

navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, unreasonably obstruct such navigation, he is hereby authorized to cause the entire removal thereof, or such change or alteration of such bridge to be made as will effectually obviate such obstruction, and all such alterations shall be made and all such obstructions shall be removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case may be brought in the district court of the United States of the State of North Dakota in whose jurisdiction any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this Act shall be construed as to repeal or modify any of the provisions of the law now existing in reference to the protection of the navigation of rivers or to exempt this bridge from the operations of the same.

Changes.

Litigation.

Existing laws not affected.

Secretary of War to approve plans, etc.

SEC. 4. That any bridge authorized to be constructed under this Act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location, giving for the space of one mile above and one mile below the proposed location the topography of the banks of the river, the shore lines at high and low water, and the soundings, accurately showing the bed of the stream, and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject, and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built, and should any change be made in the plans of said bridge during the progress of its construction or after completion such changes shall be subject to the approval of the Secretary of War.

SEC. 5. That this Act shall be null and void unless the bridge herein authorized be commenced within one year and completed within three years from the date hereof.

Time of construction.

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

Amendment.

Approved, April 11, 1904.

**CHAP. 1139.**—An Act Permitting the building of a railway bridge across the Red Lake River at the city of Thief River Falls, in the county of Red Lake and State of Minnesota.

April 11, 1904.  
[S. 4402.]

[Public, No. 98.]

*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 Minneapolis, Saint Paul and Sault Sainte Marie Railway Company, a railway corporation organized under the laws of the States of Michigan, Wisconsin, Minnesota, and North Dakota, its successors or assigns, to build a railway bridge across the Red Lake River at the city of Thief River Falls, in the county of Red Lake and State of Minnesota: *Provided*, That the plans for the construction of said bridge and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of such bridge: *And provided further*, That said Minneapolis, Saint Paul and Sault Sainte Marie Railway Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of the said bridge, unless the modification of said plans shall

Red Lake River, Minn.  
Minneapolis, Saint Paul and Sault Sainte Marie Railway Company may bridge, at Thief River Falls.

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

Changes

have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War, and any changes in said bridge which the Secretary of War may at any time order in the interest of navigation shall be promptly made by said company at its own expense.

Litigation

Proviso.  
Existing laws not  
affected.

SEC. 2. That in case any litigation arises from the building of said bridge or from the obstruction of said river by said bridge, 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: *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 same.

Use by other roads.

SEC. 3. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and over the approaches thereto upon payment of a reasonable compensation for such use; and in case of disagreement between the parties in regard to the compensation to be paid or the conditions to be observed all matters at issue shall be determined by the Secretary of War.

Lawful structure  
and post route.

SEC. 4. That any bridge built under this Act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transmission of mails and the troops and munitions of war of the United States over the same than the rate per mile paid for the transportation over the railroad or approaches leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraph and telephone purposes.

Telegraph, etc.,  
rights.

Time of construction.

SEC. 5. That this Act shall be null and void unless the bridge herein authorized be commenced within one year and completed within two years from the date of approval of this Act.

Amendment.

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

Approved, April 11, 1904.

April 11, 1904.  
[S. 3118.]

[Public, No. 99.]

CHAP. 1140.—An Act To amend the Act approved February eighteenth, eighteen hundred and ninety-five, entitled "An Act to amend an Act entitled 'An Act to amend the laws relative to shipping commissioners,' approved August nineteenth, eighteen hundred and ninety, and for other purposes."

Merchant seamen.  
Clothing of, exempt  
from attachment.  
Vol. 28, p. 667,  
amended.  
Vol. 26, p. 320.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the Act approved February eighteenth, eighteen hundred and ninety-five, entitled "An Act to amend an Act entitled 'An Act to amend the laws relative to shipping commissioners,' approved August nineteenth, eighteen hundred and ninety, and for other purposes" as reads "shall be liable to a penalty of not exceeding one hundred dollars" is hereby amended to read "shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more than five hundred dollars, or both."

Penalty increased.

Approved, April 11, 1904.