

June 29, 1906.
[H. R. 7065.]

CHAP. 3608.—An Act To amend section eight hundred and fifty-eight of the Revised Statutes of the United States.

[Public, No. 354.]

United States courts.
Witnesses in civil
cases, etc.

Determining com-
petency of.
R. S., sec. 858, p. 162,
amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight hundred and fifty-eight of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

“SEC. 858. The competency of a witness to testify in any civil action, suit, or proceeding in the courts of the United States shall be determined by the laws of the State or Territory in which the court is held.”

Approved, June 29, 1906.

June 29, 1906.
[H. R. 7083.]

CHAP. 3609.—An Act To repeal section five, chapter fourteen hundred and eighty-two, Act of March third, nineteen hundred and five.

[Public, No. 355.]

Cane River, Natchi-
toches Parish, La.
Vol. 83, p. 1148, re-
pealed.

Navigability of.

Proviso.
Nonliability of
United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of chapter fourteen hundred and eighty-two, Act of March third, nineteen hundred and five, being “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,” said section five reading, “SEC. 5. That Cane River, in Natchitoches Parish, Louisiana, is hereby declared to be not a navigable water of the United States within the meaning of the laws enacted by Congress for the preservation and protection of such waters,” be, and the same is hereby, repealed: *Provided,* That this repeal shall not be held to furnish any ground for any claim against the United States by reason of construction of bridges, or preparation for the construction thereof, across said stream, or arising from any action taken in reliance upon the said section five above referred to.

Approved, June 29, 1906.

June 29, 1906.
[H. R. 11030.]

CHAP. 3610.—An Act To authorize the counties of Yazoo and Holmes to construct a bridge across Yazoo River, Mississippi.

[Public, No. 356.]

Yazoo River, Miss.
Yazoo and Holmes
counties may bridge.

Location.

Proviso.
Secretary of War to
approve plans, etc.
Wagon and foot
bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Yazoo and Holmes, two of the counties of the State of Mississippi, duly created and organized under and by virtue of the laws of the said State, are hereby authorized and empowered to erect, construct, and maintain a bridge, by and through its proper officers, over the Yazoo River, in section thirty-four, township fifteen, range three west, in said counties, State of Mississippi: *Provided,* That the plans and location of the said bridge are approved by the Secretary of War before the construction of the bridge is commenced. Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, under such rules and regulations as may be laid down by the proper officers of said counties under the laws of the said State of Mississippi.

Lawful structure
and post route.

Telegraph, etc.,
rights.

SEC. 2. That the bridge shall be a lawful structure, and shall be known and recognized as a post route, and shall enjoy the rights and privileges of other post-roads of the United States, and no charge shall be made for the transmission over the same of the mails, troops, and munitions of war of the United States. Equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal, telegraph, and telephone pur-

poses; and any changes in the said bridge which the Secretary of War may require in the interest of navigation shall be made by the person or corporation owning or operating the same at their own expense.

SEC. 3. That this Act shall be null and void if actual construction of said bridge herein authorized shall not be commenced in two years and completed within three years from the date of approval hereof.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 29, 1906.

Changes.

Time of construction.

Amendment.

CHAP. 3611.—An Act Amendatory of an Act entitled “An Act to provide for payment of damages on account of changes of grade due to the construction of the Union Station, District of Columbia,” approved April twenty-second, nineteen hundred and four.

June 29, 1906.

[H. R. 14511.]

[Public, No. 357.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five and section seven of the Act entitled “An Act to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia,” approved April twenty-second, nineteen hundred and four, be, and the same are hereby, amended so as to read as follows:

District of Columbia. Payment of damages on account of changes of grade for Union Station. Vol. 33, p. 251.

“SEC. 5. That if any of the parties interested, their personal representatives, or the guardians ad litem who may be appointed for any such parties who may be under legal disability, or the Commissioners of the District of Columbia, shall be dissatisfied with any appraisalment of said commission, the court shall, on the motion of the party so dissatisfied, direct the United States marshal to summon a jury of seven disinterested men, not related to any person in interest, to meet and view the property alleged to have been damaged as aforesaid, giving the parties interested at least six days’ notice of the time and place of meeting. The said marshal shall summon a jury and administer an oath to them that they will, without favor or partiality to anyone, to the best of their judgment, appraise and determine the amount of damages to which each owner of any such property so affected by change of grade may be entitled; and in every appraisalment of damages the commission, or jury, as the case may be, shall take into consideration any and all benefits and advantages that may have accrued to such property by reason of the elimination of grade crossings, the establishment of the Union Railroad Station and terminals, and all works, buildings, and improvements authorized by the Act of Congress approved February twelfth, nineteen hundred and one, entitled ‘An Act to provide for the elimination of certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes,’ and the Act of Congress approved February twenty-eighth, nineteen hundred and three, entitled ‘An Act to provide for a Union Railroad Station in the District of Columbia, and for other purposes.’”

Jury to consider appeals. Vol. 33, p. 251, amended.

Duty of jury.

Determining benefits and advantages accruing from elimination of grade crossings, etc.

Vol. 31, p. 767.

Vol. 32, p. 912.

Compensation of commissioners increased. Vol. 33, p. 251, amended.

Pay of jurors.

Appropriation from District revenues.

“SEC. 7. That the members of said commission appointed under the provisions of this Act shall receive for their services when actually employed such compensation as shall be determined upon by the supreme court of the District of Columbia as equitable and commensurate with the services rendered, not exceeding the sum of ten dollars per day, and the jurors summoned by the marshal under the provisions of this Act shall receive for their services when actually employed the sum of five dollars per day. A sufficient sum to pay the compensation and expenses of said commission and the compensation of said jurors and the amount of such appraisalments or awards of damages is hereby appro-