

March 11, 1904.
[S. 3204.]

[Public, No. 46.]

CHAP. 506.—An Act Permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company.

Indian Territory,
Kiowa, Chickasha
and Fort Smith Rail-
way Company.
Sale to Eastern Okla-
homa Railway Com-
pany authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kiowa, Chickasha and Fort Smith Railway Company may sell and convey to the Eastern Oklahoma Railway Company the railway of the Kiowa, Chickasha and Fort Smith Railway Company extending from Lindsay to Pauls Valley, in the Indian Territory, and the rights, privileges, and franchises relating thereto, such sale and conveyance to be made upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies.

Eastern Oklahoma
Railway Company.
Lease of portion to
Atchison, Topeka and
Santa Fe Railway
Company allowed.

SEC. 2. That the Eastern Oklahoma Railway Company may lease to the Atchison, Topeka and Santa Fe Railway Company the portion of the railroad of the Eastern Oklahoma Railway Company extending from Pauls Valley, in the Indian Territory, to the southern boundary of Oklahoma Territory, together with the rights, privileges, and franchises of the Eastern Oklahoma Railway Company relating thereto, such lease to be made upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies. In case such lease shall be made, the Eastern Oklahoma Railway Company thereafter may sell and convey the said portion of its railroad in the Indian Territory, together with the rights, privileges, and franchises relating thereto, to the Atchison, Topeka and Santa Fe Railway Company, upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies.

Subsequent sale.

Kiowa, Chickasha
and Fort Smith Rail-
way.

SEC. 3. That in case the Kiowa, Chickasha and Fort Smith Railway Company shall sell and convey to the Eastern Oklahoma Railway Company the aforesaid railway of the Kiowa, Chickasha and Fort Smith Railway Company, and the rights, privileges, and franchises relating thereto, then the Eastern Oklahoma Railway Company may lease to the Atchison, Topeka and Santa Fe Railway Company said railway of the Kiowa, Chickasha and Fort Smith Railway Company extending from Lindsay to Pauls Valley, in the Indian Territory, together with the rights, privileges, and franchises of the Kiowa, Chickasha and Fort Smith Railway Company relating thereto, such lease to be made upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies. And in case such lease shall be made, then the Eastern Oklahoma Railway Company may sell and convey the said railway of the Kiowa, Chickasha and Fort Smith Railway Company extending from Lindsay to Pauls Valley, in the Indian Territory, together with the rights, privileges, and franchises relating thereto, to the Atchison, Topeka and Santa Fe Railway Company upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies.

Lease to Atchison,
Topeka and Santa Fe
Railway Company al-
lowed.

Subsequent sale.

Approved, March 11, 1904.

March 12, 1904.
[H. R. 9308.]

[Public, No. 47.]

Mississippi River,
Minnesota Power
and Trolley Company
may dam, in Minne-
sota.

CHAP. 542.—An Act Permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota.

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 the Minnesota Power and Trolley Company (a Minnesota corporation), its successors or assigns, to construct and maintain across the Mississippi River a dam, canal, and works necessarily incident thereto, for water-power purposes, at any point between section seventeen or eighteen, in township one hundred and twenty-

Location.

one north, of range twenty-three west, in Wright County, and section six, in township thirty-two north, of range twenty-six west, in Sherburne County, Minnesota: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of construction of the same: *And provided further*, That the said Minnesota Power and Trolley Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modification of said plans shall have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, or over said dam without unreasonable delay or hindrance and without toll or charges: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes, and may at any time, without compensation, control the said dam so far as shall be necessary for purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of such dam as he may deem advisable in the interests of navigation: *And provided further*, That in case any litigation arises from the building of said dam, or from the obstruction of said river by said dam or appurtenant works, cases may be tried in the proper courts, as now provided for that purpose in the State of Minnesota and in the courts of the United States; but 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 structures from the operation of same.

Proviso.
Secretary of War to approve plans, etc.

Modification of plans.

Sluiceways for logs, etc.

Aids to navigation.

Changes.

Litigation.

Existing laws not modified.

Fishways.

Amendment.

Time of construction.

SEC. 2. That suitable fishways, to be approved by the United States Fish Commissioner, shall be constructed and maintained at said dam by said corporation, its successors or assigns.

SEC. 3. That the right to amend, alter, or repeal this Act is hereby expressly reserved; and the same shall become null and void unless the construction of the dam hereby authorized be commenced within one year after the passage of this Act and completed within three years thereafter.

Approved, March 12, 1904.

CHAP. 543.—An Act Making appropriations for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and five.

March 12, 1904.
[H. R. 11287.]

[Public, No. 48.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, severally appropriated, in full compensation for the diplomatic and consular service for the fiscal year ending June thirtieth, nineteen hundred and five, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, namely:

Diplomatic and consular appropriations.

SCHEDULE A.

Schedule A.

SALARIES OF AMBASSADORS AND MINISTERS.

Salaries.

Ambassadors extraordinary and plenipotentiary to France, Germany, Great Britain, Mexico, and Russia, at seventeen thousand five hundred dollars each, eighty-seven thousand five hundred dollars;

Ambassadors.