

March 27, 1906.
[H. R. 4786.]

[Public, No. 67.]

Custer County,
Mont.
Payment to, for
bridge across Tongue
River.

Proviso.
Repairs.

CHAP. 1346.—An Act For the relief of the county of Custer, State of Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the board of county commissioners of Custer County, Montana, out of any money in the Treasury not otherwise appropriated, the sum of four thousand three hundred and fifty dollars, in full settlement of all demands against the United States for the construction of a steel bridge across the Tongue River for the accommodation of the Fort Keogh Military Reservation in Montana, according to the terms of the contract entered into between the said board of county commissioners and D. D. Wheeler, quartermaster, United States Army, dated in September, eighteen hundred and ninety-seven: *Provided,* That said county of Custer shall maintain and keep said bridge in repair without charge or expense to the United States.

Approved, March 27, 1906.

March 27, 1906.
[H. R. 16381.]

[Public, No. 68.]

Alabama.
Public lands to be
reclassified.

Survey.

Agricultural lands
subject to homestead
entry.

Appropriation.

CHAP. 1347.—An Act To authorize the Secretary of the Interior to reclassify the public lands of Alabama.

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 to reclassify the public lands of Alabama, so as to determine which of said lands are in fact agricultural lands and which mineral lands, and to decide which of said lands should be subject to homestead entry, and to that end he is hereby authorized and empowered to employ such expert mineralogist, assayers, and civil engineers as may be necessary to designate and survey said mineral and agricultural lands.

SEC. 2. That upon receipt of the report of the parties designated to make such classification, all lands designated thereby as agricultural shall be subject to homestead entry as such.

SEC. 3. That for the purpose of carrying out this Act there is hereby appropriated, out of any money in the Treasury not otherwise expended, the sum of five thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, March 27, 1906.

March 27, 1906.
[H. R. 16381.]

[Public, No. 69.]

Southern Ute Reser-
vation, Colo.
Lease, etc., of lands
in, to the P. F. U.
Rubber Company.
Description.

CHAP. 1348.—An Act Leasing and demising certain lands in La Plata County, Colorado, to the P. F. U. Rubber Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tract of land, situated in the county of La Plata, in the State of Colorado, to wit, the fractional section three U; lots one, two, and three of fractional section four U; east half and east half of west half of section nine U; west half and west half of east half of section ten U; southwest quarter of southwest quarter of section eleven U; west half of west half of section fourteen; all of sections fifteen and sixteen; east half of northeast quarter and south half of section seventeen; east half of southwest quarter, southeast quarter, and north half of section twenty; north half of northeast quarter, southwest quarter of northeast quarter, northwest quarter of southeast quarter, and west half of section twenty-one; west half of section twenty-eight; southeast quarter of section twenty-nine; all of section thirty-two, and west half of section thirty-three, containing five thousand four hundred and ten and

fifty-five one-hundredths acres, more or less, all in township thirty-four north, range eleven west, New Mexico principal meridian, Colorado, excepting therefrom lands covered by any valid subsisting right, be, and is hereby, set apart and withdrawn from entry or settlement under any of the land laws of the United States. And the Secretary of the Interior is hereby authorized, directed, and empowered to lease and demise to the P. F. U. Rubber Company, a Michigan corporation, and its successors and assigns, for and during the full period of ten years from and after the approval of this Act, for its and their sole and exclusive use, for the purpose, however, of an experimental farm on which to plant, improve, and harvest the plant known as the pinguay weed, or similar rubber producing plants or shrubs, with permission to the said P. F. U. Rubber Company, its successors and assigns, to erect and construct thereon such buildings, machinery, and fences, and to construct and make such ditches, flumes, canals, roads, telegraph, telephone, and power transmission lines, tracks, and trails over the said lands and over and upon the public lands adjacent thereto, as may be necessary or proper for the uses and purposes herein set forth, subject, however, to the power and right in the Secretary of the Interior to require the removal, change of location, character or nature of any of the said structures or improvements, and with full power, right, and authority to gather and collect said plants, shrubs, and weeds, and remove the same, and also to make any beneficial use of said lands not inconsistent with the limitations and conditions herein contained, in furtherance only, however, of the uses and purposes of said experimental farm. The said lease to be in consideration of such annual rental therefor as the Secretary of the Interior may, in his discretion, deem best, at not less than three cents an acre, the amount thereof for the term of said lease to be fixed and determined prior to the execution thereof, and the compensation thereunder to be received to be held by the Secretary of the Interior for the use and benefit of the Southern Ute Indians. And it shall be further stipulated in said lease that said P. F. U. Rubber Company shall, in so far as it may be reasonably practicable so to do, employ and prefer in the work and labor to be done on said premises suitable and competent Indians, without limiting the rights of the said P. F. U. Rubber Company to employ such other labor as may at any time be necessary or expedient to carry on said operations.

Lands excepted.

Terms of lease.

Lands to be used as an experimental farm.

Rent.

Minimum price.

Use of proceeds.

Employment of Indian labor.

Cancellation of lease.

Sale of land to rubber company.

Minimum price.

Removal of timber stone, etc., prohibited

Exception.

SEC. 2. That the President of the United States may at any time during said period of ten years, at his discretion, terminate and cancel this lease by revoking the same and the annulling thereof in case the said experiment proposed or the use to be made of said lands shall be unsatisfactory to the Secretary of the Interior; or the President may, in his discretion, convey all of said lands, or any part thereof, by patenting the same to said rubber company, its successors and assigns, in fee and absolutely without restrictions, upon payment to the United States of America of at such price as the Secretary of the Interior may fix not less than one dollar and twenty-five cents per acre therefor, for the sole and exclusive use and benefit, however, of the Southern Ute Indians.

SEC. 3. That nothing herein contained shall grant or convey or be held to grant or convey to said company, its successors or assigns, during such time as it or they may hold said lands under the lease hereby authorized, any right, license, or privilege to take or remove from said premises, or any part thereof, any growing timber, stone, clay, ore, metals, or minerals of any kind or nature whatsoever, save and except such timber and stone as may be necessary for the immediate use of said company, its successors and assigns, in the building, erection, or maintenance of such fences, flumes, ditches, roads, telephone, telegraph, and power transmission lines, buildings, and machin-

Proviso.
Mineral deposits reserved.

ery: *Provided, however,* That no patent shall issue for the said land or any part thereof until the Secretary of the Interior shall ascertain by such examination, prospecting, and mineral tests as he may deem necessary and proper the existence of any valuable and merchantable deposits of coal or other mineral upon such premises; and any such merchantable deposits of coal or other mineral so determined, together with the right of ingress or egress, shall be excluded from said patent. The right of entry and egress for the purposes of such examinations and tests shall further be reserved in said lease.

Right to sell, etc., restricted.

SEC. 4. That the rights and privileges hereby granted shall not be sold, assigned, transferred, or conveyed to any person or persons, firm, or corporation whatsoever, save and except upon the express permission in writing of the Secretary of the Interior. And in case of any violation of this provision the lease and privileges hereby granted shall at once and forever cease and determine.

Forfeiture.

Approved, March 27, 1906.

March 28, 1906.
[H. R. 15583.]

[Public, No. 70.]

CHAP. 1349.—An Act To authorize the Madison Bridge Company to construct a bridge across the Saint Francis River in Saint Francis County, Arkansas, at or near the town of Madison, in said county and State.

Saint Francis River.
Madison Bridge
Company may bridge,
at Madison, Ark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Madison Bridge Company, a corporation duly authorized and existing under the laws of the State of Arkansas, its successors and assigns, be, and it is hereby, authorized and empowered to construct, maintain, and operate a bridge and approaches thereto over and across the Saint Francis River at or near the town of Madison, in said county and State.

Secretary of War to
approve plans, etc.

SEC. 2. That any bridge constructed under the authority of this Act shall be built and located under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe, and to secure such object said corporation or its assigns shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location; and until the said plan and location are approved by the Secretary of War the bridge shall not be commenced or built, and should any change be made in the plans of said bridge during its construction or after its completion such change shall be likewise subject to the approval of the Secretary of War, and any changes in said bridge required by the Secretary of War at any time shall be made promptly by the said corporation or its assigns at its expense: *Provided,* That if the bridge herein authorized be built as a drawbridge the draw shall be opened promptly, on reasonable signal, for the passage of boats; and whatever kind of bridge is built the said corporation or its assigns shall maintain thereon, from sunset to sunrise, such lights or other signals as the Light-House Board shall prescribe.

Changes.

Proviso.
Opening draw.

Lights, etc.

Wagon and foot
bridge.

SEC. 3. That 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 corporation not inconsistent with the rules and regulations laid down by the Secretary of War, and said corporation or its assigns shall be allowed to charge such reasonable toll for each passage over said bridge as may be approved by the Secretary of War.

Toll.

Lawful structure
and post route.

SEC. 4. That the bridge to be built under this Act, and subject to its limitations, shall be a lawful structure and shall be recognized and known as a post-road, upon which 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 paid for such trans-