

works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *And provided further*, That the said Sauk Rapids Water Power 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 suitable fishways, to be approved by the United States Fish Commission, shall be constructed and maintained at said dam by the Sauk Rapids Water Power Company, its successors or assigns.

Modification of plans.

Sluiceway for logs, etc.

Aids to navigation.

Changes.

Fishways.

Litigation.

Proviso.
Existing laws not modified.

Time of construction.

Amendment.

SEC. 2. 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: *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 structures from the operation of same.

SEC. 3. That this Act shall be null and void unless the dam herein authorized be commenced within three years and be completed within six years from the time of the passage of this Act.

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

Approved, February 26, 1904.

CHAP. 168.—An Act To authorize the Saint Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near Saint Joseph, Missouri, to lower said bridge and to shorten the draw spans thereof.

February 26, 1904.

[S. 3720.]

[Public, No. 29.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Saint Joseph and Grand Island Railway Company, a corporation organized under the laws of the States of Kansas and Nebraska, in reconstructing the bridge across the Missouri River at or near Saint Joseph, Missouri, the construction of which was authorized by Act of Congress approved March fifth, eighteen hundred and seventy-two, to so reconstruct said bridge that the vertical clearance shall not be less than twenty-nine feet three and one-fourth inches above low-water mark, and not less than nine feet three and one-fourth inches above high-water mark, and that said spans on each side of the central pivot pier of the draw shall be not less than one hundred and fifty-three feet in length.

Missouri River.
Saint Joseph and Grand Island Railway Company may reconstruct bridge at Saint Joseph, Mo.

Vol. 17, p. 33.

Changes.

Approved, February 26, 1904.

February 26, 1904.
[S. 3800.]

[Public, No. 30.]

Connecticut.
Donation of gun car-
riages for the Fort
Griswold tract.

Vol. 32, p. 306.

CHAP. 169.—An Act Donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized to deliver, if the same can be done without detriment to the Government, to the commissioners appointed by the governor of the State of Connecticut for the care and preservation of the Fort Griswold tract for the purpose of a public park, as provided for in the Act of Congress approved June sixth, nineteen hundred and two (volume thirty-two, part one, Statutes at Large, page three hundred and six), four barbette carriages for eight-inch Rodman gun, front pintle, and one barbette carriage for twenty-four pounder rifle, front pintle.

Approved, February 26, 1904.

February 26, 1904.
[S. 4125.]

[Public, No. 31.]

Ouachita River, La.
Little Rock and
Monroe Railway Com-
pany may bridge.

Location.

Railroad, wagon,
and foot bridge.

Litigation.

Proviso.
Existing laws not
affected.

Drawbridge.

Unobstructed navi-
gation.

CHAP. 170.—An Act To authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across the Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Little Rock and Monroe Railway Company, a corporation existing under the laws of Arkansas, its successors and assigns, be, and is hereby, authorized to construct and maintain a bridge and all approaches thereto across the Ouachita River, in the State of Louisiana, between Ouachita City and the mouth of Bayou Loutre, at a point to be approved by the Secretary of War, and to lay on or over said bridge a track or tracks and use the same for its business as a common carrier. Said company, or its successors and assigns, are hereby authorized to build, construct, maintain, and use any and all trestles, roadbeds, tracts, appurtenances, and things that may be necessary for proper approaches to said bridge and for the use of the same as a railroad bridge, as aforesaid; that said bridge shall be constructed to provide for the passage of railroad trains, to be used by the Little Rock and Monroe Railway Company, its successors and assigns, for the conduct of its and their business as a common carrier, and at the option of said company, or its successors and assigns, may be used for the passage of wagons and all kinds of vehicles, and for foot passengers, for such reasonable rates of toll as may be fixed by said company, or its successors and assigns, and approved by the Secretary of War. Said bridge shall not interfere with the free navigation of said river, and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river by reason of the construction of the said bridge or the maintenance thereof, the cause may be tried before the circuit court of the United States in and for any district in whose jurisdiction any portion of 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 this bridge from the operation thereof.

SEC. 2. That if the bridge herein authorized shall be built as a drawbridge, the draw shall be operated by steam or other reliable power, and shall be opened promptly upon reasonable signal for the passage of boats, except when trains are passing over said span or spans, but in no case shall unnecessary delay occur in opening said draw after the passage of trains.

SEC. 3. That all piers shall be built as nearly as may be parallel with the current of the river at that stage of water when it is most important for navigation, and the bridge itself shall be built as nearly