

such tolls, and under and upon such terms and conditions as may be agreed upon by the parties in writing, or as shall be prescribed by the Secretary of War, upon hearing the allegations and proofs of the parties in case they shall not agree.

Tolls.

SEC. 3. That any 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 transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge; and it shall enjoy the rights and privileges of other post routes of the United States, and the United States shall have the right of way across such bridge for postal, telegraph, and telephone purposes, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Lawful structure and post route.

Telegraph, etc., rights.

SEC. 4. That said bridge shall be so constructed as to provide for the passage of persons, wagons, and other vehicles, and no charge or toll shall be collected therefor.

Free use by wagons and persons.

SEC. 5. That said bridge shall be constructed to provide for the passage of railway cars, street railway cars, and motor cars at equal and reasonable charges therefor.

Charges for cars.

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 of approval thereof.

Time of construction.

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

Amendment.

Approved, March 5, 1906.

**CHAP. 515.**—An Act To amend an Act entitled “An Act authorizing the Kensington and Eastern Railroad Company to construct a bridge across the Calumet River,” approved February seventh, nineteen hundred and five.

March 5, 1906.  
[H. R. 13365.]

[Public, No. 33.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section five of an Act entitled “An Act authorizing the Kensington and Eastern Railroad Company to construct a bridge across the Calumet River,” approved February seventh, nineteen hundred and five, be amended so as to read as follows:

Calumet River, Ill.  
Time extended for bridging, by Kensington and Eastern Railroad Company.  
Vol. 33, p. 764.

“SEC. 5. That the right to alter, amend, or repeal this Act is expressly reserved; and 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 first day of February, nineteen hundred and six.”

Amendment.  
Time of construction.

Approved, March 5, 1906.

**CHAP. 516.**—An Act To amend an Act entitled “An Act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tennessee.”

March 5, 1906.  
[S. 4482.]

[Public, No. 34.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section five of the Act approved March second, nineteen hundred and one, authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tennessee, be, and is hereby, so amended as to extend the time for commencing the construction of said bridge to one year and for the completion of said bridge to three years from the date of the approval of this Act.

Cumberland River.  
Time extended for bridging, by Carthage, Tenn.  
Vol. 31, p. 958; Vol. 32, p. 925; Vol. 33, p. 313.

Approved, March 5, 1906.

March 6, 1906  
[H. R. 297.]

[Public, No. 35.]

Tennessee River.  
Dams at Muscle  
Shoals, Ala., author-  
ized.

Post, p. 1094.

Construction, etc.,  
of power stations.

Secretary of War to  
approve plans, etc.

Provisos.  
Unobstructed navi-  
gation.

Restrictions.

Locks, etc.

Proviso.  
Damages.

**CHAP. 517.**—An Act To authorize the construction of dams and power stations on the Tennessee River at Muscle Shoals, Alabama.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person, company, or corporation having authority therefor under the laws of the State of Alabama may hereafter erect, maintain, and use a dam or dams in or across the Tennessee River, in the State of Alabama, at such points at Muscle Shoals as they may elect, and the Secretary of War may approve, between a point on the southern side of the river opposite to, or below the head or opening of the canal constructed by the United States on the north side of the river, on the east, and the western line of section sixteen, township three, range ten on the west, for the purpose of erecting, operating, and maintaining power station and to maintain inlet and outlet races or canals and to make such other improvements on the southern bank of the Tennessee River, between the two points above mentioned, as may be necessary for the development of water power and the transmission of the same, subject always to the provisions and requirements of this Act, and to such conditions and stipulations as may be imposed by the Chief of Engineers and the Secretary of War for the protection of navigation and the property and other interests of the United States.

**SEC. 2.** That detailed plans for the construction and operation of a dam or dams and other appurtenant and necessary works shall be submitted by the person, company, or corporation desiring to construct the same to the Chief of Engineers and the Secretary of War, with a map showing the location of such dam or other structures with such topographical and hydrographic data as may be necessary for a satisfactory understanding of the same, which must be approved by the Chief of Engineers and the Secretary of War before work can be commenced on said dam or dams or other structures; and after such approval of said plans, no deviation whatsoever therefrom shall be made without first obtaining the approval of the Chief of Engineers and the Secretary of War: *Provided,* That the constructions hereby authorized do not interfere with the navigation of Muscle Shoals Canal or the navigation of the Tennessee River: *And provided further,* That said dam or dams and works shall be limited only to the use of the surplus water of the river, not required for the navigation of the Muscle Shoals Canal or the Tennessee River, and that no structures shall be built and no operations conducted by those availing themselves of the provisions of this Act which shall injure or interfere with the navigation of the Muscle Shoals Canal or impair the usefulness of any improvement made by the Government in the interest of navigation.

**SEC. 3.** That the Government of the United States reserves the right, at any time that the improvement of the navigation of the Tennessee River demands it, to construct, maintain, and operate, in connection with any dam or other works built under the provisions of this Act, suitable lock or locks or any other structures for navigation purposes, and at all times to control such dam or dams or other structures, and the level of the pool caused by such dam or dams, to such an extent as may be necessary to provide facilities for navigation; and whenever Congress shall authorize the construction of such lock or other structures, the person, company, or corporation owning and controlling such dam or dams or other structures shall convey to the United States, under such terms as Congress shall prescribe, titles to such land as may be required for the use of such lock and approaches, and in addition thereto shall grant to the United States, free of cost, the free use of water power for building and operating such constructions: *Provided also,* That the person, company, or corporation building, maintaining, or operating any dam or dams or other structures under the provisions of this Act shall be liable for any damage that may be inflicted thereby