

**CHAP. 2567.**—An Act Making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year nineteen hundred and six, and for other purposes.

May 31, 1906.  
[H. R. 19572.]

[Public, No. 186.]

*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 is hereby authorized and directed to transfer to the credit of the appropriation "Fees of witnesses, United States courts, nineteen hundred and six," sixty thousand dollars of the unexpended balance of the appropriation "Fees of witnesses, United States courts, nineteen hundred and five," and to the credit of the appropriation "Fees of jurors, United States courts, nineteen hundred and six," thirty thousand dollars of the unexpended balance of the appropriation "Fees of jurors, United States courts, nineteen hundred and five."

Urgent deficiencies appropriations.  
United States courts.  
Fees, witnesses and jurors.  
Balances transferred.

To meet the expenses of opening to entry and settlement during the fiscal years nineteen hundred and six and nineteen hundred and seven the ceded lands of the Flathead Indian Reservation in the State of Montana, under Act of April twenty-third, nineteen hundred and four; the Crow Indian Reservation in the State of Montana, under Act of April twenty-seventh, nineteen hundred and four; the Yakima Indian Reservation in the State of Washington, under Act of December twenty-first, nineteen hundred and four; the Shoshone Indian Reservation in the State of Wyoming, under Act of March third, nineteen hundred and five, and such other Indian reservations that may be open to entry and settlement during the fiscal year nineteen hundred and seven, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to continue available during the fiscal year nineteen hundred and seven: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively: *Provided further*, That clerks detailed to assist in the opening of said reservations, while on such duty, shall be allowed per diem, in lieu of subsistence, at a rate not exceeding three dollars per day each, and actual necessary expenses for transportation, including necessary sleeping-car fares.

Opening Indian reservations to entry, etc. Expenses.

Vol. 33, p. 304.

Vol. 33, p. 352.

Vol. 33, p. 595.

Vol. 33, p. 1016.

*Provisos.*  
Reimbursement.

Allowances to clerks.

Approved, May 31, 1906.

**CHAP. 2568.**—An Act Authorizing the construction of a dam across the Pend d'Oreille River, in the State of Washington, by the Pend d'Oreille Development Company, for the development of water power, electrical power, and for other purposes.

June 1, 1906.  
[S. 6038.]

[Public, No. 187.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to, and it shall be lawful for, the Pend d'Oreille Development Company, a corporation duly incorporated under the laws of the State of Washington, its successors or assigns, to construct and maintain a dam across the Pend d'Oreille River at a point at or about the Big Falls (sometimes known as Metaline Falls) on the Pend d'Oreille River, in the county of Stevens, State of Washington, such point to be selected by the Pend d'Oreille Development Company, its successors or assigns, at said falls, or within one thousand feet above or below the same, for the purpose of erecting, operating, and maintaining a power station, and to maintain inlet and outlet races or canals, and to make such other improvements as may be necessary for the development of water power, electrical power, and the transmission of the same, subject always to the provisions and

Pend d'Oreille River.  
Pend d'Oreille Development Company may dam, at Big Falls, Wash.

requirements of this Act and to such conditions and stipulations as may be imposed by the Chief of Engineers and the Secretary of War for the protection of navigation and the property and other interests of the United States: *Provided*, That such dam and works shall not be built or commenced until after the plans and specifications for their construction, together with such drawings of the proposed construction and such map of the proposed locations as may be required for a full understanding of the subject have been submitted to the Secretary of War for his approval, and until after he shall have approved such plan and specifications and the location of such dams and accessory works; when the plans for any dam to be constructed under the provisions of this Act have been approved by the Secretary of War it shall not be lawful to deviate from such plans, either before or after the completion of the structure, unless the modification of such plans has previously been submitted to and received the approval of the Secretary of War.

**SEC. 2.** That the Government of the United States reserves the right at any time that the improvement of the navigation of the Pend d'Oreille River demands it to construct, maintain, and operate, in connection with any dam or other works built under the provisions of this Act, suitable lock or locks or any other structures for navigation purposes, and at all times to control such dam or dams or other structures, and the level of the pool caused by such dam or dams, to such an extent as may be necessary to provide facilities for navigation; and whenever Congress shall authorize the construction of such lock or other structures, the Pend d'Oreille Development Company, its successors or assigns, owning and controlling such dam or other structures, shall convey to the United States, under such terms as Congress shall prescribe, titles to such lands as may be required for such lock and approaches, and in addition thereto shall grant to the United States free of cost the free use of water power for building and operating such constructions: *Provided*, That the Pend d'Oreille Development Company, its successors or assigns, building, maintaining, or operating any dam or other structures under the provisions of this Act, shall be liable for any damage that may be inflicted thereby upon private property, either by overflow or otherwise, in a court of competent jurisdiction. The Pend d'Oreille Development Company, its successors or assigns, owning or operating any such dam, shall maintain at their own expense such lights and other signals thereon and such fishways and such ways for the free passage of saw logs as the Secretary of Commerce and Labor shall prescribe.

**SEC. 3.** That this Act shall be null and void unless the dam herein authorized shall be commenced within two years and completed within five years from the date of the approval hereof.

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

Approved, June 1, 1906.

**CHAP. 2569.**—An Act To regulate the practice in certain civil and criminal cases in the western district of Arkansas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in civil cases in law or equity, now or hereafter pending, in either the district or circuit court of the United States, for either of the divisions of the western district of Arkansas, may, on written stipulation of the parties or their attorneys of record, signed and filed with the papers in the case, in vacation or in term, and on the written order of the judge, signed and filed in

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

Changes.

Locks, etc.

Protection to navigation.

Conveyance of title to United States.

Free use of water power.

*Proviso.*  
Damages.

Lights, etc.

Time of completion.

Amendment.

June 2, 1906.  
[H. R. 18328.]

[Public, No. 188.]

United States courts.  
Arkansas western  
judicial district.  
Transfer of civil  
cases to divisions.  
Vol. 29, p. 591.  
Vol. 32, p. 72.