

Proviso.
Existing laws not
affected.

Lawful structure
and post route.

Time of construc-
tion.
Post, p. 1236.

Amendment.

said obstruction or bridge may be: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt said bridge from the operation of the same.

SEC. 6. That any bridge built under this Act and subject to its limits shall be a lawful structure, and shall be recognized and known as a post route, upon which also 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 for the transportation over the railroads or public highways leading to said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States.

SEC. 7. That this Act shall be null and void unless the construction of said bridge shall be commenced within one year and completed within three years from the passage of this Act.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 23, 1906.

April 23, 1906.
[H. R. 15259.]
[Public. No. 119.]

Bear River, Miss.
North Mississippi
Traction Company
may dam.

Location.

Secretary of War to
approve plans, etc.

Provisos.
Unobstructed navi-
gation.
Restriction.

CHAP. 1660.—An Act To authorize the North Mississippi Traction Company to construct dams and power stations on the Bear River on the northeast quarter of section thirty-one, township five, range eleven, in Tishomingo County, Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the North Mississippi Traction Company, their successors and assigns, having authority therefor under the laws of the State of Mississippi, may hereafter erect, maintain, and use a dam or dams in or across the Bear River, in the State of Mississippi, at such points on the northeast quarter of section thirty-one, township five, range eleven, in Tishomingo County, Mississippi, as they may elect, for the purpose of erecting, operating, and maintaining power stations and to maintain inlet and outlet races or canals and to make such other improvements on Bear River as may be necessary for the development of water power and the transmission of the same, subject always to the provisions and requirements of this Act and to such conditions and stipulations as may be imposed by the Chief of Engineers and the Secretary of War.

SEC. 2. That detailed plans for the construction and operation of a dam or dams and other appurtenant and necessary works shall be submitted by said North Mississippi Traction Company, their successors and assigns, desiring to construct the same, to the Chief of Engineers and the Secretary of War, with a map showing the location of such dam or other structures, with such topographical and hydrographic data as may be necessary for a satisfactory understanding of the same, which must be approved by the Chief of Engineers and the Secretary of War before work can be commenced on said dam or dams or other structures; and after such approval of said plans no deviation whatsoever therefrom shall be made without first obtaining the approval of the Chief of Engineers and the Secretary of War: *Provided*, That the constructions hereby authorized do not interfere with the navigation of Bear River: *And provided further*, That said dam or dams and works shall be limited only to the use of the surplus water of the river, not required for the navigation of Bear River, and that no structures shall be built and no operations conducted by those availing themselves of the provisions of this Act which shall injure or interfere with the navigation of Bear River or impair the usefulness of any improvement made by the Government in the interest of navigation.

SEC. 3. That the Government of the United States reserves the right, at any time that the improvement of the navigation of Bear 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 person, company, or corporation owning and controlling such dam or dams or other structures shall convey to the United States, under such terms as Congress shall prescribe, titles to such land as may be required for the use of 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, also*, That the person, company, or corporation building, maintaining, or operating any dam or dams 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, and the nearest State or Federal court shall have jurisdiction to hear suits to determine the amount of compensation for alleged damage. The person, company, or corporation owning or operating any such dam shall maintain, at their own expense, such lights and other signals thereon and such fishways as the Secretary of Commerce and Labor shall prescribe.

SEC. 4. That all the rights acquired under this Act shall cease and be determined if the person, company, or corporation acquiring such right shall at any time fail to comply with any of the provisions or requirements of this Act, or with any of the stipulations that may be prescribed by the Chief of Engineers and the Secretary of War, or in case a person, company, or corporation authorized by the laws of the State of Mississippi to erect and maintain a dam and improvements as contemplated by this Act shall fail to begin the erection of said dam and improvements within one year after being so authorized and shall fail to complete the same within three years after obtaining such authority.

SEC. 5. That the provisions of this Act shall in no manner interfere with or impair the rights of any person, company, or corporation heretofore authorized by Congress to erect a dam or other structures for the development of water power on the Tennessee River.

SEC. 6. That the right to alter, amend, or repeal this Act is expressly reserved.

Approved, April 23, 1906.

Locks, etc.

Proviso.

Damages.

Lights, etc.

Fishways.

Forfeiture.

Time of construction.

Prior rights not affected.

Amendment.

CHAP. 1661.—An Act Making an appropriation for the improvement of the mouth of the Columbia River.

April 23, 1906.
[H. R. 17987.]

[Public, No. 120.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four hundred thousand dollars be, and is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for continuing the improvement at the mouth of the Columbia River, Oregon and Washington, in accordance with the existing project.

Columbia River,
Oreg. and Wash.
Appropriation for
improvement of
mouth.

Post, p. 738.

Approved, April 23, 1906.