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obstruction or alleged obstruction to the free navigation of said river, the case may be brought in the district court of the United States for the district of Minnesota: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt said bridge from the operation of same.

Proviso.
Protection to navigation.

Use by other companies.

SEC. 4. That all railroad companies desiring to use the said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and the approaches thereto upon the payment of a reasonable compensation for such use, which compensation may be different in case of different railways. In case of disagreement as to compensation for the use of said bridge the difference shall be determined by the Secretary of War upon hearing the allegations and proof of the parties in interest.

Secretary of War to approve plans, etc.

SEC. 5. That the bridge authorized to be constructed under this Act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of said bridge, and a map of the location, giving, for the space of one mile above and one mile below the proposed location of the bridge, the topography of the bank of the river, with shore line at high and low water, the direction and strength of the currents at all stages, and the soundings accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject. And until said plans and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the process of construction or after completion, such change shall be subject to the approval of the Secretary of War.

Time of construction.

SEC. 6. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within four years from the date hereof.

Amendment.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 27, 1902.

June 28, 1902.
[Public, No. 180.]

CHAP. 1299.—An Act To amend an Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June thirteenth, nineteen hundred and two.

Cumberland River, Tenn.
Improvement of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June thirteenth, nineteen hundred and two, be, and the same is hereby, amended so that the two paragraphs thereof providing for the improvement of the Cumberland River, Tennessee, below Nashville, and of the Cumberland River, Tennessee, above Nashville, shall read as follows:

Ante, p. 358.

Lock and dam at Harpeth Shoals.

"Improving Cumberland River, Tennessee, below Nashville: For the completion of the lock and dam at Harpeth Shoals and for maintenance, one hundred and eighty thousand dollars.

Lock and Dam No. 1.

"Improving Cumberland River, Tennessee, above Nashville: Continuing improvement, and for maintenance, two hundred thousand dollars, of which so much as may be necessary shall be used for the completion of Lock and Dam Numbered One. And the Secretary of

Water-power leases, etc.

War is hereby authorized, in his discretion, to grant leases or licenses to the highest responsible bidder for the use of the water power created by said dam, at such a rate and on such conditions and for such periods of time as may seem to him expedient; and he is also authorized, in his discretion, to issue permits for the construction, maintenance, and operation of inlet and outlet canals and other structures, on such plans as he may approve, for the diversion of the water aforesaid: *Provided*, That any lease or license so granted shall be limited to the use of the surplus water not required for navigation, and no structures shall be built and no operations be conducted which shall in any manner injure navigation, interfere with the operations of the Government, or impair the usefulness of any improvement made by the Government for the benefit of navigation; and the right of Congress to alter, amend, or repeal the provisions of this paragraph is hereby expressly reserved: *Provided further*, That before leasing or licensing such water privileges, or issuing permits for the construction and operation of such canals, or otherwise disposing of any water power or privilege, the Secretary of War shall first advertise the same in one or more daily papers at Nashville, for sixty days immediately preceding, stating specifically the right or privilege proposed to be leased or conveyed, with its exact limitations, inviting bids for the same, and he may, in his discretion, then lease the same for a specific term of years at so much per year, to be paid semiannually in cash into the Treasury, and the Secretary of War shall reserve the right to reject any or all bids.

Permits for construction, etc., of canals.

Provisos.

Protection to navigation.

Proposals.

Payments.

Approved, June 28, 1902.

CHAP. 1300.—An Act Making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes.

June 28, 1902.
[Public, No. 181.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and three:

Military Academy appropriations.

PERMANENT ESTABLISHMENT.

Permanent establishment.

For pay of seven professors, twenty-two thousand five hundred dollars;

Pay of professors, etc.

For pay of one chaplain, two thousand dollars;

For pay of one associate professor of mathematics, two thousand dollars;

Provided, That the professors and the associate professor of the United States Military Academy shall have the actual rank in the United States Army now assigned to them by assimilation in the regulations of the Military Academy prescribed by the President of the United States, and that they shall exercise command only in the academic department of the United States Military Academy.

Proviso.
Rank.

For pay of the master of the sword, one thousand six hundred dollars;

Master of the sword.

For pay of cadets, two hundred and thirty thousand dollars;

Cadets.

Provided, That hereafter the pay of cadets shall be fixed at five hundred dollars per annum and one ration per day, or commutation therefor, such commutation to be thirty cents per day, to be paid from the appropriation for the subsistence of the Army.

Provisos.
Pay and commutation.
R. S., sec. 1339, p. 228, amended.

Provided further, That hereafter the actual and necessary traveling expenses of candidates while proceeding from their homes to the Mil-

Traveling expenses.