

CHAP. 564.—An Act To amend section nine of the Act of August second, eighteen hundred and eighty-two, concerning lists of passengers.

February 9, 1905.
[S. 6489.]

[Public, No. 63.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the list in duplicate of passengers now prescribed by section nine of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea," the master shall submit for inspection to the officer of customs who first makes demand therefor, and shall subsequently deliver with his manifest of cargo on entry, a correct list, signed and verified on oath by the master, of all passengers taken on board the vessel at any foreign port or place, specifying, in the manner to be prescribed from time to time by the Secretary of Commerce and Labor, the name of each passenger, age (if a child of eight years or under), sex, married or single, location of compartment or space occupied during the voyage (if the passenger be other than a cabin passenger), whether a citizen of the United States, number of pieces of baggage, and if any passenger die on the voyage the list shall specify the name, age, and cause of death of each deceased passenger.

Carriage of passengers by sea.

Vol. 22, p. 189, amended.
List to be submitted for inspection.

To be filed by master upon entry.

Secretary of Commerce and Labor to prescribe form.

SEC. 2. That this Act shall take effect on July first, nineteen hundred and five.

Effect.

Approved, February 9, 1905.

CHAP. 565.—An Act To authorize the construction of a bridge across the Missouri River between Lyman County and Brule County, in the State of South Dakota.

February 9, 1905.
[S. 6384.]

[Public, No. 64.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the White River Valley Railway Company, its successors and assigns, be, and are hereby, authorized to construct and maintain a pontoon and pile railroad bridge, and approaches thereto, across the Missouri River, extending from some convenient and practicable point to be selected on the west bank of said river in the county of Lyman and some convenient and practicable point in or near the city of Chamberlain, in Brule County, in the State of South Dakota, said bridge to be constructed so as to provide for the passage of railroad trains, engines, and cars.

Missouri River. White River Valley Railway Company may bridge, at Chamberlain, S. Dak. Pontoon, etc., railroad bridge.

SEC. 2. That said bridge shall be constructed as a pontoon and pile bridge and shall contain one pontoon draw span not less than three hundred feet in length in the clear, which draw span shall be maintained over the main channel of said river at an accessible and navigable point, and the remaining portion of said bridge may be constructed as a pile bridge; and said bridge shall be at right angles to the current of the river: *Provided,* That said draw shall be opened promptly by said company upon reasonable signal for the passage of boats and it shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Draw span.

Proviso.
Opening draw.

Lights, etc.

SEC. 3. That the bridge 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, the troops and munitions of war of the United States over the same, or for passengers or freight passing over said bridge, than the rate per mile paid for their transportation over the railroads and public highways 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.

Use by other roads.

SEC. 4. That all railway companies desiring to use said bridge shall have and be entitled to equal rights and privileges in the passage over the same and in the use thereof and of 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.

Secretary of War to approve plans, etc.

SEC. 5. 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 examination and approval, a design and drawings showing the plan of said bridge and a map of the location giving for the space of 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, and the soundings, accurately showing the bed of the stream, the location of any other bridge in that vicinity, and shall furnish 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; and the said bridge shall at all times be so kept and maintained as to afford reasonable and proper means for the passage of vessels through the same, and whenever the said bridge shall, in the opinion of the Secretary of War, unreasonably obstruct the navigation of said river he is hereby authorized to cause the removal thereof or such changes and alterations therein as may be required to preserve the free and convenient navigation of said river, and such removal or such alterations shall be at the cost and expense of the owners thereof; and in case of any litigation arising from the obstruction by said bridge to the free navigation of said river, or for the purpose of compelling the removal or any alterations thereof, as hereinbefore provided, the same may be had in the district court of the United States for the district of South Dakota, 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.

Changes.

Unobstructed navigation.

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, February 9, 1905.

February 9, 1905.
[H. R. 15294.]

[Public, No. 65.]

Mississippi River.
Keokuk and Hamilton Water Power Company may dam, at Des Moines Rapids, Iowa.

CHAP. 566.—An Act Granting to the Keokuk and Hamilton Water Power Company rights to construct and maintain for the improvement of navigation and development of water power a dam across the Mississippi River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the Keokuk and Hamilton Water Power Company, a corporation created and organized under the laws of the State of Illinois, its successors, and assigns, to erect, construct, operate, and maintain a dam, with its crest at an elevation of from thirty to thirty-five feet above standard low water, across the Mississippi River at or near the foot of the Des Moines Rapids, from Keokuk, Iowa, to