

shall be deemed guilty of a misdemeanor, and on conviction thereof in the district court of the United States for the district of Oregon shall be fined not to exceed five hundred dollars, in the discretion of the court. And the Secretary of the Interior is hereby authorized and directed to enforce the provisions of this Act by all proper means at his command, and to exclude from said forest reserve stock of all kinds and all persons, save as hereinbefore excepted.

Approved, April 28, 1904.

CHAP. 1775.—An Act To expedite business in the district court of the United States for the district of Oregon.

April 28, 1904.
[S. 3117.]

[Public, No. 207.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of the absence of the United States district judge for the district of Oregon from said district, or of his disability, a circuit judge of the United States of the circuit to which such district belongs may hold the district court and perform the duties of the district judge.

United States courts,
Oregon judicial dis-
trict.
Circuit judge may
hold district court.

Approved, April 28, 1904.

CHAP. 1776.—An Act Providing for second and additional homestead entries, and for other purposes.

April 28, 1904.
[S. 3165.]

[Public, No. 208.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who has heretofore made entry under the homestead laws, but who shall show to the satisfaction of the Commissioner of the General Land Office that he was unable to perfect the entry on account of some unavoidable complication of his personal or business affairs, or on account of an honest mistake as to the character of the land; that he made a bona-fide effort to comply with the homestead law and that he did not relinquish his entry or abandon his claim for a consideration, shall be entitled to the benefit of the homestead laws as though such former entry had not been made.

Public lands.
Failure to perfect
homestead entry not
a bar to second, etc.,
entry.

Conditions.

SEC. 2. That any homestead settler who has heretofore entered, or may hereafter enter, less than one-quarter section of land may enter other and additional land lying contiguous to the original entry which shall not, with the land first entered and occupied, exceed in the aggregate one hundred and sixty acres, without proof of residence upon and cultivation of the additional entry; and if final proof of settlement and cultivation has been made for the original entry when the additional entry is made, then the patent shall issue without further proof: *Provided,* That this section shall not apply to or for the benefit of any person who does not own and occupy the lands covered by the original entry: *And provided,* That if the original entry should fail for any reason prior to patent, or should appear to be illegal or fraudulent, the additional entry shall not be permitted, or, if having been initiated, shall be canceled.

Additional entry al-
lowed without proof
of residence, etc.

Limit of acreage.

Patent.

Providos.
Exception.

Failure in original
entry prohibits addi-
tional entry.

SEC. 3. That commutation under the provisions of section twenty-three hundred and one of the Revised Statutes shall not be allowed of an entry made under this Act.

Commutation not
allowed.
R. S., sec. 2301, p.
421.

Approved, April 28, 1904.

April 28, 1904.
[H. R. 15195.]

[Public, No. 209.]

CHAP. 1777.—An Act Authorizing the construction of a wagon, toll, and electric railway bridge over the Missouri River at Lexington, Missouri.

Missouri River.
Lexington Subur-
ban Railway Com-
pany may bridge, at
Lexington, Mo.
Post, p. 715.

Street-car, wagon,
and foot bridge.

Toll.

Provisions.
Aids to navigation.

Lights, etc.

Use by other roads.

Changes.

Secretary of War to
approve plans, etc.

High bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Lexington Suburban Railway Company, duly incorporated under the laws of Missouri, is hereby authorized to construct and maintain a bridge and approaches thereto across the Missouri River, between the city of Lexington, Missouri, and Ray County, Missouri, at a point to be selected consistent with the interests of navigation. Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, street-railway cars, electric motors, railway cars (but not steam locomotives), animals, foot passengers, and for all road travel for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by the said company, and to be approved from time to time by the Secretary of War: *Provided*, That the said company, or its successors and assigns, shall build and maintain at all times, as accessory works to said bridge, such booms, piers, dikes, guard fences, and similar devices as may be necessary, in the judgment of the Secretary of War, to insure at all times a permanent channel for a sufficient distance above and below the bridge site, and for the guiding of rafts, steamboats, and other water craft safely under said bridge: *Provided further*, That the said company, or its successors and assigns, shall maintain on said bridge, from sunset to sunrise, such lights and other signals as the Light-House Board shall prescribe: *And provided further*, That all street-railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars over the same, and over approaches thereto, upon payment of a reasonable compensation for such use, and, in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest.

SEC. 2. That said bridge shall not be built or commenced until the plan and specifications for its construction have been submitted to the Secretary of War for his approval, nor until he shall approve the plan and location of said bridge and accessory works; and if any change be made in the plan of construction of said bridge and accessory works at any time, such change shall be subject to the approval of the Secretary of War, and any change in the construction or any alteration of said bridge and accessory works that may be directed at any time by Congress or the Secretary of War shall be made at the cost and expense of the said company or its successors and assigns; that the said bridge shall be constructed without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted, and in order to secure that object the said company, or its successors and assigns, shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and accessory works and a map of the proposed location, giving for the space of one mile above and one mile below such proposed location the topography of the banks of the river with shore lines and soundings, and such other information as may be required for a full understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the construction of said bridge shall not be commenced.

SEC. 3. That said bridge shall be built as a high bridge with unbroken and continuous spans, all spans over the waterway to have a clear channel way of not less than four hundred feet and a clear headroom of not less than fifty feet above high-water mark; and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right angles thereto.