

all or any part of the south half of the northwest quarter of section thirty, township one hundred and sixty-two north, range seventy-two west, in the State of North Dakota, and that the person or persons to whom the same shall be conveyed shall take and hold the lands so conveyed free and clear of any limitation placed on the use thereof by the Act under which said lands were granted to said corporation.

Approved, June 30, 1906.

Vol. 30, p. 916.

CHAP. 3926.—An Act Authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, California, certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timber Land Reserve, California, to the city of Los Angeles, California.

June 30, 1906.
[S. 6443.]

[Public, No. 395.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the city of Los Angeles, California, a municipal corporation of the State of California, all necessary rights of way, not to exceed two hundred and fifty feet in width, over and through the public lands of the United States in the counties of Inyo, Kern, and Los Angeles, State of California, and over and through the Sierra and Santa Barbara forest reserves and the San Gabriel Timber Land Reserve, in said State, for the purpose of constructing, operating, and maintaining canals, ditches, pipes and pipe lines, flumes, tunnels, and conduits for conveying water to the city of Los Angeles, and for the purpose of constructing, operating, and maintaining power and electric plants, poles and lines for the generation and distribution of electric energy, together with such lands as the Secretary of the Interior may deem to be actually necessary for power houses, diverting and storage dams and reservoirs, and necessary buildings and structures to be used in connection with the construction, operation, and maintenance of said water, power, and electric plants, whenever said city shall have filed, as hereinafter provided, and the same shall have been approved by the Secretary of the Interior, a map or maps showing the boundaries, locations, and extent of said proposed rights of way for the purposes hereinabove set forth.

Public lands.
Los Angeles, Cal.,
granted rights of way
to construct water-
supply plant, etc.
Through Inyo, Kern,
and Los Angeles coun-
ties, etc.

SEC. 2. That within one year after the passage of this Act the city of Los Angeles shall file with the registers of the United States Land offices in the districts where the lands traversed by said rights of way are located, a map or maps showing the boundaries, locations, and extent of said proposed rights of way, for the purposes stated in section one of this Act; but no construction work shall be commenced on said land until said map or maps have been filed as herein provided and approved by the Secretary of the Interior: *Provided, however,* That any changes of location of said rights of way may be made by said city of Los Angeles, within two years after the filing of said map or maps, by filing such additional map or maps as may be necessary to show such changes of location, said additional map or maps to be filed in the same manner as the original map or maps; and the approval of the Secretary of the Interior of said map or maps showing changes of location of said rights of way shall operate as an abandonment by the city of Los Angeles to the extent of such change or changes, of the rights of way indicated on the original maps: *And provided further,* That any rights inuring to the city of Los Angeles under this Act shall, on the approval of the map or maps referred to herein by the Secretary of the Interior, relate back to the date of the filing of said map or maps with the register of the United States land office as provided herein.

Secretary of Interior
to approve plans, etc.

Maps.

Provisos.
Changes.

Rights begin with
filing of map.

SEC. 3. That the rights of way hereby granted shall not be effective over any land upon which homestead, mining, or other existing valid

Protection to home-
stead, mining, etc.,
claims.

Compensation.	claims shall have been filed or made until the city of Los Angeles shall have procured proper relinquishments of all such entries and claims, or acquired title by due process of law and just compensation paid to said entry men or claimants and caused proper evidence of such fact to be filed with the Secretary of the Interior: <i>Provided, however,</i>
<i>Proviso.</i> Prior rights, etc., not affected.	That this Act shall not apply to any lands embraced in rights of way heretofore approved under any Act of Congress, nor affect the adjudication of any pending applications for rights of way by the owner or owners of existing water rights, and that no private right, title, interest, or claim of any person, persons, or corporation, in or to any of the lands traversed by or embraced in said right of way shall be interfered with or abridged, except with the consent of the owner or owners or claimant or claimants thereof, or by due process of law, and just compensation paid to such owner or claimant.
Forest reserve regulations. Cutting, etc., of timber prohibited. Exception.	SEC. 4. That the city of Los Angeles shall conform to all regulations adopted and prescribed by the Secretary of Agriculture governing the forest reserves, and shall not take, cut, or destroy any timber within the forest reserves, except such as may be actually necessary to remove to construct its power plants and structures, poles and flumes, storage dams and reservoirs, and it shall pay to the Forest Service of the Department of Agriculture the full value of all timber and wood cut, used, or destroyed on any of the rights of way and lands within forest reserves hereby granted: <i>Provided further,</i>
<i>Provisos.</i> Bridges and fences.	That the city shall construct and maintain in good repair bridges or other practicable crossings over its rights of way within the forest reserves when and where directed in writing by the Forester of the United States Department of Agriculture, and elsewhere on public lands along the line of said works as required by the Secretary of the Interior; and said grantee shall, as said waterworks are completed, if directed by the Secretary of the Interior, construct and maintain along each side of said right of way a lawful fence as defined by the laws of the State of California, with such lanes or crossings for domestic animals as the aforesaid officers shall require: <i>Provided further,</i> That the city of Los Angeles shall clear its rights of way within forest reserves of any debris or inflammable material as directed by the Forester of the United States Department of Agriculture: <i>Provided further,</i> That the said city shall allow any wagon road which it may construct within forest reserves to be freely used by forest officers and the officers of the Interior Department and by the public, and shall allow to the Forest Service of the United States Department of Agriculture and to the officers of the Interior Department, for official business only, the free use of any telephones, telegraphs, or electric railroads it may construct and maintain within the forest reserves or on the public lands, together with the right to connect with any such telephone lines private telephone wires for the exclusive use of said Forest Service or of the Interior Department: <i>And provided further,</i> That the Forest Service may, within forest reserves, protect, use, and administer said land and resources within said rights of way under forest-reserve laws and regulations, but in so doing must not interfere with the full enjoyments of the right of way by the city of Los Angeles: <i>And provided further,</i> That in the event that the Secretary of the Interior shall abandon the project known as the Owens River project for the irrigation of lands in Inyo County, California, under the Act of June seventeenth, nineteen hundred and two, the city of Los Angeles, in said State, is to pay to the Secretary of the Interior, for the account of the reclamation fund established by said Act, the amount expended for preliminary surveys, examinations, and river measurements, not exceeding fourteen thousand dollars, and in consideration of said payment the said city of Los Angeles is to have
Removal of debris, etc.	
Free use of wagon roads.	
Use of telephone, etc., for official business.	
Forest Service administration, etc.	
Owens River project. Payment by Los Angeles for surveys, etc. Vol. 32, p. 388.	
Amount.	

the benefit of the use of the maps and field notes resulting from said surveys, examinations, and river measurements, and the preference right to acquire at any time within three years from the approval of this Act any lands now reserved by the United States under the terms of said reclamation Act in connection with said project, necessary for storage or right of way purposes, upon filing with the register and receiver of the land office in the land district where any such lands sought to be acquired are situated a map showing the lands desired to be acquired, and upon the approval of said map or maps by the Secretary of the Interior and upon the payment of one dollar and twenty-five cents per acre to the receiver of said land office title to said land so reserved and filed on shall vest in said city of Los Angeles, and such title shall be and remain in said city only for the purposes aforesaid, and shall revert to the United States in the event of the abandonment thereof for the purposes aforesaid: *Provided, however,* That the terms of this Act shall not apply to any lands upon Bishop Creek or its branches in said county of Inyo.

SEC. 5. That all lands over which the rights of way mentioned in this Act shall pass shall be disposed of subject to such easements: *Provided, however,* That if construction of said waterworks shall not have been begun in good faith within five years from the date of approval of this Act, or if after such period of five years there shall be a cessation of such construction for a period of three consecutive years, then all rights hereunder shall be forfeited to the United States.

SEC. 6. That the city of Los Angeles is prohibited from ever selling or letting to any corporation or individual, except a municipality, the right for such corporation or individual to sell or sublet the water sold or given to it or him by the city.

SEC. 7. That the right to amend, alter, or repeal this Act at any time is hereby reserved.

Approved, June 30, 1906.

Preference right to acquire land.

Price.

Lands on Bishop Creek, etc.

Easements.

Proviso.
Forfeiture.

Right to sell or sublet water restricted.

Amendment.

CHAP. 3927.—An Act To authorize the Alaska Pacific Railway and Terminal Company to construct a railroad trestle across tide and shore lands in Controller Bay, in the Territory of Alaska.

June 30, 1906.
[S. 6522.]

[Public, No. 396.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Alaska Pacific Railway and Terminal Company, a corporation organized under the laws of the State of Washington, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad trestle and approaches thereto across the tide and shore lands in Controller Bay from the mainland to Whale Island, in the Territory of Alaska, the mainland terminus and approaches of said railroad trestle to be located at or near a point six hundred feet east of the southeast corner of United States survey numbered five hundred and seventy-two, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

Controller Bay, Alaska.
Alaska Pacific Railway and Terminal Company may construct railroad trestle across.

Ante, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 30, 1906.