

grounds for birds by any law, proclamation, or Executive order, except under such rules and regulations as may be prescribed from time to time by the Secretary of Agriculture.

SEC. 2. That any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding five hundred dollars or be imprisoned for a period not exceeding six months, or shall suffer both fine and imprisonment, in the discretion of the court: *Provided*, That the provisions of this Act shall not apply to the Black Hills Forest Reservation, in South Dakota.

Penalty.

*Proviso.*  
Black Hills Reser-  
vation excepted.

Approved, June 28, 1906.

**CHAP. 3566.**—An Act Permitting the building of a dam across the Mississippi River between the counties of Stearns and Sherburne, in the State of Minnesota.

June 28, 1906.  
[H. R. 19431.]

[Public, No. 315.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to The Saint Cloud Electric Power Company, a Minnesota corporation, its successors or assigns, to construct and maintain across the Mississippi River a dam, canal, and works necessarily incident thereto for water power and supply purposes, and a lock for navigation purposes, which lock shall be operated and kept in repair, as may be required by the Secretary of War, by the said company at its own expense, at any point between section seven, township one hundred and twenty-three, range twenty-seven, in the county of Stearns and State of Minnesota, and section twenty-five, township thirty-five, range thirty-one, and sections thirty and thirty-one, in township thirty-five, range thirty west, in Sherburne County, Minnesota: *Provided*, That the plans for the construction of such dam and appurtenant works including a lock shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *And provided further*, That the said The Saint Cloud Electric Power Company, its successors and assigns, shall not deviate from such plans after such approval, either before or after the completion of said structure, unless the modification of such plans shall have previously been submitted to and received the approval of the Chief of Engineers and the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway, so arranged so as to permit logs, timber, and lumber to pass around, through, and over said dam without unreasonable delay or hinderance and without toll or charges: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time construct in connection therewith any further suitable lock for navigation purposes and may at any time without compensation control the said dam so far as shall be necessary for purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce at the expense of the owners such modifications and changes in the construction of said dam as he may deem advisable in the interest of navigation: *And provided further*, That in consideration of the conveyance to the United States of America by said corporation, or its successors or assigns, of such suitable tract or tracts of land as may be approved or selected by the Chief of Engineers and the Secretary of War for lock or other purposes for such navigation as aforesaid, the right shall become and the same is hereby vested in the said The Saint Cloud Electric Power Company, its successors and assigns, to flow and inundate with water any

Mississippi River.  
Saint Cloud Power  
Company may dam,  
in Minnesota.

Location.

*Provisos.*  
Approval of plans.

Changes.

Sluiceway.

Lock for navigation

Flowage rights.

islands in the Mississippi River situate above said proposed site and situated southerly of the municipal limits of Saint Cloud, Stearns County, Minnesota, which may belong to the United States of America and which have not been subjected to any entry under the homestead laws or other disposition at the time of the passage of this Act, such right of flowage to be enjoyed without any compensation to be paid to the United States of America, save and except the value of said lands so to be conveyed for lock or other purposes.

Fishways.

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

Litigation.

SEC. 3. That in case any litigation arises from the building of said dam or locks or from the obstruction of said river by said dam or appurtenant works cases may be tried in the proper courts as now provided for that purpose in the State of Minnesota or in the courts of the United States.

Amendment.

SEC. 4. That the right to amend, alter, or repeal this Act is hereby expressly reserved, and the same shall become null and void unless the construction of the dam hereby authorized is commenced within one year after the passage of this Act and completed within three years thereafter.

Time of construction.

Approved, June 28, 1906.

June 28, 1906.  
[H. R. 19666.]

**CHAP. 3567.**—An Act To authorize the Coraopolis and Osborne Bridge Company to construct a bridge over the Ohio River.

[Public, No. 316.]

Ohio River.  
Coraopolis and Osborne Bridge Company may bridge.

Location.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Coraopolis and Osborne Bridge Company, a corporation organized under the laws of the State of Pennsylvania, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River from a point on Fourth avenue, near Watt street, in the borough of Coraopolis, to a point on Beaver street or road (about five-eighths of a mile southeast of the line of Sewickley Borough), in the borough of Osborne, all in Allegheny County, in the State of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.*

Ante, p. 84.

Amendment.

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

Approved, June 28, 1906.

June 28, 1906.  
[H. R. 19680.]

**CHAP. 3568.**—An Act Directing the Secretary of War to cause an examination and survey to be made of Coney Island channel.

[Public, No. 317.]

Coney Island channel, N. Y.  
survey authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made of Coney Island channel, New York, with a view to estimating the cost of securing a channel twenty feet deep and six hundred feet wide at low tide, extending from deep water southwest of Nortons Point eastwardly to deep water off Rockaway Inlet and across the bar lying west of Rockaway Inlet to deep water in Jamaica Bay.*

Approved, June 28, 1906.