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as a drawbridge, so that a free and unobstructed passageway may be secured to all water craft navigating said river. The draws shall be opened promptly, upon reasonable signals, for the passage of boats or vessels, and the said company shall maintain at its own expense, from sunset to sunrise, such lights or other signals as the Light-House Board shall prescribe.

Lights, etc.

SEC. 5. That all railroad companies desiring the use of the said bridges shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and over the approaches thereto, upon the payment of reasonable compensation for such use; and in case the owner or owners of said bridges, and the several railroad companies, or any one of them, desiring such use, shall fail to agree upon the sum or sums to be paid and upon rules and conditions to which each shall conform in using said bridges, all matters in issue between them shall be decided by the Secretary of War upon the hearing of the allegations and proofs of the parties.

Use by other roads.

Compensation.

SEC. 6. That the right to alter, amend, or repeal this Act is expressly reserved; and this Act shall be null and void if actual construction of the bridges herein authorized be not commenced within one year and completed within three years from the approval of this act.

Amendment.

Time of construction.

Approved, February 18, 1905.

CHAP. 591.—An Act Permitting the building of a dam across the Mississippi River between the village of Sauk Rapids, Benton County, Minnesota, and the city of Saint Cloud, Stearns County, Minnesota.

February 20, 1905.
[S. 5972.]
[Public, No. 83.]

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 Sauk Rapids Manufacturing Company, a corporation organized under the laws of the State of Minnesota, its successors or assigns, to build a dam across the Mississippi River at the Sauk Rapids, so called, in said river, and between the village of Sauk Rapids, in Benton County, Minnesota, and the city of Saint Cloud, or an addition thereof, in Stearns County, Minnesota, for the development of water power, and such works and structures in connection therewith as may be necessary or convenient in the development of said power and in the utilization thereof: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the construction of the same: *And provided further*, That the said Sauk Rapids Manufacturing Company, its successors or assigns, shall not deviate materially from said plans after such approval, either before or after the completion of said structures, unless the modification of said plans shall have been submitted previously to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, or over said dam without unreasonable delay or hindrance and without toll or charges: *And provided further*, That said dam shall be so constructed that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes, and may at any time, without compensation, control said dam so far as shall be necessary for purposes of navigation, but shall not destroy or reduce the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the

Mississippi River.
Sauk Rapids Manufacturing Company may dam, at Sauk Rapids, Minn.

Provisos.
Secretary of War to approve plans, etc.

Modification of plans.

Sluiceway.

Aids to navigation.

Changes.

Fishways.

construction of said dam as he may deem advisable in the interests of navigation: *And provided further*, That suitable fishways, to be approved by the United States Fish Commissioner, shall be constructed and maintained at said dam by said company, its successors or assigns.

Litigation.

SEC. 2. That in case any litigation arises from the building of said dam, or from the obstruction of said river by said dam or appurtenant works, such cases may be tried in the proper courts, as now provided for that purpose in the State of Minnesota and in the courts of the United States: *Provided*, That nothing in this Act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt said structures from the operation of the same.

Proviso.
Existing laws not affected.

Time of construction.

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

Amendment.

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

Approved, February 20, 1905.

February 20, 1905.
[H. R. 16560.]
[Public, No. 84.]

CHAP. 592.—An Act To authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same.

Trade-marks.
Laws of, extended to interstate commerce.
R. S., sec. 4937, p. 955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the owner of a trade-mark used in commerce with foreign nations, or among the several States, or with Indian tribes, provided such owner shall be domiciled within the territory of the United States, or resides in or is located in any foreign country which, by treaty, convention, or law, affords similar privileges to the citizens of the United States, may obtain registration for such trade-mark by complying with the following requirements: First, by filing in the Patent Office an application therefor, in writing, addressed to the Commissioner of Patents, signed by the applicant, specifying his name, domicile, location, and citizenship; the class of merchandise and the particular description of goods comprised in such class to which the trade-mark is appropriated; a description of the trade-mark itself, and a statement of the mode in which the same is applied and affixed to goods, and the length of time during which the trade-mark has been used. With this statement shall be filed a drawing of the trade-mark, signed by the applicant, or his attorney, and such number of specimens of the trade-mark, as actually used, as may be required by the Commissioner of Patents. Second, by paying into the Treasury of the United States the sum of ten dollars, and otherwise complying with the requirements of this Act and such regulations as may be prescribed by the Commissioner of Patents.

Application requirements.

Reduction of fee.

Verified declaration of ownership.
R. S., sec. 4938, p. 955.

SEC. 2. That the application prescribed in the foregoing section, in order to create any right whatever in favor of the party filing it, must be accompanied by a written declaration verified by the applicant, or by a member of the firm or an officer of the corporation or association applying, to the effect that the applicant believes himself or the firm, corporation, or association in whose behalf he makes the application to be the owner of the trade-mark sought to be registered, and that no other person, firm, corporation, or association, to the best of the applicant's knowledge and belief, has the right to such use, either in the identical form or in such near resemblance thereto as might be calculated to deceive; that such trade-mark is used in commerce among the several States, or with foreign nations, or with Indian tribes, and that the description and drawing presented truly represent the trade-