

Proviso.
Prior offenses, etc.,
not affected.

Keokuk, in Lee County: *Provided, however,* That all criminal offenses committed prior to and all prosecutions begun and pending at the taking effect of this Act shall be proceeded with and finally determined as if this Act had not been passed.

Approved, April 21, 1906.

April 23, 1906.
[H. R. 8278.]

[Public, No. 117.]

CHAP. 1658.—An Act Authorizing the Secretary of the Interior to issue patent to Keystone Camp, Numbered Twenty-eight hundred and seventy-nine, of the Modern Woodmen of America, to certain lands for cemetery purposes.

Keystone Camp, No. 2879, Modern Woodmen of America, Keystone, 3. Dak.
Land for cemetery purposes patented to.

Description.

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 be, and he is hereby, authorized and directed to issue a patent to Keystone Camp, Numbered Twenty-eight hundred and seventy-nine, of the Modern Woodmen of America, of the town of Keystone, South Dakota, for cemetery purposes, to the following-described land, to wit: Beginning at the northwesterly corner of the ground for corner numbered one, from which the corner of sections eight, nine, sixteen, and seventeen, township two south, range six east, Black Hills meridian, bears south fifty-seven degrees thirty-seven minutes west, six hundred and thirty-eight and seven-tenths feet; thence north sixty-six degrees forty-three minutes east (variation fifteen degrees fifteen minutes east), five hundred and thirty-two and nine-tenths feet, to corner numbered two; thence north seventy-seven degrees forty-four minutes east, five hundred and fifty-seven and three-tenths feet, to corner numbered three; thence south twenty-one degrees twelve minutes east, two hundred and twenty-six and eight-tenths feet to corner numbered four; thence south fifty-two degrees twenty-seven minutes west, four hundred and seventy-eight and four-tenths feet, to corner numbered five; thence south eighty-one degrees fifty minutes west, seven hundred and twenty and five-tenths feet, to corner numbered six; thence north four degrees fifty-three minutes west, two hundred and seventy-seven and five-tenths feet, to corner numbered one and the place of beginning, containing an area of eight and nine hundred and eighty-seven one-thousandths acres of land, in Pennington County, South Dakota, said patent to contain the provision that said land shall be used for cemetery purposes only: *Provided,* That the said association pay one dollar and twenty-five cents per acre therefor.

Approved, April 23, 1906.

Proviso.
Price.

April 23, 1906.
[H. R. 9324.]

[Public, No. 118.]

CHAP. 1659.—An Act To authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County.

Monongahela River, Pa.
Fayette Bridge Company may bridge.
Location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Fayette Bridge Company, a corporation existing under the laws of the State of Pennsylvania, is hereby authorized to construct, maintain, and operate a highway bridge across the Monongahela River from a point in the borough of Brownsville, county of Fayette, and State of Pennsylvania, to a point on the opposite side of the river, in the borough of West Brownsville, county of Washington, and State of Pennsylvania. The said bridge, when built in accordance with the requirements of this Act, shall be a legal structure and may be used for all purposes of a highway bridge.

Secretary of War to approve plans, etc.

SEC. 2. That the bridge authorized to be constructed under this Act shall be located and built under and subject to such regulations for the

security of navigation of said river as the Secretary of War shall prescribe, and to secure that object the bridge company shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and the map of the location, giving for the space of three-fourths of a mile above the proposed location the depth and currents at all points of the same and the depths and currents as far below the proposed location as he may require, and the location of any other bridge or bridges three-fourths of a mile above and below the proposed location, together with all other information touching said bridge and river as may be deemed requisite by the Secretary of War to determine whether said bridge, when built, will conform to the provisions of this Act, and cause any serious obstruction to the navigation of the river or injuriously affect the flow of water.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving said plan and map, and upon being satisfied that a bridge built upon such a plan and at said locality will conform to the provisions of this Act and cause no unreasonable obstruction to the navigation of the river or injuriously affect the flow of water, to notify said company that he approves the same; and upon receiving such notification, the said company may proceed to the erection of said bridge, conforming strictly to the approved plan and location. But until the Secretary of War shall approve the plan and location of the said bridge, and notify the said company of the same in writing, the bridge shall not be commenced; and no change shall be made in the approved plan of the bridge during the progress of the work thereon or after completion unless such change is approved by the Secretary of War.

Notice of approval, etc.

SEC. 4. That said bridge shall be constructed and used for the passage of wagons and vehicles of all kinds, for the transit of animals and foot passengers, for the erection and maintenance thereon of telegraph and telephone wires, and the passage and operation of street cars over the same for such reasonable rates of toll as may be fixed by the laws of the State of Pennsylvania, or may be agreed upon between the bridge company and such persons or corporations using the same where the rates of toll are not fixed by law; and in case the parties interested shall fail to agree on the sum to be paid and on the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall, upon the application of either party, be determined by the circuit court of the United States in and for any district in which any portion of said bridge may be. The United States shall also have the right of way over said bridge for postal, telegraph, and telephone purposes: *Provided*, That all street railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto, and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across the bridge.

Wagon, foot, and street-car bridge.

Tolls.

Provided.
Use by street railroad companies.

Telegraph, etc., rights.

Unobstructed navigation.

SEC. 5. That said bridge herein authorized to be constructed shall so be kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts, both by day and by night, and there shall be displayed on said bridge by the owners thereof, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe; and such changes shall be made from time to time in the structure of said bridge, by the owners thereof, at their own expense, as the Secretary of War may deem necessary and order in the interest of navigation; and in case of any litigation arising from any alleged obstruction to the navigation of any of said rivers created by the construction of any bridge under this Act, the cause or question arising may be tried before the circuit court of the United States in and for any district in which any portion of

Lights, etc.

Changes.

Proviso.
Existing laws not
affected.

Lawful structure
and post route.

Time of construc-
tion.
Post, p. 1236.

Amendment.

said obstruction or bridge may be: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt said bridge from the operation of the same.

SEC. 6. That any bridge built under this Act and subject to its limits shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transportation over the same of the mails, troops, and munitions of war of the United States than the rate per mile for the transportation over the railroads or public highways leading to said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States.

SEC. 7. That this Act shall be null and void unless the construction of said bridge shall be commenced within one year and completed within three years from the passage of this Act.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 23, 1906.

April 23, 1906.
[H. R. 15259.]

[Public, No. 119.]

Bear River, Miss.
North Mississippi
Traction Company
may dam.

Location.

Secretary of War to
approve plans, etc.

Provisos.
Unobstructed navi-
gation.

Restriction.

CHAP. 1660.—An Act To authorize the North Mississippi Traction Company to construct dams and power stations on the Bear River on the northeast quarter of section thirty-one, township five, range eleven, in Tishomingo County, Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the North Mississippi Traction Company, their successors and assigns, having authority therefor under the laws of the State of Mississippi, may hereafter erect, maintain, and use a dam or dams in or across the Bear River, in the State of Mississippi, at such points on the northeast quarter of section thirty-one, township five, range eleven, in Tishomingo County, Mississippi, as they may elect, for the purpose of erecting, operating, and maintaining power stations and to maintain inlet and outlet races or canals and to make such other improvements on Bear River 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.

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 said North Mississippi Traction Company, their successors and assigns, 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 Bear 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 Bear 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 Bear River or impair the usefulness of any improvement made by the Government in the interest of navigation.