

CHAP. 165.—An Act To authorize the construction of drawless bridges across a certain portion of the Charles River in the State of Massachusetts.

February 27, 1911.

[H. R. 26150.]

[Public, No. 424.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Metropolitan Park Commission, or any town or city, or any other public body authorized by the State of Massachusetts, all or any of them, be, and they hereby are, authorized to construct, at any time hereafter, drawless bridges across the Charles River in the State of Massachusetts connecting River Street in Cambridge and Cambridge Street in the Brighton district, so called, of Boston, and at any other points upon said river, at, near, or above said Cambridge and River Streets: *Provided*, That said bridges shall be at least twelve feet above the ordinary level of the water in the basin over the main ship channel, and the piers and other obstructions to the flow of the river shall be constructed in such form and in such places as the Secretary of War shall approve: *Provided further*, That before the construction of said bridges or any of them is begun, the State of Massachusetts shall by legislative enactment provide for adequate compensation for the owner, owners, lessee or lessees of property abutting on said river above any of the said bridges, for damages if any caused to said property or leasehold interests therein by reason of interference with the access by water to said property, due to the construction of bridges without draws: *Provided further*, That said legislative enactment shall provide for the appointment of three commissioners to hear the parties in interest and assess the damages to said property; their decision as to the amount of damages and questions of fact to be final; said commissioners to be appointed by the Supreme Judicial Court of Massachusetts. Except as inconsistent herewith, this Act shall be subject to the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

Charles River. Bridges authorized across between Cambridge and Boston, Mass.

Provisos.
Height, etc.

Compensation to owners of abutting property.

Commission to assess damages.

Construction. Vol. 34, p. 84.

Amendment.

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

Approved, February 27, 1911.

CHAP. 166.—An Act Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

February 27, 1911.

[H. R. 28632.]

[Public, No. 425.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are 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 the construction, completion, repair, and preservation of the public works hereinafter named:

Rivers and harbors appropriations.

Breakwater from Mount Desert to Porcupine Island, Bar Harbor, Maine: Continuing construction, thirty thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and forty-five thousand two hundred dollars, exclusive of the amounts herein and heretofore appropriated.

Bar Harbor, Me. Breakwater. *Proviso.* Contracts.

Improving Pepperells Cove, Maine: Continuing improvement, thirty-five thousand dollars.

Pepperells Cove, Me.

Improving Saco River, Maine: Completing improvement, twenty-five thousand dollars.

Saco River, Me.

Improving Exeter River, New Hampshire: Completing improvement in accordance with the report submitted in House Document

Exeter River, N. H.

- Numbered One thousand and ninety, Sixty-first Congress, third session, nine thousand two hundred dollars.
- Burlington, Vt. Improving harbor at Burlington, Vermont: For maintenance and repair of breakwater, two thousand five hundred dollars.
- Gloucester, Mass. Improving harbor at Gloucester, Massachusetts: For maintenance, fifteen thousand dollars.
- Nantucket, Mass. Improving harbor at Nantucket, Massachusetts: Continuing improvement and for maintenance, twenty thousand dollars.
- New Bedford and Fairhaven, Mass. Improving harbors at New Bedford and Fairhaven, Massachusetts: Continuing improvement, fifty thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and twenty-seven thousand dollars, exclusive of the amounts herein and heretofore appropriated.
- Providio.*
Contracts.
- Sandy Bay, Cape Ann, Mass. Harbor of refuge at Sandy Bay, Cape Ann, Massachusetts: Continuing improvement, one hundred thousand dollars.
- Mystic and Malden Rivers, Mass. Improving Mystic and Malden Rivers, Massachusetts: For maintenance, ten thousand dollars.
- Taunton River, Mass. Improving Taunton River, Massachusetts: For maintenance, five thousand dollars.
- Weymouth Fore River, Mass. Improving Weymouth Fore River, Massachusetts: Completing improvement below the Quincy Point Bridge in accordance with report submitted in House Document Numbered Thirteen hundred and thirty-four, Sixty-first Congress, third session, one hundred and forty thousand dollars.
- Block Island, R. I. Harbor of refuge. Improving harbor of refuge at Block Island, Rhode Island: For maintenance, twelve thousand five hundred dollars.
- Point Judith, R. I. Harbor of refuge. Harbor of refuge at Point Judith, Rhode Island: Continuing improvement and for maintenance, fifty thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate four hundred and fifty thousand dollars, exclusive of the amounts herein and heretofore appropriated.
- Providio.*
Contracts.
- Pawtucket River, R. I. Improving Pawtucket River, Rhode Island: For maintenance, five thousand dollars.
- Duck Island, Conn. Harbor of refuge. Harbor of refuge at Duck Island, Connecticut: Continuing improvement, one hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and ninety thousand dollars, exclusive of the amounts herein and heretofore appropriated.
- Providio.*
Contracts.
- Fivemile River and Greenwich, Conn. Improving harbors at Fivemile River and Greenwich, Connecticut: For maintenance, three thousand five hundred dollars.
- Connecticut River, Conn., below Hartford. Improving Connecticut River, Connecticut, below Hartford, in accordance with the report submitted in House Document Numbered Twelve hundred and ninety-four, Sixty-first Congress, third session, seventy-seven thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred thousand dollars, exclusive of the amount herein appropriated.
- Providio.*
Contracts.
- New Haven, Conn. Breakwater. Breakwater at New Haven, Connecticut: Completing construction, thirty-five thousand dollars.

Improving Black Rock Harbor, New York: Continuing improvement, four hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate three hundred thousand dollars, exclusive of the amounts herein and heretofore appropriated. The Secretary of War is hereby authorized to grant to the city of Buffalo, New York, the right and privilege of occupying, improving, and using, for the purpose of establishing a public park and landing facilities, that part of the structure known as "Bird Island Pier," on Niagara River, lying north of Albany Street extended in said city and forming a part of the Black Rock Harbor improvement, and the lands of the United States under water along both sides of said pier to the established harbor lines, on such terms, conditions, and stipulations as he may deem expedient and equitable and necessary for the protection of all the interests of the United States in and to said premises: *Provided*, That in the opinion of the Attorney General of the United States the granting of such right and privilege is permissible under the terms of the grant from the State of New York by which said premises are holden: *Provided further*, That in case the Attorney General shall be of the opinion that the granting of the said right and privilege is not permissible under the terms of the aforesaid grant, the said right and privilege shall not be granted by the Secretary of War until the city of Buffalo shall have secured the sanction and consent of the State of New York through its constituted agencies.

Improving harbor at Buffalo, New York: The Secretary of War is hereby authorized to apply from appropriations heretofore made for repairing and rebuilding breakwaters and for maintenance of structures fifteen thousand dollars, or so much thereof as may be necessary, to the completion of the Stony Point Breakwater.

Improving harbor at Charlotte, New York: For maintenance, fifty thousand dollars.

Improving harbor at Great Sodus Bay, New York: For maintenance, thirty thousand dollars.

Improving Hempstead Harbor, New York: Completing improvement, twenty-three thousand five hundred dollars: *Provided*, That no part of this sum shall be expended upon the channel above the town wharf until a suitable dumping ground for the material dredged shall have been furnished by the local interests free of cost.

Improving harbor at Little Sodus Bay, New York: For maintenance, thirty thousand dollars.

Improving New York Harbor, New York: For maintenance, including Ambrose Channel, one hundred thousand dollars.

Improving harbor at Oswego, New York: Continuing improvement in accordance with plan A and for maintenance, eighty-five thousand dollars.

Improving harbors at Rondout and Peekskill, New York: For maintenance, six thousand dollars.

Improving East Chester Creek, New York: Continuing improvement and for maintenance, ten thousand dollars.

Removing obstructions in East River and Hell Gate, New York: Continuing improvement, including work at the Middle Ground and in the channel between North Brother and South Brother Islands, two hundred thousand dollars.

Improving Harlem River, New York: Continuing improvement, seventy-five thousand dollars.

Improving Hudson River, New York: Continuing improvement and for maintenance, seven hundred and fifty thousand dollars.

Black Rock Harbor,
N. Y.
Proviso.
Contracts.

Bird Island Pier.
Use by Buffalo as
park, granted.

Condition.

Consent of New
York.

Buffalo, N. Y.
Stony Point break-
water.

Charlotte, N. Y.

Great Sodus Bay,
N. Y.

Hempstead, N. Y.
Proviso.
Restriction.

Little Sodus Bay,
N. Y.

Ambrose Channel,
N. Y.

Oswego, N. Y.

Rondout and Peekskill,
N. Y.

East Chester Creek,
N. Y.

East River and Hell
Gate, N. Y.

Harlem River, N. Y.

Hudson River, N. Y.

- Newtown Creek, N. Y. Improving Newtown Creek, New York: For maintenance, twenty thousand dollars.
- Westchester Creek, N. Y. Improving Westchester Creek, New York: Completing improvement, thirty-two thousand seven hundred and eighty dollars.
- Arthur Kill, N. Y. and N. J. Improving Arthur Kill, New York and New Jersey: For maintenance of improvement of Arthur Kill and the waters connecting Raritan Bay with New York Harbor, including channel between Staten Island and the New Jersey shore, New York and New Jersey, ten thousand dollars.
- Keyport Harbor, etc., N. J. Improving Keyport Harbor, Matawan Creek, Raritan and South Rivers, Shoal Harbor and Compton Creek, and Cheesequake Creek, New Jersey: For maintenance, thirty thousand five hundred dollars.
- Raritan Bay, N. J. Improving Raritan Bay, New Jersey: For maintenance, twenty thousand dollars.
- Alloway Creek, N. J. Improving Alloway Creek, New Jersey: For maintenance, five thousand dollars.
- Cooper Creek, N. J. Improving Cooper Creek, New Jersey: For maintenance, five thousand dollars.
- Mantua Creek, N. J. Improving Mantua Creek, New Jersey: For maintenance, six thousand dollars.
- Passaic River, N. J. Improving Passaic River, New Jersey: For maintenance of improvement above the Montclair and Greenwood Lake Railroad bridge, five thousand dollars: *Provided*, That the project for improvement below said bridge may, in the discretion of the Secretary of War, be so modified as to allow the widening of the channel of the river at bends wherever considered desirable in the interest of commerce and navigation: *Provided, further*, That no additional work shall be done under this authority which will increase the total cost of the project given in report submitted in House Document Numbered Four hundred and forty-one, Fifty-ninth Congress, second session.
- Proviso.*
Widening channels. Limit of cost. Improving Raccoon Creek, New Jersey: For maintenance, five thousand dollars.
- Raccoon Creek, N. J. Improving Raccoon Creek, New Jersey: For maintenance, five thousand dollars.
- Salem River, N. J. Improving Salem River, New Jersey: Completing improvement and for maintenance, ten thousand six hundred dollars.
- Shrewsbury River, N. J. Improving Shrewsbury River, New Jersey: For maintenance, ten thousand dollars.
- Tuckerton Creek, N. J. Improving Tuckerton Creek, New Jersey: Completing improvement and for maintenance, twenty-three thousand three hundred and eighty dollars.
- Woodbridge Creek, N. J. Improving Woodbridge Creek, New Jersey: For maintenance, three thousand dollars.
- Delaware River. Philadelphia to the sea. *Proviso.*
Contracts. Improving Delaware River, Pennsylvania, New Jersey, and Delaware: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, eight hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate seven hundred thousand dollars, exclusive of the amounts herein and heretofore appropriated.
- Erie, Pa. Improving harbor at Erie, Pennsylvania: For maintenance, thirty thousand dollars.
- Pittsburg, Pa. Improving harbor at Pittsburg, Pennsylvania: For maintenance, five thousand dollars.
- Delaware Bay, Del. Harbor of refuge. Improving harbor of refuge, Delaware Bay, Delaware: For maintenance, eight thousand dollars.
- Pier at Lewes, Del. Constructing pier in Delaware Bay near Lewes, Delaware: For maintenance, one thousand dollars.
- Wilmington, Del. *Proviso.*
Reexamination. Improving harbor at Wilmington, Delaware: For restoration and maintenance, one hundred thousand dollars: *Provided*, That a reex-

amination of the harbor shall be made with a view to determining a method by which an improvement adequate for the needs of commerce can be maintained at less cost.

Improving Appoquinimink, Murderkill, and Mispillion Rivers, Delaware: Continuing improvement and for maintenance in accordance with the existing approved projects, fifteen thousand dollars.

Appoquinimink, etc., rivers, Del.

Improving Broad Creek River, Delaware: For maintenance, two thousand dollars.

Broad Creek River, Del.

Improving Broadkill River, Delaware: For maintenance, ten thousand dollars.

Broadkill River, Del.

Improving Saint Jones River, Delaware: Continuing improvement and for maintenance, eleven thousand seven hundred dollars: *Provided*, That no part of said amount shall be expended, except for maintenance, until a satisfactory title to the land required for the necessary cut-offs shall have been transferred to the United States free of cost and the United States shall have been released from all claims for damages arising from the proposed diversion of the stream.

Saint Jones River, Del.

Proviso.
Title to cut-offs, etc.

Improving Smyrna River, Delaware: Continuing improvement, fifteen thousand dollars: *Provided*, That no part of said amount shall be expended until satisfactory title to the land required for the necessary cut-offs shall have been transferred to the United States free of cost.

Smyrna River, Del.

Proviso.
Title to cut-offs, etc.

Improving harbor at Baltimore, Maryland: For maintenance of improvement of harbor of Southwest Baltimore, ten thousand dollars; for maintenance of improvement of channel of Curtis Bay, Baltimore Harbor, five thousand dollars. The unexpended balance of appropriations heretofore made for Patapsco River and channel to Baltimore is hereby made available for securing increased width of channel at the entrances and in the bends as well as for maintenance.

Baltimore, Md.

Maintenance, widening channel.

Improving harbors at Rockhall, Queenstown, Claiborne, and Cambridge, and Chester, Choptank, Warwick, Wicomico, Pocomoke, La Trappe, and Manokin Rivers, and Tyaskin Creek, Maryland: For maintenance, thirty-three thousand dollars.

Chesapeake Bay, Md.
Eastern shore harbors, etc.

Improving Nanticoke River, Delaware and Maryland: For maintenance of improvement of Nanticoke River and completing improvement of Northwest Fork of Nanticoke River (Marshyhope Creek), Maryland, thirty-six thousand dollars.

Nanticoke River, Del. and Md.

Improving Susquehanna River above and below Havre de Grace, Maryland: Completing improvement, thirty-four thousand five hundred dollars.

Susquehanna River.
Havre de Grace, Md.

Improving Anacostia River, District of Columbia: Continuing improvement and for maintenance, two hundred thousand dollars.

Anacostia River, D. C.

Improving Potomac River: Continuing improvement and for maintenance at Washington, District of Columbia, sixty thousand dollars.

Potomac River.
Washington, D. C.

Improving Potomac River at Alexandria, Virginia: Completing improvement, fifty-six thousand dollars.

Alexandria, Va.

Improving harbor at Milford Haven, Virginia: For maintenance, two thousand five hundred dollars.

Milford Haven, Va.

Improving harbor at Norfolk, Virginia: For maintenance of improvement, including Western Branch of Elizabeth River, five thousand dollars.

Norfolk, Va.
Maintenance.

Improving Norfolk Harbor and the approaches thereto, and the channel to Newport News, Virginia: Continuing improvement, four hundred and twenty-five thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate six hundred and twenty-two thousand five hundred dollars, exclusive of the amounts herein and heretofore appropriated.

Channel to Newport News, etc.

Proviso.
Contracts.

- James River, Va. Improving James River, Virginia: Continuing improvement and for maintenance, one hundred and fifty thousand dollars.
- Nansemond River, Va. Improving Nansemond River, Virginia: For maintenance, three thousand dollars.
- Nomini Creek, Va. Improving Nomini Creek, Virginia: Completing improvement and for maintenance, eight thousand dollars.
- Upper Machodoc Creek, Va. Improving Upper Machodoc Creek, Virginia: Completing improvement, thirteen thousand two hundred dollars.
- Urbana Creek, Va. Improving Urbana Creek, Virginia: Completing improvement and for maintenance, ten thousand dollars.
- Mattaponi and Pamunkey Rivers, Va. Improving Mattaponi and Pamunkey Rivers, Virginia: Continuing improvement and for maintenance, ten thousand dollars.
- Waterway, Norfolk to Albemarle Sound. Improving waterway from Norfolk Harbor, Virginia, to Albemarle Sound, North Carolina: For maintenance of inland water route from Norfolk, Virginia, to Albemarle Sound, North Carolina, through Currituck Sound, two thousand dollars.
- Beaufort, N. C. Improving harbor at Beaufort, North Carolina: For maintenance, five thousand dollars.
- Cape Fear River, N. C. Below Wilmington. Improving Cape Fear River at and below Wilmington, North Carolina: Continuing improvement to such depth in excess of twenty feet as the appropriations for the work may permit, due regard being given to the difference in tidal oscillation at the upper and lower portion of the improvement, one hundred thousand dollars: *Provided*, That not exceeding one thousand dollars thereof may be used for clearing to a depth of ten feet the channel or cut between the main channel of the river and the Carolina beach pier.
- Proviso.*
Clearing channel.
- Contentnia Creek, N. C. Improving Contentnia Creek, North Carolina: For maintenance, one thousand dollars.
- Neuse and Trent Rivers, N. C. Improving Neuse and Trent Rivers, North Carolina: For maintenance, five thousand dollars.
- New River, and waterways to Beaufort, N. C. Improving New River, and waterways to Beaufort, North Carolina: For maintenance of improvement of New River, North Carolina, including inland waterways between Beaufort Harbor and New River and between New River and Swansboro, five thousand dollars.
- Northeast, etc., Rivers, N. C. Improving Northeast, Black, and Cape Fear Rivers, North Carolina: For maintenance of improvement of Northeast and Black Rivers and Cape Fear River above Wilmington, North Carolina, three thousand five hundred dollars.
- Pamlico and Tar Rivers, N. C. Improving Pamlico and Tar Rivers, North Carolina: For maintenance, five thousand dollars.
- Charleston, S. C. Improving harbor at Charleston, South Carolina: Continuing improvement, one hundred thousand dollars.
- Winyah Bay, S. C. Contracts. Improving Winyah Bay, South Carolina: The Secretary of War is hereby authorized to enter into a contract or contracts for such materials and work as may be required for the prosecution of this improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred thousand dollars, exclusive of the amounts heretofore appropriated.
- Mingo Creek, S. C. Improving Mingo Creek, South Carolina: For maintenance, one thousand dollars.
- Santee and Congaree Rivers, S. C. Improving Santee and Congaree Rivers, South Carolina: For maintenance of improvement, including the Estherville-Minim Creek Canal and the Congaree River as far up as the Gervais Street Bridge, Columbia, forty-seven thousand dollars.
- Waterways, Charleston and Alligator Creek, S. C. Improving waterways between Charleston and Alligator Creek, South Carolina: Completing improvement of inland waterways between Charleston Harbor and McClellanville, including branch to Morrisons Landing, forty-one thousand dollars.
- Brunswick, Ga. Improving harbor at Brunswick, Georgia: Continuing improvement and for maintenance, sixty thousand dollars.

Improving Sapelo Harbor, Georgia: Completing improvement, eleven thousand dollars.	Sapelo, Ga.
Improving harbor at Savannah, Georgia: Continuing improvement, four hundred thousand dollars.	Savannah, Ga.
Improving Altamaha, Oconee, and Ocmulgee Rivers, Georgia: For maintenance, thirty thousand dollars.	Altamaha, etc., rivers, Ga.
Improving Flint River, Georgia: Continuing improvement and for maintenance, seven thousand five hundred dollars.	Flint River, Ga.
Improving Savannah River, Georgia: Continuing improvement and for maintenance below Augusta, one hundred thousand dollars.	Savannah River, Ga.
Improving Chattahoochee River, Georgia and Alabama: Continuing improvement below Columbus, Georgia, and for maintenance, seventy-five thousand dollars.	Chattahoochee River, Ga. and Ala.
Improving Coosa River, Georgia and Alabama: Continuing improvement by the completion of lock and dam at Mayos Bar, near Rome, Georgia, one hundred and twenty-one thousand and thirty-nine dollars.	Coosa River, Ga. and Ala. Mayos Bar.
Improving Coosa River, Georgia and Alabama: Continuing improvement by the construction of a lock in Dam Numbered Four, and by the construction of Dam Numbered Five, in the State of Alabama, one hundred and fifty thousand dollars.	Dams, Nos. 4 and 5.
The Secretary of War is hereby authorized and empowered to enter into contract with the Ragland Water Power Company, its successors or assigns, hereinafter designated "the contracting party," to complete the dam heretofore partially constructed by the Government at Lock Numbered Four on the Coosa River, the work to be done under his supervision and control, and in accordance with the present adopted project and any modification thereof that he may deem proper: <i>Provided</i> , That the contracting party shall furnish all materials, of every character, and pay for all labor required in the construction of said dam, which, upon completion, shall become the property of the United States, free of all costs, claims, or charges of any kind whatsoever: <i>Provided further</i> , That the terms of this Act and any stipulation which the Secretary of War may deem necessary to safeguard the interests of navigation and other interests of the United States shall be embodied in any contract entered into as aforesaid. The contracting party shall begin the said work within one year from the approval of this Act, and shall complete the same within three years from the date of commencing construction; otherwise the authorization hereby conferred shall be void and the rights hereby conferred shall cease and be determined, the Government reserving the right to commence and finish the work, if deemed advisable, at any time before it is commenced by the contracting party; or, if begun and not carried out in strict conformity to the directions of the Secretary of War, the Government may assume the completion of said work at its option, the cost of such completion to be paid by the contracting party: <i>Provided</i> , That the Secretary of War shall determine from time to time whether the work is being properly done. In consideration of the completion of said dam free of cost to the Government, the contracting party is hereby granted such rights as the Government possesses to use the water power produced by said dam for manufacturing and other industrial purposes for a period of fifty years: <i>Provided</i> , That the plans for the necessary works and structures to utilize said water power shall be approved by the Secretary of War: <i>Provided further</i> , That the right is reserved to the United States to construct, maintain, and operate a forebay and lock for navigation purposes in connection with said dam, and nothing shall be done in the use of the water from said dam or otherwise to interfere with or in any way impede or retard the operation of said lock or the proper and complete navigation of	Ragland Water Power Company. May complete dam, etc., at Lock No. 4. <i>Provisos.</i> To bear all expense. Navigation, etc., interests protected. Time of construction, etc. Water power franchise granted. Approval of plans. Rights for navigation purposes reserved.

the river at all times, nor in any way to interfere with the use and control of the same by the United States or the maintenance of the water surface above the dam at the established pool level; and the Secretary of War is hereby authorized to prescribe regulations to govern the use of the said water power and the operations of the plant and force employed in connection therewith; and no claim shall be made against the United States for any failure of water power, resulting from any cause whatsoever: *Provided further*, That the contracting party shall furnish to the United States, free of cost, such electric current as may be necessary for operating the Government lock and lighting its buildings and grounds: *And provided further*, That the contracting party may have ingress and egress over Government lands in the construction and operation of the plant. The Secretary of War may require the contracting party to execute a bond, with proper securities, before the commencement of the work, in such amount as he may consider necessary, to insure the beginning, prosecution, and completion of the work and compliance with the terms and requirements of this Act, and in case of failure to comply with the requirements of said bond the contracting party shall forfeit to the United States the full amount thereof: *Provided*, That a suitable force of inspectors shall be employed on the work by the Secretary of War, at the expense of the contracting party, to see that the plans and specifications and the terms and requirements of the Act and the conditions of the contract are strictly carried out. Congress reserves the right to alter, amend or repeal the rights and privileges hereby conferred, and the United States shall incur no liability because of the alteration, amendment, or repeal thereof: *Provided*, That to insure compliance with the terms of this contract, or to protect the interests of navigation and other interests of the United States, the Secretary of War shall have power, at any time, to order a suspension of all privileges hereby granted, and a compliance with such order may be enforced by an injunction of the court of the United States exercising jurisdiction in the district in which the work is situated, and proper proceedings to this end shall be instituted by the Attorney General upon request of the Secretary of War. Nothing herein shall be construed as in any way abridging the exclusive jurisdiction and control by the United States of the Coosa River, and of any structure therein, or as repealing or modifying any of the provisions or laws now existing for the protection of navigation. The contracting party, in consideration of the privileges granted hereby, must, under such regulations as the Secretary of War may require, obligate and bind itself, its successors or assigns, to raise the height of said dam at Lock Numbered Four three feet, and shall stop the leaks above Dam Numbered Four by which water escapes under such dam, so far as the same can be done, and to keep said leaks stopped so far as it is possible so to do. In consideration of making said improvements, the said contracting party shall have the right to raise said dam during low water to such a height as may be necessary to give it a storage basin above the dam, in order that it may develop and operate a water power: *Provided*, That the said storage does not interfere with navigation: *Provided further*, That the said contracting party shall pay all damages incurred by reason of overflowed lands. Beginning with the year nineteen hundred and twenty-five, the contracting party shall pay to the United States for the power due to the natural flowage of the river the sum of one dollar per ten-hour horsepower per year: *Provided*, That in case the natural flowage of the river is increased at this point by storage reservoirs above this point, the power company shall have the right to lease, for a period not exceeding the life of this authorization, the increased power due to said storage, and shall pay on all power above that due

Regulations, etc.

Electric current to Government works, free of cost.

Easement.

Bond, etc.

Inspectors, etc.

Right to alter, etc.

Authority of Secretary of War.

Jurisdiction not impaired.

Raising height at dam, etc., required.

Storage basin.

Condition.

Overflow damages.

Payment for power.

Additional, for increase from reservoirs.

to natural flowage of the river, as increased by local storage at Dam Numbered Four, the sum of one dollar per year for the first five years, two dollars per year for the second five years, and thereafter three dollars per year for each ten-hour horsepower sold or used, or in lieu of above payment may, in the discretion of the Secretary of War, pay its equitable share toward the construction of said reservoir or reservoirs, such share to be determined by the Secretary of War: *Provided*, That the Secretary of War, in his discretion, may readjust such rate of compensation at periods of ten years.

Readjusting rate.

Improving waterway between Savannah, Georgia, and Fernandina, Florida: For maintenance, thirty thousand dollars.

Waterway, Savannah, Ga., and Fernandina, Fla.

Improving Apalachicola Bay, Florida: Continuing improvement and for maintenance, including Link Channel and West Pass, five thousand dollars.

Apalachicola Bay, Fla.

Improving channel from Clearwater Harbor through Boca Ceiga Bay to Tampa Bay, Florida: Completing improvement, twenty-nine thousand five hundred dollars.

Channel, Clearwater Harbor to Tampa Bay, Fla.

Improving harbor at Fernandina, Florida: For maintenance, including the entrance channel through Cumberland Sound, Georgia and Florida, twenty-five thousand dollars.

Fernandina, Fla.

Improving Hillsboro Bay, Florida: Continuing improvement in accordance with the report submitted in House Document Numbered Six hundred and thirty-four, Sixty-first Congress, second session, and subject to the conditions recommended by the Chief of Engineers, United States Army, on page two of said document, three hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate three hundred thousand dollars, exclusive of the amounts herein and heretofore appropriated.

Hillsboro Bay, Fla.

Proviso.
Contracts.

Improving harbor at Key West, Florida: For maintenance of improvement of the northwest entrance channel, twenty-five thousand dollars.

Key West, Fla.

Improving harbor at Pensacola, Florida: Continuing improvement and for maintenance, twenty-five thousand dollars.

Pensacola, Fla.

Improving channel from Apalachicola River to Saint Andrews Bay, Florida: Continuing improvement, one hundred and fifty thousand dollars.

Channel, Apalachicola River, to Saint Andrews Bay, Fla.

Improving Tampa Bay, Florida: For maintenance, nine thousand dollars.

Tampa Bay, Fla.

Improving Apalachicola River, Florida: Continuing improvement and for maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, five thousand dollars.

Apalachicola River, Fla.

Improving Caloosahatchee River, Florida: Completing improvement, sixty-nine thousand dollars.

Caloosahatchee River, Fla.

Improving Holmes River, Florida: For maintenance of improvement from Vernon to the mouth, one thousand dollars.

Holmes River, Fla.

Improving Saint Johns River, Florida: Continuing improvement from Jacksonville to the ocean, four hundred and twenty-five thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate five hundred thousand dollars, exclusive of the amounts herein and heretofore appropriated; continuing improvement from Palatka to Lake Harney, thirty thousand dollars.

Saint Johns River, Fla.

Proviso.
Contracts.

Removing the water hyacinth, Florida, Texas, and Louisiana: For the removal of the water hyacinth from the navigable waters of the

Palatka to Lake Harney.

Water hyacinth, Fla. Removing.

- State of Florida, so far as it is or may become an obstruction to navigation, ten thousand dollars.
- Choctawhatchee River, Fla. and Ala. Improving Choctawhatchee River, Florida and Alabama: For maintenance of improvement, including Cypress Top outlet, five thousand dollars.
- Escambia and Conecuh Rivers, Fla. and Ala. Improving Escambia and Conecuh Rivers, Florida and Alabama: For maintenance, five thousand dollars.
- Mobile, Ala. Bar. Improving Mobile bar, Alabama: Continuing improvement and for maintenance, five thousand dollars.
- Harbor. Improving harbor at Mobile, Alabama: Continuing improvement, five hundred and five thousand dollars, of which amount five thousand dollars may be used in the removal of sunken logs, deadheads, and other obstructions.
- Alabama River, Ala. Improving Alabama River, Alabama: Continuing improvement and for maintenance, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, seventy-five thousand dollars.
- Black Warrior, Warrior, and Tombigbee Rivers, Ala. Improving Black Warrior, Warrior, and Tombigbee Rivers, Alabama: Continuing improvement from Mobile to the Mulberry and Locust forks by the construction of locks and dams, one hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate seven hundred thousand dollars, exclusive of the amounts herein and heretofore appropriated.
- Proviso.*
Contracts.
- Tombigbee River, Ala. and Miss. Improving Tombigbee River, Alabama and Mississippi: For maintenance, from the mouth to Demopolis, Alabama, fifteen thousand dollars, and from Demopolis, Alabama, to Walkers Bridge, Mississippi, five thousand dollars.
- Gulfport, Miss. Improving harbor at Gulfport, Mississippi: For maintenance of improvement of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for the improvement and maintenance of channel at Ship Island Pass, one hundred thousand dollars, of which amount sixty thousand dollars, or so much thereof as may be necessary, may be expended for the repair and modification of the United States dredge Barnard, which is hereby transferred and assigned to Gulfport Harbor and Channel for use and to be operated in accordance with the provisions and recommendations contained in the report printed in Rivers and Harbors Committee Document Numbered Two, Sixtieth Congress, first session.
- Dredge "Barnard."
- Horn Island Pass, Miss. Improving Horn Island Pass, Mississippi: For maintenance, four thousand dollars.
- Pearl River, Miss. Improving Pearl River, Mississippi: Continuing improvement and for maintenance below Rockport, eight thousand dollars.
- Yazoo River and tributaries, Miss. Improving Yazoo River and tributaries, Mississippi: Continuing improvement and for maintenance, including Yazoo, Tallahatchie, Big Sunflower and Coldwater Rivers, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, twelve thousand five hundred dollars.
- Mississippi River. Southwest Pass. Improving Southwest Pass, Mississippi River: Continuing improvement and for maintenance, four hundred and fifty thousand dollars.
- Bayou Teche, La. Improving Bayou Teche, Louisiana: Continuing improvement and for maintenance, sixty thousand dollars.
- Waterway, Franklin and Mermentau, La. Inland waterway between Franklin and Mermentau, Louisiana: To insure the selection of the most suitable route for the inland waterway channel from Franklin to Mermentau adopted by Congress in the river and harbor act of March second, nineteen hundred and seven, the Secretary of War is hereby authorized, on the recommendation of the Chief of Engineers, to make such changes in
- Vol. 34, p. 1089.
- Changes.

the location of said channel as may be considered desirable: *Provided*, That no change shall be made under this authorization unless the necessary right of way is secured to the United States free of cost.

Removing the water hyacinth, Florida, Texas, and Louisiana: For the removal of the water hyacinth from the navigable waters in the States of Louisiana and Texas, so far as it is or may become an obstruction to navigation, twenty thousand dollars.

Improving Red River, Louisiana, Arkansas, Texas, and Oklahoma: Continuing improvement and for maintenance below Fulton, Arkansas, twenty thousand dollars: continuing improvement and for maintenance between Fulton, Arkansas, and Denison, Texas, twenty-five thousand dollars.

Improving Aransas Pass, Texas: For maintenance, twenty-five thousand dollars.

For the construction of a deep-water harbor or port within the entrance to Aransas Pass, at Harbor Island, Texas, in accordance with the report submitted in House Document Numbered One thousand and ninety-four, Sixty-first Congress, third session, one hundred and twenty-five thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law not to exceed in the aggregate two hundred and fifty thousand dollars exclusive of the amounts herein and heretofore appropriated: *Provided further*, That no part of the amount herein appropriated or authorized to be appropriated shall be expended until the Secretary of War shall be satisfied that the interests of the general public are duly protected in the use of said harbor and that no terminal monopoly will be possible: *And provided further*, That the title or easements in any land needed in connection with the construction of the dike proposed as a part of this improvement shall be vested in the United States free of cost.

Improving Galveston Channel, Texas: Continuing improvement under the existing project, which contemplates the excavation of a channel thirty feet deep and one thousand two hundred feet wide from the inner bar to Fifty-first Street and seven hundred feet wide from Fifty-first to Fifty-sixth Street, one hundred and twenty-five thousand dollars: *Provided*, That at such time as in the discretion of the Secretary of War the same may be required in the interests of navigation and commerce the western terminus of said channel may be extended to Fifty-seventh Street, with a width of one thousand feet between Fifty-first and Fifty-seventh Streets, as recommended in the report submitted in House Document Numbered Three hundred and twenty-eight, Sixty-first Congress, second session.

Improving harbor at Galveston, Texas: For maintenance, by dredging and repair of the jetties, one hundred and fifty-five thousand dollars.

Improving channel from Galveston Harbor to Texas City, Texas: Continuing improvement and for maintenance by dredging within the limits recommended in the report submitted in House Document Numbered Three hundred and twenty-eight, Sixty-first Congress, second session, fifty thousand dollars.

Improving the Sabine-Neches Canal, Texas, from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, to a navigable depth of twenty-five feet, in accordance with plan numbered four, submitted in House Document Numbered One thousand two hundred and ninety, Sixty-first Congress, third session, as follows:

For sections "a" and "c," from Port Arthur Ship Canal to mouth of Neches River and from mouth of Neches River to Beaumont, one hundred and fifty thousand dollars; and the Secretary of War may

Proviso.
Right of way.

Water hyacinth,
La. and Tex.
Removing.

Red River, La., Ark.,
Tex., and Okla.

Distribution.

Aransas Pass, Tex.

Harbor Island, Tex.
Deep-water port.

Proviso.
Contracts.

No terminal monopoly,
etc.

Easements.

Galveston Channel,
Tex.

Proviso.
Extension of channel.

Galveston, Tex.

Channel to Texas
City, Tex.

Sabine-Neches Canal,
Tex.

Ante, p. 643.

From Port Arthur
Ship Canal to the
Neches, and to Beaumont.

- Contracts.** enter into contract or contracts for such materials and work as may be necessary to complete said sections to an amount not exceeding seven hundred and six thousand dollars, exclusive of the amount herein appropriated, of which amount not exceeding two hundred and seventy-eight thousand dollars shall be paid from appropriations to be hereafter made by law and the remainder from funds contributed by the Beaumont navigation district or other local interests: *Provided*, That no part of these amounts shall be expended and no contract shall be entered into until the Beaumont navigation district, a local organization created and existing under and by virtue of the laws of the State of Texas, or other local interests, shall have placed in some United States depository, to be selected by the Secretary of War, the sum of four hundred and twenty-eight thousand dollars to the credit of the Secretary of War, to be expended by him in equal amounts with moneys provided by the United States in prosecuting this work: *Provided further*, That said Beaumont navigation district or other local interests shall become bound, in manner satisfactory to the Secretary of War, to maintain said channel free of cost to the United States for a term of three years after the completion thereof, and to provide for the operation and maintenance of the guard lock without cost to the United States until otherwise provided by law, all in accordance with the recommendations in the report cited above:
- Proviso.**
Contribution by local interests.
- Maintenance, etc., free of cost.** *Provided further*, That the Secretary of War may enter into contract for work on sections "a" and "c" at any time after the local interests have provided the moneys as above specified, independent of and without reference to section "b."
- Commencing work.** For section "b," fifty thousand dollars; and the Secretary of War may enter into contract or contracts for such materials and work as may be necessary to complete said section, to an amount not exceeding two hundred and thirty-seven thousand dollars, exclusive of the amount herein appropriated, of which amount not exceeding ninety-three thousand five hundred dollars shall be paid from appropriations to be hereafter made by law, and the remainder from funds contributed by the Orange navigation district or other local interests: *Provided*, That no part of these amounts shall be expended and no contract shall be entered into until the Orange navigation district or other local interests shall have placed in some United States depository, to be selected by the Secretary of War, the sum of one hundred and forty-three thousand five hundred dollars to the credit of the Secretary of War, to be expended by him in equal amounts with moneys provided by the United States in prosecuting this work: *Provided further*, That said Orange navigation district or other local interests shall become bound, in manner satisfactory to the Secretary of War, to maintain said channel free of cost to the United States for a term of three years, all in accordance with the recommendations in the report cited above.
- From Sabine River to Orange.**
Contracts. Improving channel to Port Bolivar, Texas: For maintenance, twenty-five thousand dollars.
- Proviso.**
Contribution by local interests. Improving Sabine Pass, Texas: Continuing improvement and for maintenance, one hundred and fifty thousand dollars.
- Maintenance, etc., free of cost.** Improving West Galveston Bay Channel, Turtle Bayou, Trinity River, Anahuac Channel, Oyster Creek, Cedar, Chocolate, and Bastrop Bayous, Texas: Continuing improvement and for maintenance, including mouths of adjacent streams, twenty-five thousand dollars.
- Port Bolivar, Tex.**
- Sabine Pass, Tex.**
- West Galveston Bay Channel, etc., Tex.**
- Brazos River, Tex. At the mouth.** Improving mouth of Brazos River, Texas: Continuing improvement and maintenance by dredging and repair of the jetties, one hundred thousand dollars.
- Velasco to Old Washington.** Improving Brazos River, Texas: Continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, twenty-five thousand dollars.

Improving Brazos River, Texas, from Old Washington to Waco: For the completion of lock and dam at Hidalgo Falls, fifty thousand dollars. Old Washington to Waco.

Improving Trinity River, Texas: Continuing improvement and for maintenance by open-channel work, forty thousand dollars. Trinity River, Tex.

Improving Cypress Bayou, Texas and Louisiana: For maintenance, two thousand five hundred dollars. Cypress Bayou, Tex. and La.

Improving Ouachita River, Arkansas and Louisiana: Continuing improvement by the construction of Locks and Dams Numbered Two, Four, Six, and Eight, two hundred and ninety-two thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said locks and dams, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate two hundred thousand dollars, exclusive of the amounts herein and heretofore appropriated. Ouachita River, Ark. and La.
Proviso.
 Contracts.

Improving Ouachita River, Arkansas and Louisiana: Continuing improvement by removing snags, leaning trees, and other obstructions between Camden and Arkadelphia, in the State of Arkansas, seven thousand five hundred dollars. Removing snags, etc.

Improving Arkansas River, Arkansas: For maintenance of improvement, including works at Pine Bluff and the operation of dredging plant, sixty-two thousand five hundred dollars. Arkansas River. Pine Bluff, Ark.

Improving Black and Current Rivers, Arkansas and Missouri: For maintenance, seven thousand one hundred dollars. Black and Current Rivers, Ark. and Mo.

Improving Cache River, Arkansas: For maintenance, three thousand dollars. Cache River, Ark.

Improving Saint Francis River, Arkansas: For maintenance of improvement of Saint Francis and L'Anguille Rivers, and Blackfish Bayou, two thousand five hundred dollars. Saint Francis River, etc., Ark.

Improving White River, Arkansas: For maintenance, eighteen thousand dollars. White River, Ark.

Improving Cumberland River above Nashville, Tennessee: Completing improvement for slack-water navigation between Lock and Dam Numbered Three, near Nashville, and Lock and Dam Numbered Seven, near Carthage, Tennessee, eighty-five thousand dollars. Cumberland River above Nashville, Tenn.

Improving Tennessee River above Chattanooga, Tennessee: Continuing improvement and for maintenance, sixty-five thousand dollars. Tennessee River above Chattanooga, Tenn.

Improving Tennessee River below Chattanooga, Tennessee, Alabama, and Kentucky: Continuing improvement and for maintenance by open-channel work from Chattanooga, Tennessee, to Riverton, Alabama, one hundred thousand dollars; continuing improvement and for maintenance below Riverton, Alabama, eighty thousand dollars. Below Chattanooga.

Improving Kentucky River, Kentucky: Continuing improvement by the construction of Locks and Dams Numbered Thirteen and Fourteen, one hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said locks and dams, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate two hundred and fifty thousand six hundred and fifty dollars, exclusive of the amounts herein and heretofore appropriated. Kentucky River, Ky. Locks and Dams Nos. 13 and 14.
Proviso.
 Contracts.

Improving harbor at Ashtabula, Ohio: The Secretary of War is hereby authorized to enter into a contract or contracts for such materials and work as may be necessary for the prosecution of this improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate four hundred and seventy-four thousand six hundred and seventy-five dollars, exclusive of the amounts heretofore appropriated. Ashtabula, Ohio. Contracts.

Conneaut, Ohio.
Proviso.
Contracts.

Improving harbor at Conneaut, Ohio: Continuing improvement, one hundred and sixty thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and twenty thousand seven hundred and thirty-eight dollars, exclusive of the amounts herein and heretofore appropriated.

Lorain, Ohio.

Improving harbor at Lorain, Ohio: For maintenance, five thousand dollars.

Toledo, Ohio.

Improving harbor at Toledo, Ohio: Continuing improvement, seventy-five thousand dollars.

Ohio River.

Locks and dams.
Proviso.
Contracts.

Improving Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of nine feet, two million dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate three million dollars, exclusive of the amounts herein and heretofore appropriated.

Open-channel work.

Improving Ohio River: Continuing improvement and for maintenance by open-channel work, two hundred and twenty-nine thousand five hundred dollars.

Alpena, Mich.

Improving harbor at Alpena, Michigan: For maintenance, ten thousand dollars.

Arcadia, Mich.

Improving harbor at Arcadia, Michigan: For dredging and maintenance, ten thousand dollars.

Frankfort, Mich.

Improving harbor at Frankfort, Michigan: For maintenance, ten thousand dollars.

Grand Haven, Mich.

Improving harbor at Grand Haven, Michigan: For maintenance, thirty-four thousand dollars.

Grand Marais, Mich.

Harbor of refuge at Grand Marais, Michigan: For maintenance, ten thousand dollars.

Holland, Mich.

Improving inner and outer harbor at Holland, Michigan: For maintenance, sixteen thousand dollars.

Ludington, Mich.

Improving harbor at Ludington, Michigan: For maintenance, ten thousand dollars.

Mackinac Harbor,
Mich.
Contracts.

Improving Mackinac Harbor, Michigan: The Secretary of War is hereby authorized to enter into a contract or contracts for such materials and work as may be required for the completion of this improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate fifty-five thousand dollars, exclusive of the amount heretofore appropriated.

Manistee, Mich.

Improving harbor at Manistee, Michigan: Completing improvement and for maintenance, ten thousand dollars.

Manistique, Mich.

Improving harbor at Manistique, Michigan: Completing improvement, one hundred and thirty-eight thousand four hundred and sixty-two dollars.

Marquette, Mich.
Harbor of refuge.
Harbor.

Harbor of refuge at Marquette Bay, Michigan: For maintenance, two thousand dollars.

Proviso.
Contracts.

Improving harbor at Marquette, Michigan: Continuing improvement and for maintenance, eighty-eight thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate three hundred and eleven thousand dollars, exclusive of the amounts herein and heretofore appropriated.

Muskegon, Mich.

Improving harbor at Muskegon, Michigan: For maintenance, ten thousand dollars.

- Improving harbor at Saugatuck, and Kalamazoo River, Michigan: Completing improvement and for maintenance, thirty thousand dollars. Saugatuck, and Kalamazoo River, Mich.
- Improving South Haven Harbor, Michigan: The Secretary of War is hereby authorized to enter into a contract or contracts for such materials and work as may be necessary for the completion of this improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and ninety-eight thousand dollars, exclusive of amounts heretofore appropriated. South Haven, Mich. Contracts.
- Improving Black River at Port Huron, Michigan: For maintenance, five thousand dollars. Black River, Mich.
- Improving Clinton River, Michigan: For maintenance, two thousand dollars. Clinton River, Mich.
- Improving Detroit River, Michigan: Continuing improvement in accordance with plan A, three hundred and seventy-five thousand dollars. Detroit River, Mich.
- Improving Rouge River, Michigan: For maintenance, five thousand dollars: *Provided*, That no part of this sum shall be expended at those points within the limits of the project where shoaling is due to caving banks until the banks shall have been protected by suitable docks or revetments constructed at the expense of the riparian interests. Rouge River, Mich. *Proviso.* Protection by riparian interests.
- Improving harbor at Ashland, Wisconsin: Continuing improvement and for maintenance, thirty thousand dollars. Ashland, Wis.
- Improving harbor at Kenosha, Wisconsin: For maintenance, eleven thousand dollars. Kenosha, Wis.
- Improving harbor at Kewaunee, Wisconsin: For maintenance, eighteen thousand dollars. Kewaunee, Wis.
- Improving harbor at Port Wing, Wisconsin: Continuing improvement and for maintenance, three thousand dollars. Port Wing, Wis.
- Improving Saint Croix River, Wisconsin and Minnesota: For maintenance, three thousand six hundred dollars. Saint Croix River, Wis. and Minn.
- Improving harbor at Agate Bay, Minnesota: For maintenance, two thousand dollars. Agate Bay, Minn.
- Improving Zippel Bay, Lake of the Woods, Minnesota: Completing improvement in accordance with the report submitted in House Document Numbered Twelve hundred and seventy-six, Sixty-first Congress, third session, twenty-seven thousand seven hundred and eighty-one dollars. Lake of the Woods, Zippel Bay, Minn.
- Improving Minnesota River, Minnesota: For maintenance, two thousand dollars. Minnesota River, Minn.
- Improving Red River of the North, Minnesota and North Dakota: For maintenance, seven thousand five hundred dollars. Red River of the North, Minn. and N. Dak.
- Improving harbor at Michigan City, Indiana: For maintenance, including repair and maintenance of the east breakwater, twenty-three thousand dollars. Michigan City, Ind.
- Improving Calumet River, Illinois and Indiana: For maintenance, ten thousand dollars. Calumet River, Ill. and Ind.
- Improving harbor at Chicago, Illinois: The Secretary of War is hereby authorized to enter into a contract or contracts for such materials and work as may be required for the prosecution and maintenance of this improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate two hundred and forty thousand dollars, exclusive of the amounts heretofore appropriated. Chicago, Ill. Contracts.
- Improving harbor at Waukegan, Illinois: For maintenance, ten thousand dollars. Waukegan, Ill.
- Improving Chicago River, Illinois: For maintenance, thirty-four thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be neces- Chicago River, Ill. *Proviso.* Contracts.

sary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and forty-two thousand six hundred dollars, exclusive of the amounts herein and heretofore appropriated.

Illinois and Mississippi Canal.

Improving Illinois and Mississippi Canal by raising Aqueduct One, Lock Four, one highway bridge and approaches and the banks of the canal where the canal crosses East Bureau Creek, just below the Chicago, Rock Island and Pacific Railway bridge across the same stream, one hundred and twenty-five thousand dollars.

Mississippi River Commission.
Mississippi River.
From Head of Passes to the Ohio.
Securing 9-foot channel.

Improving Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement, with a view to securing a permanent channel depth of nine feet, three million dollars, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees between the Head of Passes and Cape Girardeau, Missouri, and for surveys, including the survey from the Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river: *Provided*, That of the money hereby appropriated so much as may be necessary shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances and in the maintenance and operation of the same: *Provided further*, That the water courses connected with said river and the harbors upon it, now under the control of the Mississippi River Commission and under improvement, may, in the discretion of said commission, upon approval by the Chief of Engineers, receive allotments for improvements now under way or hereafter to be undertaken, to be paid for from the amounts herein appropriated.

Levees.

Surveys.

Proviso.
Dredge boats, etc.

Connecting water courses.

From the Ohio to the Missouri.

Improving Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, one million dollars.

From the Missouri to Minneapolis.

Improving Mississippi River from the mouth of the Missouri River to Minneapolis, Minnesota: Continuing improvement and for maintenance, one million two hundred and fifty thousand dollars: *Provided*, That of this amount so much as shall be necessary, not to exceed seventy-five thousand dollars, may, in the discretion of the Secretary of War, be expended for the repair and maintenance of existing levees constructed by the United States and for dredging for the benefit of through navigation in harbors and at landing places, giving preference to localities in which the communities interested shall hereafter maintain such dredging without cost to the United States.

Proviso.
Dredging, etc.

Saint Paul, Minn.
Changes of harbor lines.

The Secretary of War is hereby authorized to permit such changes of harbor lines and diversion of the channel of the Mississippi River at Saint Paul, Minnesota, as may be necessary to provide for the improvement of navigation, for suitable levees, transportation terminals, and landing places for shipping in said city.

Approval by Secretary of War, etc.

Such changes and diversion shall be shown by plans and plats to be prepared by the city of Saint Paul, which shall be filed with and approved by the Secretary of War and the Chief of Engineers before any work shall be done thereon, and any change therefrom shall be unlawful unless a plan and plat thereof shall have been previously filed with and approved by the Secretary of War and the Chief of Engineers: *Provided*, That the Secretary of War and the Chief of Engineers shall submit to Congress an estimate of the amount, character, and cost of any work deemed proper to be done by the United

Provisos.
Estimates, etc.

States in connection with the improvement herein authorized, the expense connected with the preparation of such estimate to be paid from the appropriation for examinations, surveys, and contingencies of rivers and harbors: *Provided further*, That neither this Act nor any action taken thereunder by the Secretary of War and the Chief of Engineers shall be construed as in any way committing the United States to any expense or obligation without further direction of Congress.

Further action of Congress required.

As a condition thereof it shall be agreed by the said city of Saint Paul as a part of said proposed plan that the said levees and landing places for shipping shall remain under the ownership or control of the said municipality unless otherwise authorized by Congress.

Ownership of levees, etc.

Improving Mississippi River from Saint Paul to Minneapolis, Minnesota: Continuing improvement, two hundred and fifty thousand dollars.

From Saint Paul to Minneapolis.

Reservoirs at headwaters of Mississippi River: Completing construction of canal between Lake Winnibigoshish and Leech Lake, ten thousand dollars.

Canal, Lake Winnibigoshish to Leech Lake.

Improving Missouri River, with a view to securing a permanent six-foot channel between Kansas City and the mouth of the river: The Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate six hundred thousand dollars, exclusive of the amounts heretofore appropriated.

Missouri River. Kansas City, Mo., to mouth. Six-foot channel. Contracts.

Improving Gasconade River, Missouri: Continuing improvement and for maintenance, ten thousand dollars.

Gasconade River, Mo.

Improving Osage River, Missouri: Continuing improvement and for maintenance, fifteen thousand dollars.

Osage River, Mo.

Improving harbor at Humboldt Bay, California: For maintenance of improvement of the channel in front of Eureka, fifteen thousand dollars.

Humboldt Bay, Cal. Channel at Eureka.

Improving harbor at Humboldt Bay, California: Continuing improvement, one hundred and seventy thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate seven hundred and seventeen thousand four hundred dollars, exclusive of the amounts herein and heretofore appropriated.

Harbor. *Proviso.* Contracts.

Improving Los Angeles Harbor, California: Continuing improvement by dredging, two hundred and seventy thousand dollars: *Provided*, That if in the judgment of the Secretary of War the prices received in response to advertisement for bids for dredging are not reasonable, so much of the amount herein appropriated as shall be necessary may be expended for the purchase or construction of a suitable dredging plant.

Los Angeles, Cal. *Proviso.* Dredging plant.

Improving harbor at Oakland, California: Continuing improvement, one hundred and fifty thousand dollars: *Provided*, That if in the judgment of the Secretary of War the prices received in response to advertisement for bids for dredging are not reasonable, so much of the amount herein appropriated as shall be necessary may be expended for the purchase or construction of a suitable dredging plant.

Oakland, Cal. *Proviso.* Dredging plant.

Improving channel over Pinole Shoal, San Pablo Bay, California, in accordance with the report submitted in House Document Numbered Eleven hundred and three, Sixtieth Congress, second session, including the construction of a dredge for maintenance, four hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate

San Pablo Bay, Cal. Channel over Pinole Shoal.

Proviso. Contracts.

provided all the work so done shall be in accord with the project herein adopted and satisfactory to the Secretary of War."

Improving Columbia River, Washington: For maintenance of improvement between the mouth of Willamette River and the city of Vancouver, Washington, three thousand dollars.

Columbia River.
From the Willamette
to Vancouver, Wash.

Improving Columbia River between the foot of The Dalles Rapids and the head of Celilo Falls, Oregon and Washington: Continuing improvement, six hundred thousand dollars.

The Dalles Rapids
to Celilo Falls.

Improving Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oregon and Washington: Continuing improvement, twenty-five thousand dollars.

Celilo Falls to Snake
River.

Improving Snake River, Oregon, Washington, and Idaho: Continuing improvement and for maintenance up to Pittsburg Landing, Oregon, fifteen thousand dollars.

Snake River, Oreg.,
Wash., and Idaho.

Improving harbor at Bellingham, Washington: Continuing improvement, in accordance with the report submitted in House Document Numbered Eleven hundred and sixty-one, Sixtieth Congress, second session, and subject to the conditions relative to cooperation on the part of local interests as set forth in said document, twenty-five thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate fifty-two thousand two hundred and fifty dollars, exclusive of the amounts herein and heretofore appropriated.

Bellingham, Wash.

Cooperation by local
interests.

Proviso.
Contracts.

Improving Grays Harbor and Bar Entrance, Washington: Continuing improvement by means of extension of north jetty, three hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate six hundred and fifty-five thousand dollars, exclusive of the amounts herein and heretofore appropriated.

Grays Harbor, Wash.

Proviso.
Contracts.

Improving harbor at Olympia, Washington: Completing improvement in accordance with the report of the Board of Engineers for Rivers and Harbors, dated March ninth, nineteen hundred and eight, and printed in Rivers and Harbors Committee Document Numbered Five, Sixty-first Congress, second session, and subject to the conditions relative to cooperation on the part of local interests as set forth in said document, forty-three thousand dollars.

Olympia, Wash.

Cooperation by local
interests.

Improving Willapa River and Harbor, Washington: Continuing improvement in accordance with the report submitted in House Document Numbered Five hundred and twenty-four, Sixty-first Congress, second session, and subject to the conditions relative to cooperation on the part of local interests, as set forth in said document, fifty thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and eighteen thousand one hundred and thirty-two dollars, exclusive of the amounts herein and heretofore appropriated.

Willapa River and
Harbor, Wash.

Cooperation by local
interests.

Proviso.
Contracts.

Improving Chehalis River, Washington: Completing improvement, ten thousand dollars.

Chehalis River,
Wash.

Improving Cowlitz and Lewis Rivers, Washington: For maintenance, including North Fork of Lewis River, two thousand five hundred dollars.

Cowlitz and Lewis
Rivers, Wash.

Improving Grays River, Washington: For maintenance, five hundred dollars.

Grays River, Wash.

Puget Sound, etc., Wash.	Improving Puget Sound, Washington: Continuing improvement and for maintenance of Puget Sound and its tributary waters, twenty thousand dollars.
Snohomish River, Wash. Proviso. Contracts.	Improving Snohomish River, Washington: Continuing improvement, seventy-five thousand dollars: <i>Provided</i> , That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate one hundred and eighty thousand dollars, exclusive of the amounts herein and heretofore appropriated.
Hilo, Hawaii. Provisos. Contracts.	Improving harbor at Hilo, Hawaii: Continuing improvement, two hundred and fifty thousand dollars: <i>Provided</i> , That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate two hundred and fifty thousand dollars, exclusive of the amounts herein and heretofore appropriated: <i>Provided further</i> , That the Secretary of War be authorized to have a resurvey made of Hilo Harbor with a view to determining whether a modification of the adopted project can be made which will increase the commercial facilities of the harbor without increasing the original limit of cost of the work.
Resurvey authorized.	
Kahului Harbor, Hawaii.	Improving Kahului Harbor, Hawaii: Continuing improvement, one hundred and fifty thousand dollars.
Depth of waters defined.	The depth of water in tidal waters, as well as in rivers and nontidal channels, whenever referred to in this Act shall be understood to mean the depth at mean low water unless otherwise expressed.
Maintenance, etc., of existing works.	Appropriations made for the respective works herein named, or so much thereof as may be necessary, may, in the discretion of the Secretary of War, be used for maintenance and for the repair and restoration of said works whenever from any cause they have become seriously impaired, as well as for the further improvement of said works.
Surveys, etc., paid from amount for project.	Surveys and examinations provided for in this section shall, unless otherwise expressed, be paid for from the appropriations made for the respective improvements or projects to which they pertain or in connection with which they are mentioned.
Works by contract or otherwise.	All works of improvement herein or hereafter authorized to be prosecuted or completed under contracts may, in the discretion of the Secretary of War, be carried on by contract or otherwise, as may be most economical or advantageous to the United States.
Allotment of consolidated works.	Where separate works or items are consolidated in this Act and an aggregate amount is appropriated therefor, the amounts herein appropriated shall, unless otherwise expressed, be expended in securing maintenance and improvement according to the respective projects herein or heretofore adopted by Congress, after giving due regard to the respective needs of traffic. The allotments to the respective works herein consolidated shall be made by the Secretary of War upon recommendations by the Chief of Engineers. In case such works or items are consolidated and separate amounts are given with each project, the amounts so named shall be expended upon such separate projects unless, in the discretion of the Secretary of War, another allotment or division should be made of the same. Any balances now remaining to the credit of the consolidated items in this Act shall be carried to the credit of the respective aggregate amounts appropriated for the consolidated items herein contained.
Balances carried to authorized works.	
Classification of traffic statistics.	In the collection of statistics relating to traffic, the Corps of Engineers is directed to adopt a uniform system of classification for freight, and upon rivers or inland waterways to collate ton-mileage statistics as far as practicable.

SEC. 2. That for examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, the sum of three hundred thousand dollars is hereby appropriated: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless ordered by a concurrent resolution of Congress: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until funds for the commencement of the proposed work shall have been actually appropriated by law.

Appropriation for examinations, etc.

Provisos.
Authority required.

Supplementary reports restricted.

Special authority to begin work required.

The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, and a sufficient sum to pay the cost thereof may be allotted from the amount appropriated in this section:

Allotment of preliminary examinations.

Rockland Harbor, Maine, at and near Atlantic Point.

Maine.

Kennebec River, channel west of Swan Island, Maine.

Bluehill Inner Harbor, Maine.

Winter Harbor, Maine.

Carvers Harbor, Vinalhaven, Maine.

Boston Harbor, Massachusetts, with a view to the construction of a sea wall along Winthrop Beach.

Massachusetts.

Cohasset Harbor, Massachusetts, with a view to the construction of a channel one hundred and fifty feet in width and eight feet in depth.

Providence River and Harbor, Rhode Island, with a view to deepening the channel to thirty feet.

Rhode Island.

Mystic River, Connecticut, from the drawbridge between Groton and Stonington to the head of navigation.

Connecticut.

Hudson River, New York, with a view to increasing the width of the channel between the Albany and Greenbush bridge and the New York Central and Hudson River Railroad passenger bridge.

New York.

Hudson River, New York, with a view to securing a suitable depth along the front of Rensselaer between the lower and middle bridges.

New York Harbor, New York, with a view to securing a suitable depth of channel to the navy yard.

For a deep-water connection with suitable terminals that may be established at North Tonawanda at the head of the New York State Barge Canal.

Fort Pond Bay, Suffolk County, New York.

New York Harbor, New York, with a view to securing increased width and depth of water from a point at or near Southwest Spit, northwest of Sandy Hook, New Jersey, through Lower New York Bay, Raritan Bay, and the channel between New Jersey and Staten Island, New York, to the channel in Upper New York Bay.

Niagara River, New York, with a view to securing a depth of fourteen feet in the channel between Navy and Grand Islands leading to the foot of Sugar Street, in the city of Niagara Falls.

Delaware River, at Morrisville, Pennsylvania.

Pennsylvania.

Allegheny River, Pennsylvania, with a view to the construction of additional locks and dams.

Leipsic River, Delaware.

Delaware.

Appoquinimink River, Delaware.

Mispyllion River, Delaware.

Murderkill River, Delaware.

Little River, Delaware.

Elk River and Little Elk River, Maryland.

Maryland.

Channel connecting Miles River and Tred Avon River near Royal Oak, Maryland.

Susquehanna River, Maryland.

Manokin River, Maryland.

Virginia.

Harbor at Newport News, Virginia, and waters near, in, and about the city of Newport News, with a view to securing increased anchorage area for small craft.

Cape Charles City Harbor, Virginia, with a view to straightening the north side of channel at the entrance and increasing the width of the channel to two hundred feet.

Western Branch of Elizabeth River, Virginia, with a view to deepening and widening the approach thereto.

Potomac River, at Colonial Beach, Virginia, with a view to a proper approach to the landing place.

North Carolina.

Pamlico River, North Carolina, with a view to improving the inner channel on the north side of that river, and with a further view of removing any excavated material which may have heretofore been placed therein by the War Department, beginning at the mouth of Runyons Creek, on the north side of said river, below Washington, North Carolina, and extending eastwardly down said river as far as may be necessary.

Northeast Cape Fear River, North Carolina, from its mouth to Hallsville.

Chowan River, North Carolina.

Conoby Creek, North Carolina.

Deep Creek, North Carolina, from its mouth on Albemarle Sound to the head of navigation.

South River, North Carolina, with a view to obtaining increased depth above Aurora.

Swift Creek, Craven County, North Carolina, with a view to dredging a channel through Horse Shoe Bend and Poplar Branch.

South Carolina.

Basin of Winyah Bay, South Carolina, with a view to providing a uniform depth of eighteen feet at mean low water and to giving increased harbor facilities to the city of Georgetown.

Georgia.

Darien Harbor and Doboy Bar, Georgia, with a view to securing the same depth on the bar as in the harbor, namely, twelve feet at mean low water.

Tugaloo River, Georgia and South Carolina, from its mouth to Fort Madison, South Carolina.

Florida.

Clearwater Harbor, Florida, from the mouth of the Anclote River to the beginning of the channel now being constructed by the Government from the south end of Clearwater Harbor into and through Boca Ceiga Bay, thence into Tampa Bay.

Saint Johns River, Florida, from deep water at or below Commodores Point to deep water above Sixmile Creek westward of the middle ground between Arlington Cut and the western shore of the river, including a full consideration of the desirability and propriety of cooperation on the part of riparian owners.

Saint Marks River, Florida, from the town of Saint Marks to the Gulf of Mexico.

Channel between the Saint Johns River, Florida, and Cumberland Sound, by way of the Sisters Creek out of the Saint Johns River, with a view to straightening and deepening the channel.

Harbor at Saint Petersburg, Florida.

Carrabelle Harbor, Florida, with a view to securing a depth of twenty-one feet in the channel from the Gulf of Mexico to deep water in Saint George Sound by way of East Pass; also for a channel of the same depth from the Gulf to Carrabelle.

Pithlachascotee River, Florida.

Saint Lucie Inlet, Florida, with a view to obtaining a depth of from twelve to fourteen feet.

Wekiva River, Florida.

Alabama River, Alabama, with a view to the construction of a lock and dam between Montgomery and Selma. Alabama.

Bayou Lafourche, Louisiana, with a view to securing a depth of twenty feet at its mouth. Louisiana.

Bayou Chastaing, Louisiana.

Mermentau River, Louisiana, with a view to the construction of a lock and dam to maintain the level of Grand Lake and the inland waterways of Louisiana.

Ponchatoula River, Louisiana.

Tangipahoa River, Louisiana.

For a lock in the proposed dam at the foot of Caddo Lake, Louisiana and Texas, and a channel from said dam to the Red River by way of Big Pass, Little Pass, Soda Lake, Twelvemile Bayou, and Cross Bayou. Louisiana and Texas.

Guadalupe River, Texas, to Victoria, with a view to improvement by locks and dams. Texas.

Colorado River, Texas, with a view to improvement by locks and dams.

The mouth of the Brazos River to Velasco, Texas.

Green River, Kentucky, at and near Lock and Dam Numbered Three, near Rochester, with a view to the diversion of the waters of Mud River from its present mouth above the said lock and dam to a suitable point below. Kentucky.

North Fork of Kentucky River, Kentucky, with a view to the removal of obstructions.

Survey and estimate of the cost of improving the Cuyahoga River, Ohio, from its mouth to a more southerly connection with the Ohio Canal, with a view to eliminating bends and securing a navigable depth of twenty-one feet, with suitable width; and the said survey and estimate shall include a report on any proposition for cooperation by localities affected thereby. Ohio.

Petoskey Harbor, Michigan.

White Lake Harbor, Michigan, from the mouth of the channel to White Lake. Michigan.

Pentwater Harbor, Michigan, from the mouth of the channel to Pentwater Lake.

Saint Joseph Harbor, Michigan, with a view to its further improvement by the removal of a shoal and the securing of increased width and depth of channel below the Pere Marquette Railroad bridge.

Brule Harbor, Wisconsin.

Cornucopia Harbor, Wisconsin.

Manitowoc Harbor and River, Wisconsin, with a view to their further improvement to meet the demands of commerce by the deepening of said river and by the enlargement of the dredged area of the basin inside the breakwaters, or otherwise; also with a view to the creation of a harbor of refuge within said river and basin. Wisconsin.

Lake of the Woods, at or near Arnesen, Minnesota, with a view to securing increased harbor facilities. Minnesota.

Indiana Harbor, Indiana, with a view to the construction of a breakwater to protect the entrance of the harbor. Indiana.

Mississippi River between Calhoun Point and Mason Island, Illinois.

Crescent City Harbor, California.

Newport Harbor, California.

Richmond Harbor, California.

Santa Barbara Harbor, California.

San Joaquin River, California, with a view to its improvement up to a point at or near Herndon by means of locks and dams, or otherwise. Illinois. California.

Fremont Channel and McLeod Lake arms of Stockton Channel, San Joaquin River, California.

Mokelumne River, California, with a view to its improvement from the Galt-New Hope Bridge to a point at or near Woodbridge.

Oregon.

Nehalem River, Oregon.

Nehalem Bar and entrance to Nehalem Bay, Oregon, with view to improvement of same in cooperation with local interests.

Oregon Slough branch of Columbia River, Oregon, including a consideration of any proposition for cooperation by localities affected thereby.

Yaquina River, Oregon, from Toledo to Yaquina, with report upon any proposition for cooperation by local interests.

Alaska.

Entrance to Kuskokwim River, through Kuskokwim Bay, Alaska. Sergius Narrows, Alaska.

Apoon mouth of Yukon River from Pastol Bay to the mouth of Kotlik River, Alaska.

Porto Rico.

San Juan Harbor, Porto Rico.

Report of examinations.

In all cases a preliminary examination of the river, harbor, or other proposed improvement mentioned shall first be made, and a report as to the advisability of its improvement shall be submitted, unless a survey or estimate is herein expressly directed. If upon such preliminary examination the proposed improvement is not deemed advisable, no further action shall be taken thereon without the further direction of Congress; but in case the report shall be favorable to such proposed improvement, or that a survey and estimate should be made to determine the advisability of improvement, the Secretary of War is hereby authorized, in his discretion, to cause surveys to be made, and the cost and advisability to be reported to Congress. And such reports containing plans and estimates shall also contain a statement as to the rate at which the work should be prosecuted.

Unfavorable reports.

Survey, etc., if favorable.

Requirements.

Printing of examinations, etc., during recess.

All reports on examinations and surveys which may be prepared during the recess of Congress shall, in the discretion of the Secretary of War, be printed by the Public Printer as documents of the following session of Congress.

Review of reports, etc., by Board of Engineers for Rivers and Harbors.

Vol. 32, p. 372.

SEC. 3. That all reports on examinations and surveys authorized in any section of this Act shall be reviewed by the Board of Engineers for Rivers and Harbors as provided for in section three of the river and harbor Act approved June thirteenth, nineteen hundred and two, and all special reports ordered by Congress shall, in the discretion of the Chief of Engineers, be reviewed in like manner by said board.

National Waterways Commission.

Vol. 35, p. 819, amended.

Term continued until Nov. 4, 1911.

SEC. 4. That so much of section seven of the river and harbor Act approved March third, nineteen hundred and nine, as provides that the term of the National Waterways Commission shall expire on March fourth, nineteen hundred and eleven, be, and the same is hereby, repealed; and the said commission, with its present membership and as now constituted, shall be continued until November fourth, nineteen hundred and eleven, with the powers and duties prescribed in said Act. And the said commission shall make a final report to Congress and file the same with the Secretary of the Senate and the Clerk of the House of Representatives not later than November fourth, nineteen hundred and eleven. Said commission is also authorized to investigate and report upon the advisability and feasibility of proposed artificial waterways and upon proposed plans for the impounding of flood waters in rivers, by reservoirs or otherwise, including the following: First, the construction by the United States of the proposed canal from the Ohio River, at a point near Pittsburg, to Lake Erie, the expense thereof being borne by local interests affected; second, the proposed canal from Lake Erie, by way of the Maumee River and Fort Wayne, or other direct and feasible route, to the southerly end of Lake Michigan; and, third, the proposed canal to connect the Anacostia River at some point near the District of Columbia boundary line with Chesapeake Bay, or some tributary

Final report.

To investigate, etc., artificial waterways, and flood reservoirs.

Canal from the Ohio to Lake Erie.

Canal from Lake Erie to Lake Michigan.

Canal, Anacostia River, D. C., to Chesapeake Bay.

thereof. For the obtaining of the necessary engineering data the commission is authorized to call upon the Corps of Engineers, United States Army, and said corps shall furnish said data upon the request of the commission, and the expense of obtaining the same shall be paid from the appropriation made by said Act.

SEC. 5. That the Corps of Engineers of the United States Army is hereby increased by five colonels, six lieutenant colonels, nineteen majors, seventeen captains, and thirteen first lieutenants. The increase in each grade hereby provided for shall be extended over a period of five years as nearly as practicable, and the original vacancies hereby created in each grade shall be filled by promotion from the next lower grade in accordance with existing law: *Provided*, That officers of the Corps of Engineers, when on duty under the Chief of Engineers, connected solely with the work of river and harbor improvements may, while so employed, be paid their pay and commutation of quarters from the appropriations for the work or works upon which they are employed: *Provided further*, That whenever it shall be necessary, in order to properly prosecute works of river and harbor improvement, the Chief of Engineers is authorized to detail for duty in charge of river and harbor districts or as members of boards of engineers any assistant engineers in the employ of the Engineer Bureau of the War Department. Vacancies in the grade of second lieutenant in the Corps of Engineers shall hereafter be filled, as far as may be consistent with the interests of the military service, by promotions from the Corps of Cadets at the United States Military Academy: *Provided*, That vacancies remaining in any fiscal year after the assignment of cadets of the class graduating in that fiscal year may be filled from civil life as hereinafter provided: *And provided further*, That the proportion of any graduating class assigned to the Corps of Engineers shall not be less than the proportion which the total number of officers authorized at date of graduation for that corps bears to the total number of officers authorized at same date for all branches of the Army to which cadets are eligible for promotion upon graduation, except when such a proportionate number is more than the number of vacancies existing at date of graduation plus the number of retirements due to occur in the Corps of Engineers prior to the first day of the following January. To become eligible for examination and appointment, a civilian candidate for the appointment as second lieutenant must be an unmarried citizen of the United States between the ages of twenty-one and twenty-nine, who holds a diploma showing graduation in an engineering course from an approved technical school, and is eligible for appointment as a junior engineer under the Engineer Bureau of the War Department. Selection of eligible civilians for appointment, including term of probation, shall be made as the result of such competitive examination into the mental, moral, and physical qualifications, and under such rules and regulations as shall be recommended by the Chief of Engineers and approved by the Secretary of War.

Approved, February 27, 1911.

CHAP. 167.—An Act For rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce and Labor be, and he is hereby, authorized to rebuild and improve the present light and fog signal at Lincoln Rock, Alaska, or establish a light and fog-signal station upon a different site near by, at a cost not to exceed twenty-five thousand dollars.

Approved, February 27, 1911.

Data from Engineer Corps.

Army. Engineer Corps increased. Vol. 33, p. 263.

Extended over five years. Original vacancies.

Provisos. Officers on river and harbor duty to be paid from appropriation for the work.

Details of assistant engineers.

Filling vacancies in grade of second lieutenants. From Military Academy.

From civil life.

Assignment of graduating cadets.

Eligibility for appointments from civil life.

Examinations, etc.

February 27, 1911.

[S. 10015.]

[Public, No. 426.]

Lincoln Rock, Alaska. New light, etc., station for.

Post, p. 1430.