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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.

Proviso. Secretary of War to approve plans, etc.

Changes.

Locks, etc.

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.

Protection to navigation.

Conveyance of title to United States.

Free use of water power.

Proviso. Damages.

Lights, etc.

Time of completion.

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.

Amendment.

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

Approved, June 1, 1906.

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

[Public, No. 188.]

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

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

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

the case, in vacation, or on the order of the court, duly entered of record, in term, be transferred to another division of the district for final trial; and in the event of such transfer, it shall be the duty of the clerk of the court in which such suit is pending to make out and transfer a certified copy of all the record entries in the case together with all the original papers in the case to the clerk of the court to which such case is transferred, for which he shall have such fees as are now allowed for making transcripts, and the sum of two dollars additional for transferring the same, to be taxed as costs and paid as other costs in the case, and the clerk receiving such transcript and original papers shall file the same and the case shall then proceed to final disposition as other cases of like nature.

Criminal causes transferred to Fort Smith division.

SEC. 2. That the defendants in criminal cases now or hereafter pending in the district courts of the Harrison or Texarkana divisions of the western district of Arkansas and who are incarcerated at Fort Smith to await trial because of their inability to furnish bail and who desire to plead "guilty" may, on their written motion showing those facts and filed in the case, in vacation, and upon the order of the judge, duly signed and filed in the case, have their cases transferred to the Fort Smith division of the western district of Arkansas, to the end that trials may be had and sentences imposed as in other cases of like nature; and prisoners bound over to answer to indictments in the Harrison or Texarkana divisions of the western district of Arkansas for offenses committed in those divisions and who are incarcerated in the jail at Fort Smith, Arkansas, for inability to furnish bail, and who desire to plead "guilty" to such offenses, may on their own motions have their cases submitted to a grand jury of the Fort Smith division for indictment and final disposition in the courts of that division, or in proper cases may plead to informations filed in the proper court in said division and have their cases disposed of as other cases of like nature when the offense was committed in the Fort Smith division.

Certified copies of record entries, etc.

When a transfer is ordered, as provided in this section, the clerk shall make out and forthwith send a certified copy of the record entries, together with the indictment and all the original papers, to the clerk of the court to which such case is transferred, who shall file the same, and thereupon the case shall be proceeded with as other cases of like nature pending in such court.

Compensation.

For making out said transcript and forwarding the same, together with the original papers in said case, the clerk of the court shall have the usual compensation for making out transcripts, as now provided by law, and two dollars additional, to be taxed and paid as other costs in like cases.

Approved, June 2, 1906.

June 4, 1906.
[H. R. 14410.]
[Public, No. 189.]

CHAP. 2570.—An Act To amend an Act approved August third, eighteen hundred and ninety-four, entitled "An Act concerning leases in the Yellowstone National Park."

Yellowstone National Park.

Leases of land for hotel purposes, etc., authorized.

Vol. 28, p. 222, amended.

Post, p. 1219.

Number limited.

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 is hereby authorized and empowered to lease for a period not exceeding ten years, at an annual rental to be determined by him, to any person, corporation, or company he may authorize to transact business in the Yellowstone National Park separate tracts of land, not exceeding twenty acres each, at such places not to exceed ten in number to any one person, corporation, or company, in said park as the comfort and convenience of visitors may require, for the construction and maintenance of substantial hotel buildings and buildings for the protection of stage, stock, and equipment.