.

Public lands.
Confirmation of en-
tries, etc., made out-
side of proper district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall appear to the Commissioner of the General Land Office that an error has heretofore been made by the officers of any local land office in receiving any application, declaratory statement, entry, or final proof under the homestead or other land laws, and that there was no fraud practiced by the entryman, and that there are no prior adverse claimants to the land described in the entry, and that no other reason why the title should not vest in the entryman exists, except that said application, declaratory statement, entry, or proof was not made within the land district in which the lands applied for are situated, as provided by the Act of March eleventh, nineteen hundred and two, such entry or proof shall be confirmed.

Vol. 32, p. 63.
Ante, p. 59.

Effect.

SEC. 2. That this Act shall be in force from and after its passage and approval.

Approved, March 9, 1904.

March 9, 1904.
[S. 121.]

[Public, No. 44.]

Montana.
Additional land
granted to University
of.
Vol. 21, p. 326.
Description.

CHAP. 504.—An Act Granting additional lands adjacent to the site of the University of Montana to the State of Montana for the uses of said university.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Montana for the use of the University of Montana the following-described land lying within Missoula County, Montana, and adjacent to the site of said university in said State, namely: The south half of section twenty-six; the south half of the northeast quarter and the south half of the northwest quarter of section twenty-six; all situated in township thirteen north and range nineteen west, the same to be used for a site for an observatory for said university.

Patent.

SEC. 2. That the Secretary of the Interior is hereby authorized to issue a patent for the said land from the United States to the State of Montana.

Approved, March 9, 1904.

CHAP. 505.—An Act Authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands.

March 11, 1904.
[S. 3317.]

[Public, No. 45.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and empowered to grant a right of way in the nature of an easement for the construction, operation, and maintenance of pipe lines for the conveyance of oil and gas through any Indian reservation, through any lands held by an Indian tribe or nation in the Indian Territory, through any lands reserved for an Indian agency or Indian school, or for other purpose in connection with the Indian service, or through any lands which have been allotted in severalty to any individual Indian under any law or treaty, but which have not been conveyed to the allottee with full power of alienation, upon the terms and conditions herein expressed. No such lines shall be constructed across Indian lands, as above mentioned, until authority therefor has first been obtained from, and the maps of definite location of said lines approved by, the Secretary of the Interior: *Provided*, That the construction of lateral lines from the main pipe line establishing connection with oil and gas wells on the individual allotments of citizens may be constructed without securing authority from the Secretary of the Interior and without filing maps of definite location, when the consent of the allottee upon whose lands oil or gas wells may be located and of all other allottees through whose lands said lateral pipe lines may pass has been obtained by the pipe line company: *Provided further*, That in case it is desired to run a pipe line under the line of any railroad, and satisfactory arrangements can not be made with the railroad company, then the question shall be referred to the Secretary of the Interior, who shall prescribe the terms and conditions under which the pipe line company shall be permitted to lay its lines under said railroad. The compensation to be paid the tribes in their tribal capacity and the individual allottees for such right of way through their lands shall be determined in such manner as the Secretary of the Interior may direct, and shall be subject to his final approval. And where such lines are not subject to State or Territorial taxation the company or owner of the line shall pay to the Secretary of the Interior, for the use and benefit of the Indians, such annual tax as he may designate, not exceeding five dollars for each ten miles of line so constructed and maintained under such rules and regulations as said Secretary may prescribe. But nothing herein contained shall be so construed as to exempt the owners of such lines from the payment of any tax that may be lawfully assessed against them by either State, Territorial, or municipal authority. And incorporated cities and towns into and through which such pipe lines may be constructed shall have the power to regulate the manner of construction therein, and nothing herein contained shall be so construed as to deny the right of municipal taxation in such towns and cities, and nothing herein shall authorize the use of such right of way except for pipe line, and then only so far as may be necessary for its construction, maintenance, and care: *Provided*, That the rights herein granted shall not extend beyond a period of twenty years: *Provided further*, That the Secretary of the Interior, at the expiration of said twenty years, may extend the right to maintain any pipe line constructed under this Act for another period not to exceed twenty years from the expiration of the first right, upon such terms and conditions as he may deem proper.

Indian lands.
Right of way granted to oil, etc., pipe lines through.

Secretary of Interior to approve location.

Provisos.
Lateral pipe lines.

Pipe lines laid under railroads.

Compensation.

Annual tax.

No exemption from State, etc., taxes.

Rights of incorporated cities.

Use of right of way restricted.

Time limit.

Extension.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Approved, March 11, 1904.