

plan of said bridge and a map of the location showing for one mile above and one mile below the proposed location the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current, soundings showing the bed of the stream, the location of any other bridge in that vicinity, and such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location are approved by the Secretary of War the said 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 also be subject to the approval of the Secretary of War.

SEC. 3. That the bridge and its accessories constructed according to the provisions of this Act shall be a lawful structure, and the same is hereby declared to be a post route, and no higher charge shall be made for the transportation of the mails and the troops and munitions of war of the United States over the same than the rate per mile paid for their transportation over the railroads leading to said bridge; and the United States shall have the right of way across said bridge and its approaches 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 all railroad companies desiring to use 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, under and upon such terms and conditions as shall be prescribed by the Secretary of War, upon hearing the allegations and proofs of the parties in case they shall not agree.

Use by other roads.

SEC. 5. That the said bridge herein authorized to be constructed shall be kept and maintained so as to secure at all times reasonable and proper provisions for the passage of vessels through the same; and there shall be maintained on said bridge by the company aforesaid from sunset to sunrise during the season of navigation such lights as the Light-House Board shall prescribe; and such changes shall be made from time to time in said bridge, and at the expense of the company aforesaid, as the Secretary of War may direct in order to preserve the free navigation of said river; and in case of any litigation arising by reason of the construction and maintenance of said bridge the same may be tried in the circuit or district courts of the United States for the districts of Washington in whose jurisdiction said bridge is located: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of the law now existing in reference to the protection of the navigation of rivers or to exempt this bridge from the operations of the same.

Unobstructed navigation.

Lights, etc.

Changes.

Litigation.

Proviso. Existing laws not affected.

SEC. 6. That this Act shall be null and void if the actual construction of the bridge herein authorized shall not be commenced within one year and completed within three years from the date this Act takes effect.

Time of construction.

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

Amendment.

Approved, April 9, 1906.

CHAP. 1375.—An Act To authorize the construction of a bridge across the Columbia River between Douglas and Kittitas counties, in the State of Washington.

April 9, 1906.  
[S. 5183.]

[Public, No. 92.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Chicago, Milwaukee and Saint Paul Railway Company, of Washington, its successors and assigns, be, and are hereby, authorized to construct and maintain a railroad bridge, and approaches thereto, across the Columbia River, from some convenient and practicable point to be selected on the east

Columbia River, Wash. Chicago, Milwaukee and Saint Paul Railway Company may bridge. Location.

bank of said river in Douglas County to some convenient and practicable point on the west bank in Kittitas or Yakima counties, in the State of Washington.

Secretary of War to approve plans, etc.

SEC. 2. That the bridge herein authorized shall be located and constructed under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe, and said company shall submit to the Secretary of War, for his approval, a plan of said bridge and a map of the location, showing for one mile above and one mile below the proposed location the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current, soundings showing the bed of the stream, the location of any other bridge in that vicinity, and such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location are approved by the Secretary of War the said 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 also be subject to the approval of the Secretary of War.

Lawful structure and post route.

SEC. 3. That the bridge and its accessories constructed according to the provisions of this Act shall be a lawful structure, and the same is hereby declared to be a post route, and no higher charge shall be made for the transportation of the mails and the troops and munitions of war of the United States over the same than the rate per mile paid for their transportation over the railroads leading to said bridge; and the United States shall have the right of way across said bridge and its approaches for postal, telegraph, and telephone purposes, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Telegraph, etc., rights.

Use by other roads.

SEC. 4. That all railroad companies desiring to use 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 under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in case they shall not agree.

Unobstructed navigation.

SEC. 5. That the said bridge herein authorized to be constructed shall be kept and maintained so as to secure at all times reasonable and proper provisions for the passage of vessels through the same; and there shall be maintained on said bridge by the company aforesaid, from sunset to sunrise during the season of navigation, such lights as the Light-House Board shall prescribe; and such changes shall be made from time to time in said bridge, and at the expense of the company aforesaid, as the Secretary of War may direct, in order to preserve the free navigation of said river; and in case of any litigation arising by reason of the construction and maintenance of said bridge, the same may be tried in the circuit or district courts of the United States for the districts of Washington, in whose jurisdiction said bridge is located: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of the law now existing in reference to the protection of the navigation of rivers or to exempt this bridge from the operations of the same.

Lights, etc.

Changes.

Litigation.

*Proviso.*  
Existing laws not affected.

Time of construction.

SEC. 6. That this Act shall be null and void if the actual construction of the bridge herein authorized shall not be commenced within one year and completed within three years from the date this Act takes effect.

Amendment.

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

Approved, April 9, 1906.

**CHAP. 1617.**—An Act To authorize the Capital City Improvement Company, of Helena, Montana, to construct a dam across the Missouri River.

April 12, 1906.  
[S. 4130.]

[Public, No. 93.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of the Government is hereby given to the Capital City Improvement Company, of Helena, Montana, its successors or assigns, to construct across the Missouri River, at some point between the south line of township twelve north, range two west, and the north line of township fourteen north, range three west, Montana meridian, to be determined by them and approved by the Secretary of War, a dam, canal, and appurtenances thereof, for water power, and other purposes, and in connection therewith a foot bridge, or bridges, for public use: *Provided,* That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of construction, and when so approved no change shall be made in said plans without the prior approval of the Chief of Engineers and the Secretary of War: *Provided further,* That whenever required to do so by the Secretary of War the said company shall construct and maintain in connection with said dam a suitable boom and log sluice; that suitable fishways, to be approved by the United States Fish Commissioner, shall be constructed and maintained in said dam by said corporation, its successors and assigns; and shall obtain and convey to the United States, whenever requested to do so by the Secretary of War, clear title to such land as in his judgment may be required for constructions and approaches to said dam for transferring boats and freight around the same, and shall grant to the United States a free use of water power for operating such construction work; and to insure compliance with these conditions the said company shall execute and deliver to the Secretary of War a proper bond in such amount as may be fixed by him: *And provided further,* That the said company shall be liable for any damage to private property resulting from the construction and operation of said dam and appurtenant works, either by overflow or otherwise, and proceedings to recover compensation for such damage may be instituted either in the State or Federal courts.

Missouri River,  
Mont.  
Capital City Improvement Company  
of Helena may dam.

Location.

Canal, foot bridges,  
etc.

*Provisos.*  
Secretary of War to  
approve plans, etc.

Sluiceway.  
Boom, etc.

Transfer of freight,  
etc.

Bond.

Damages.

Time of construction.

**SEC. 2.** That this Act shall be null and void unless the structures herein authorized shall be commenced within one year and completed within three years from the date of approval hereof.

**SEC. 3.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 12, 1906.

**CHAP. 1619.**—An Act To amend and reenact section one of chapter seventy-seven of volume twenty-seven of the United States Statutes at Large, being "An Act to provide for a term of the United States circuit and district courts at Evanston, Wyoming," approved May twenty-third, eighteen hundred and ninety-two.

April 13, 1906.  
[S. 535.]

[Public, No. 94.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section one of chapter seventy-seven of volume twenty-seven of the United States Statutes at Large, being "An Act to provide for a term of the United States circuit and district courts at Evanston, Wyoming," approved May twenty-third, eighteen hundred and ninety-two, be, and the same is hereby, amended and reenacted so as to read as follows:

Wyoming judicial  
district.  
Vol. 27, p. 39, amend-  
ed.

"That hereafter and until otherwise provided by law there shall be held annually, on the second Tuesday in July each year, a term of the circuit and district courts for the district of Wyoming at the town of Evanston, in said district, said term to be in addition to the terms now required by law to be held at the city of Cheyenne, in said district."

Terms at Evanston.

Approved, April 13, 1906.