

Ships owned by United States.

SEC. 5. That sections one and two of this Act shall not apply to vessels owned by the United States.

Tonnage tax on vessels from Philippines.

SEC. 6. That on and after the passage of this Act the same tonnage taxes shall be levied, collected, and paid upon all foreign vessels coming into the United States from the Philippine Archipelago which are required by law to be levied, collected, and paid upon vessels coming into the United States from foreign countries: *Provided, however,* That until July first, nineteen hundred and six, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States: *And provided further,* That the Philippine Commission shall be authorized and empowered to issue licenses to engage in lighterage or other exclusively harbor business to vessels or other craft actually engaged in such business at the date of the passage of this Act, and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

Proviso.
Not applicable until July 1, 1906.

SEC. 7. That this Act shall not be construed to impair or affect any privilege guaranteed to Spanish ships and merchandise by the treaty of peace between the United States and Spain signed at the city of Paris on December tenth, eighteen hundred and ninety-eight, and ratified April eleventh, eighteen hundred and ninety-nine.

Harbor business licenses.

SEC. 8. That the Secretary of Commerce and Labor shall, from time to time, issue regulations for the enforcement of this Act, except as otherwise provided in section three: *Provided,* That such of the navigation laws of the United States as are in force in the Philippine Archipelago in regard to vessels arriving in the Philippine Islands from the mainland territory and other insular possessions of the United States shall continue to be administered by the proper officials of the government of the Philippine Islands.

Spanish treaty rights unimpaired.
Vol. 30, p. 1766.

Regulations.

Proviso.
Continuance of navigation laws.

Approved, April 15, 1904.

April 15, 1904.
[S. 5438.]

CHAP. 1315.—An Act Making an appropriation to supply a deficiency in the contingent fund of the United States Senate.

[Public, No. 115.]

Senate.
Deficiency appropriation for contingent expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of twenty thousand dollars, for expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding one dollar and twenty-five cents per printed page, being a deficiency for the fiscal year nineteen hundred and four.

Approved, April 15, 1904.

April 18, 1904.
[H. R. 13738.]

CHAP. 1392.—An Act To authorize Frank P. Harman to bridge the Tug Fork of the Big Sandy River near Delorme, in Mingo County, West Virginia, where the same forms the boundary line between the States of West Virginia and Kentucky.

[Public, No. 116.]

Tug Fork of Big Sandy River.
Frank P. Harman, etc., may bridge, at Delorme, W. Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for Frank P. Harman, or his assigns, to erect, construct, and maintain a railroad bridge and approaches thereto across the Tug Fork of the Big Sandy River near the town of Delorme (post-office Edgarton), in

Mingo County, West Virginia, where the same forms the boundary line between the States of West Virginia and Kentucky, as the said Frank P. Harman, or his assigns, may deem suitable for the passage of said road over the said Tug Fork of the Big Sandy River, subject to the approval of the Secretary of War.

SEC. 2. That any bridge authorized to be constructed under this Act shall be a lawful structure and shall be recognized and known as a post route, and shall enjoy all the rights and privileges of other post-roads in the United States, upon which also no higher charge shall be made for the transmission over the same of the mails or for through passengers or freight passing over said bridge and approaches than the rate per mile paid for transportation over the railroads leading to said bridge; and the United States shall have the right of way for postal, telegraph, and telephone purposes, without charge therefor, across said bridge and approaches. Said bridge shall be built and located under and subject to such regulations for the security of navigation as the Secretary of War shall prescribe; and to secure that object the said Frank P. Harman, or his assigns, shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge and a map of the location giving for the space of one mile above and one mile below the proposed location the high and low water lines upon the banks of the river or rivers, the direction and strength of the current at all stages of the water, with the soundings accurately showing the bed of the stream and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of the bridge, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plans and location are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction or after completion, such change shall be subject to the approval of the Secretary of War, and any changes which the Secretary of War may require at any time in the said structure shall be promptly made by the said Frank P. Harman, or his assigns, at his or their own expense.

SEC. 3. That all railroad companies desiring the use of the bridge authorized by this Act shall have and be entitled to equal rights and privileges with the said Frank P. Harman and his assigns relative to the passage of railway trains or cars 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 the 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 using 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; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

SEC. 4. That on any bridge constructed under the provisions of this Act there shall be maintained, at the expense of the person, company, or corporation owning or controlling the same, such lights and other signals as may be prescribed by the Light-House Board.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced in 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, April 18, 1904.

Lawful structure and post route.

Secretary of War to approve plans, etc.

Changes.

Use by other roads.

Telegraph, etc., rights.

Lights, etc.

Time of construction.

Amendment.

April 18, 1904.
[H. R. 14110.]

[Public, No. 117.]

Phil Kearny Post,
G. A. R., Nelsonville,
Ohio.
Donation of con-
demned cannon to.

Vol. 27, p. 376.

Proviso.
No expense to
United States.

CHAP. 1393.—An Act To authorize the donation of a certain unused and obsolete gun now at Chickamauga Park, Georgia, to Phil Kearny Post of the Grand Army of the Republic, at Nelsonville, Ohio.

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 he is hereby, authorized and directed to donate one six-pounder smoothbore bronze gun of three and seventh-eighths inches caliber, now at Chickamauga Park, Georgia, which was issued to the Commissioners of the Chickamauga and Chattanooga National Military Park under the provisions of the Act of Congress approved August fifth, eighteen hundred and ninety-two (volume twenty-seven, Statutes at Large, page three hundred and seventy-six), and is not now needed by the Commission, to the Phil Kearny Post of the Grand Army of the Republic, Nelsonville, Ohio: *Provided,* That the donation shall be made without expense to the United States.

Approved, April 18, 1904.

April 19, 1904.
[S. 987.]

[Public, No. 118.]

Public lands.
Settlers ejected from
certain land grants
given credit for resi-
dence, etc., on making
new entries.

Proviso.
Time limit.

Restriction.

CHAP. 1394.—An Act For the relief of certain settlers upon Wisconsin Central Railroad and The Dalles military road land grants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all qualified homesteaders who, under an order issued by the Land Department, bearing date October twenty-second, eighteen hundred and ninety-one, and taking effect November second, eighteen hundred and ninety-one, made settlement upon and improved any portion of an odd-numbered section within the conflicting limits of the grants made in aid of the construction of the Chicago, Saint Paul, Minneapolis and Omaha Railway and the Wisconsin Central Railroad, and were thereafter prevented from completing title to the land so settled upon and improved by reason of the decision of the Supreme Court in the case of Wisconsin Central Railroad Company against Forsythe, One hundred and fifty-ninth United States, page forty-six; and all qualified homesteaders who made settlement upon and improved any portion of an odd-numbered section within the conflicting limits of the grants made in aid of the construction of the Northern Pacific Railroad and The Dalles military wagon road, under orders issued by the Land Department treating such lands as forfeited railroad lands, and were thereafter prevented from completing title to the land so settled upon and improved by reason of the decision of the Supreme Court in the case of Wilcox against Eastern Oregon Land Company, One hundred and seventy-sixth United States, page fifty-one, shall, in making final proof upon homestead entries made for other lands, be given credit for the period of their bona fide residence upon and the amount of their improvements made on the lands for which they were unable to complete title: *Provided,* That no such person shall be entitled to the benefits of this Act who shall fail to make entry within two years after the passage of this Act: *And provided further,* That this Act shall not be considered as entitling any person to make another homestead entry who shall have received the benefits of the homestead law since being prevented, as aforesaid, from completing title to the lands as aforesaid settled upon and improved by him.

Approved, April 19, 1904.