

For continuing the work of constructing an irrigation system within the diminished Shoshone or Wind River Reservation, in Wyoming, one hundred thousand dollars: *Provided*, That said sum be reimbursed to the Treasury of the United States from the sale of lands made under the provisions of the Act of March third, nineteen hundred and five (Thirty-third Statutes at Large, page one thousand and sixteen).

Irrigation system.

Vol. 33, p. 1016.

SHOSHONES AND BANNOCKS. (TREATY.) (FOR BANNOCKS, SEE IDAHO.)

Shoshones.

Shoshones: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith, as per tenth article of treaty of July third, eighteen hundred and sixty-eight, five thousand dollars;

Fulfilling treaty.
Vol. 15, p. 676.

For pay of second blacksmith, and such iron and steel and other materials as may be required, as per eighth article of same treaty, one thousand dollars.

In all, six thousand dollars.

Approved, March 3, 1909.

CHAP. 264.—An Act To provide for the repair, maintenance, and preservation of public works on rivers and harbors, and for other purposes.

March 3, 1909.
[H. R. 28243.]

[Public, No. 317.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the preservation and maintenance of existing river and harbor works, heretofore appropriated for by Congress, and for continuing in operation such dredging and other plants or equipment of any kind owned by the United States Government, and constructed or acquired for use on river and harbor improvements, there be, and is hereby, appropriated, 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, the sum of eight million one hundred and eighty-five thousand seven hundred and fifty dollars: *Provided*, That allotments from the amount herein named shall be made by the Secretary of War, and the same shall be recommended by the local engineer having such channel, improvement, or other public work in charge and the Chief of Engineers, respectively: *Provided further*, That the amount allotted to any specific channel or improvement shall not be greater than the estimated amount required for preservation and maintenance as transmitted by the Chief of Engineers in a communication dated February seventeenth, nineteen hundred and nine, which said letter was filed with the House of Representatives on the eighteenth day of February, nineteen hundred and nine, and designated as House Document Numbered Fourteen hundred and sixty-two, Sixtieth Congress, second session.

River and harbor
works.
Appropriation for
preservation, etc.Immediately avail-
able.Provisos.
Allotments.

Limitation.

SEC. 2. That for emergencies, to provide for the restoration of channels, or river and harbor improvements, heretofore established or improved by the Government where, by reason of emergency, the usual depth of such channel or customary use of such improvement can not be maintained, and there is no sufficient fund available for such restoration, the sum of five hundred thousand dollars is hereby appropriated to be immediately available. The amount herein provided shall be allotted by the Secretary of War: *Provided*, That in no case shall such allotment be made unless recommended by the local engineer having such channel or improvement in charge and by the Chief of Engineers, respectively: *Provided further*, That no single channel or improvement shall be allotted a sum greater than fifty thousand dollars, nor any portion of the said appropriation, unless the same is necessary in the interest of navigation or to protect and preserve existing government work in the interest of navigation.

Appropriation for
emergencies.Immediately avail-
able.Provisos.
Allotments.

Limitation.

Diversion, etc., allowed.

SEC. 3. That appropriations or authorizations for appropriations heretofore made may, in the discretion of the Secretary of War, and upon the recommendation of the Chief of Engineers, be diverted or applied upon modified projects for the rivers and harbors hereinafter named, as follows:

New Bedford and Fair Haven, Mass.
Extension of improvement.
Vol. 34, p. 1074.

Improving harbors of New Bedford and Fairhaven, Massachusetts: The authorization for the improvement of said harbors contained in the river and harbor Act of March second, nineteen hundred and seven, is hereby extended so as to include the extension of the basin north of Fish Island, now being dredged under the adopted project, southward between the harbor lines to the bridge between New Bedford and Fish Island, and the extension of the twenty-five foot channel along the New Bedford front from its terminus, as contemplated by the present project, northerly between established harbor lines to said bridge: *Provided*, That a contract or contracts for such improvement can be made within the limit of cost authorized by the said Act of March second, nineteen hundred and seven.

Proviso.
Limit of cost.

Pawtucket River, R. I.

Pawtucket River, Rhode Island: Any balance remaining unexpended after the completion of the work provided for under the existing contracts for improving the Pawtucket River, Rhode Island, may be used in deepening the channel of said river to eighteen feet, and in increasing the widths thereof at such places between Pawtucket and Providence as may best subserve the interests of commerce: *Provided*, That the work herein authorized shall not be undertaken until the consent of the State of Rhode Island shall have been given for the application to this purpose of the portion of said balance heretofore contributed and pledged by the said State.

Deepening, etc., channel.
Vol. 34, p. 1075.

Proviso.
Consent of State.

Patapsco River, Md.

Improving Patapsco River and Channel to Baltimore, Maryland: The authorization for the improvement of said harbor contained in the river and harbor Act of March second, nineteen hundred and seven, is hereby extended so as to include the widening of the channel in the Fort McHenry division, in the vicinity of its intersection with the channel leading to Curtis Bay, so as to provide at the most practicable point an additional width of six hundred feet for a distance of about three thousand five hundred feet, with project depth: *Provided*, That a contract or contracts for such improvement can be made within the limit of cost authorized by the said Act of March second, nineteen hundred and seven.

Widening channel.
Vol. 34, p. 1081.

Proviso.
Limit of cost.

Waterway, Franklin to Mermentau, La.
Right of way.

Vol. 34, p. 1089.

Inland waterway between Franklin and Mermentau, Louisiana: To secure a suitable right of way for the proposed inland waterway channel from Franklin to Mermentau, adopted by Congress in the river and harbor Act of March second, nineteen hundred and seven, the location of the eastern terminus of said channel may be changed from the town of Franklin, on Bayou Teche, to such other point on said bayou as the Secretary of War may select: *Provided*, That the modification herein authorized shall not be made unless a valid title to the necessary right of way be secured to the United States free of cost.

Proviso.
Title to be free of cost.

Buffalo, N. Y.
Entrance to Erie Basin and Black Rock Harbor.

Vol. 32, p. 335; Vol. 33, pp. 494, 1120, 1195; Vol. 34, pp. 736, 1078, 1345.

Balances for breakwater.

Improving Buffalo entrance to Erie Basin and Black Rock Harbor, New York: The balance remaining of appropriations heretofore made for this improvement is hereby transferred and reappropriated for improving harbor at Buffalo, New York, and the breakwater constructed with said appropriations shall hereafter be counted as an integral part of the breakwater system protecting Buffalo Harbor and be cared for and maintained with funds appropriated for improving said harbor.

Southwest Pass, Mississippi River.
Ante, p. 361.
Post, p. 818.

Southwest Pass, Mississippi River: The sum of six hundred thousand dollars, or so much thereof as may be necessary, of the funds appropriated and authorized for the improvement of Southwest Pass, Mississippi River, may, in the discretion of the Secretary of War, be applied to the construction or purchase of a suitable dredging plant for use on the said improvement.

Dredging plant authorized.

Hingham Harbor, Massachusetts: The balance remaining from appropriations heretofore made for this improvement may be diverted and made available for dredging and improving the channel.

Hingham, Mass.
Vol. 34, p. 1074.
Redredging.

Atchafalaya and Old rivers, Louisiana: The permanent annual appropriation for the removal of snags in the Mississippi River, under the river and harbor Act of August eleventh, eighteen hundred and eighty-eight, shall be available for the removal of snags and other floating and sunken obstructions in the Atchafalaya and Old rivers from the junction with the Mississippi and Red rivers down the Atchafalaya River as far as Melville, Louisiana, and so much of said appropriation as the Secretary of War may deem necessary may be expended for such removal.

Atchafalaya and
Old rivers, La.
Removal of snags,
etc.
Vol. 25, p. 424.

Improving Minnesota River: That the annual appropriation for operating snag boats on the upper Mississippi River, made by section seven of the river and harbor Act of August eleventh, eighteen hundred and eighty-eight, is hereby made available for similar purposes on the Minnesota River, and other tributaries of the upper Mississippi River now or heretofore improved by the United States.

Minnesota River.
Use of snag boats.

Vol. 25, p. 424.

Lorain Harbor, Ohio: The Secretary of War, in his discretion, with the concurrence and upon the recommendation of the Chief of Engineers, may authorize the expenditure of funds already appropriated or authorized for the extension of the west arm of the breakwater to or toward the shore.

Lorain, Ohio.
Vol. 34, p. 1094.
Extension of break-
water.

Improving entrance to Coos Bay and Harbor, Oregon: The balance remaining from appropriations heretofore made for this improvement may be diverted and made available for the operation of government dredges in Coos Bay and River.

Coos Bay and Har-
bor, Oreg.
Vol. 32, p. 347.

SEC. 4. That for improvements already under way for which amounts were appropriated or authorized for completion, in accordance with estimates heretofore made, wherein such estimates have proven insufficient, and for the completion or continuous prosecution of the work further authorizations are absolutely essential at this time, the Secretary of War is authorized to enter into an additional contract or contracts for the projects named in this section, and for the amounts stated with each, the amount of said contracts to be paid from time to time by appropriations to be hereafter made according to law, as follows:

Additional con-
tracts authorized.

Deflection and improvement of the Appomattox River at Petersburg, Virginia, in accordance with the report submitted in House Document Numbered One hundred and thirty-nine, Fifty-sixth Congress, second session, sixty thousand dollars.

Appomattox River,
Va.

Lock and Dam Numbered Thirty-seven, Ohio River, one hundred and fifty thousand dollars.

Lock and Dam 37,
Ohio River.

Big Sandy River and Dam Numbered One, Tug Fork, and Dam Numbered One, Levisa Fork, twenty-five thousand dollars.

Big Sandy River
and forks.

Aransas Pass, Texas, three hundred and fifty thousand dollars.

Aransas Pass, Tex.

Hales Bar, Tennessee River, fifty thousand eight hundred and seventy-five dollars.

Tennessee River.
Hales Bar.

SEC. 5. For regulations in channels already improved or under way it is enacted—

That during the further progress of dredging Ambrose Channel, New York Harbor, the navigation of the part thereof now dredged to the full depth of forty feet may be carried on during the night as well as by day, and may be extended by regulations to be issued by the Secretary of War to all government vessels, foreign and coastwise steamships, and to such other vessels as, in his judgment, will not unduly interfere with the progress of the improvement; and the navigation of the incompleting part of said channel may be prohibited by such regulations.

Ambrose Channel,
N. Y. Harbor.

Regulations of nav-
igation at night.

Mississippi River.
Regulation of navigation of South and Southwest passes.

Channels embraced.

Penalty for violations.

Government locks, canals, etc.
Vol. 23, p. 147, amended.

Free passage through locks, canals, and canalized rivers.

Permanent appropriation for maintenance.

Provisos.
Reconstruction authorized.

Recommendation required.

Report of expenses.

Panama Canal not included.

National Waterways Commission created.
Composition.

Duties.

Experts, employees, etc.

That the Secretary of War be, and is hereby, authorized to make such rules and regulations for the navigation of the South and Southwest passes of the Mississippi River as to him shall seem necessary or expedient for the purpose of preventing any obstruction to the channels through said South and Southwest passes and any injury to the works therein constructed. The term "South and Southwest passes," as herein employed, shall be construed as embracing the entire extent of channel, in each case, between the upper ends of the works at the head of the pass and the outer or sea ends of the jetties at the entrance from the Gulf of Mexico; and any willful violation of any rule or regulation made by the Secretary of War in pursuance of this Act shall be deemed a misdemeanor, for which the owner or owners, agent or agents, master or pilot of the vessel so offending shall be separately or collectively responsible, and on conviction thereof shall be punished by a fine of not less than one hundred dollars, nor exceeding five hundred dollars, or by imprisonment for not exceeding three months, or by both fine and imprisonment, at the discretion of the court.

SEC. 6. That section four of the river and harbor Act approved July fifth, eighteen hundred and eighty-four, be, and is hereby, amended and reenacted so as to read as follows:

"SEC. 4. That no tolls or operating charges whatever shall be levied upon or collected from any vessel, dredge, or other water craft for passing through any lock, canal, canalized river, or other work for the use and benefit of navigation, now belonging to the United States or that may be hereafter acquired or constructed; and for the purpose of preserving and continuing the use and navigation of said canals and other public works without interruption, the Secretary of War, upon the recommendation of the Chief of Engineers, United States Army, is hereby authorized to draw his warrant or requisition, from time to time, upon the Secretary of the Treasury to pay the actual expenses of operating, maintaining, and keeping said works in repair, which warrants or requisitions shall be paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated: *Provided*, That whenever, in the judgment of the Secretary of War, the condition of any of the aforesaid works is such that its entire reconstruction is absolutely essential to its efficient and economical maintenance and operation as herein provided for, the reconstruction thereof may include such modifications in plan and location as may be necessary to provide adequate facilities for existing navigation: *Provided further*, That the modifications are necessary to make the reconstructed work conform to similar works previously authorized by Congress and forming a part of the same improvement, and that such modifications shall be considered and approved by the Board of Engineers for Rivers and Harbors and be recommended by the Chief of Engineers before the work of reconstruction is commenced: *Provided further, also*, That an itemized statement of said expenses shall accompany the annual report of the Chief of Engineers: *And provided further*, That nothing herein contained shall be held to apply to the Panama Canal."

SEC. 7. That a commission be, and is hereby, created, to be known as the National Waterways Commission, to be composed of Members of the Sixtieth Congress, who shall be Members of the Sixty-first Congress as well, as follows: Five Members of the Senate, to be appointed by the presiding officer thereof; seven Members of the House of Representatives, to be appointed by the Speaker. It shall be the duty of this commission to investigate questions pertaining to water transportation and the improvement of waterways, and to recommend to Congress such action as it may deem best upon these subjects. Said commission shall be, and is hereby, authorized to employ experts to aid in the work of inquiry and examination, also to employ clerks, stenographers, and such other assistants as may be necessary, all such

employees to be paid such compensation as the said commission may deem just and reasonable, upon a certificate to be issued by the chairman of the commission. The several departments and bureaus of the Government shall detail from time to time such officials and employees and furnish such information as may be requested by said commission in its investigations. For the purposes of its investigations said commission shall be authorized to pay the necessary traveling expenses of persons summoned before it for the giving of information upon matters pertaining to the subjects under consideration, and the said commission is authorized to sit during the recess of Congress. The members of said commission or of any subcommission, or subcommissions thereof, may make investigations of waterways and harbors in the United States and elsewhere, and shall be allowed actual necessary expenses for the same and the expenses of necessary employees. The term of the commission shall expire on March fourth, nineteen hundred and eleven. The commission shall report from time to time to the Congress of the United States, and shall at the conclusion of its labors submit a final report: *Provided*, That a preliminary report shall be made not later than January first, nineteen hundred and ten, which report, with all other reports, shall embrace such material and information obtained in the course of the investigation as shall be of value; also the conclusions reached by said commission on the several subjects investigated.

The sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, to pay the necessary expenses of said commission.

SEC. 8. That section three of "An Act permitting the building of dams across the North and South branches of Rock River, adjacent to Vandrufts Island and Carrs Island, and across the cut-off between said islands, in Rock Island County, Illinois, in aid of navigation and for the development of water power," approved May first, nineteen hundred and six, be, and the same is hereby, amended by extending the time for the completion of the dam across the south branch to May first, nineteen hundred and eleven: *Provided*, That the said dam shall, immediately upon its completion, become the property of the United States, and that the grantee under the said Act of May first, nineteen hundred and six, shall operate and maintain the other works authorized by the said Act in accordance with and subject to the provisions of the Act entitled "An Act to regulate the construction of dams across navigable waters," approved June twenty-first, nineteen hundred and six, so far as such provisions may be applicable.

SEC. 9. That the Act of Congress entitled "An Act to authorize and empower the Mount Carmel Development Company to draw water from the Wabash River, or its tributaries, in the county of Wabash and State of Illinois," approved February fourteenth, eighteen hundred and eighty-nine, and the Act of Congress entitled "An Act authorizing the Mount Carmel Development Company to draw water from Wabash River at Grand Rapids, Wabash County, Illinois," approved February twelfth, nineteen hundred and one, be, and the same are hereby, repealed. And the Secretary of War is hereby authorized and empowered to grant leases or licenses for the use of the water power created by the government dam on the Wabash River at Mount Carmel, Illinois, at such a rate, and on such conditions, and for such periods of time, as may seem to him just, equitable, and expedient; the said leases or licenses to be limited to the use of the surplus water not required for navigation, and to a period not exceeding twenty years; and he is also empowered to grant leases or licenses, not exceeding twenty years, for the occupation of such land belonging to the United States on said river as may be required for mill sites or other

Details of officials,
etc.

Investigations au-
thorized.

Duration.

Final report.

Proviso.
Preliminary report.

Appropriation for
expenses.

Rock River, Ill.
Time extended for
damming south
branch.
Vol. 34, p. 156,
amended.

Proviso.
Transfer of dam to
United States.

Operation.

Vol. 34, p. 386.

Wabash River, Ill.
Use by Mount Carmel Development Company revoked.
Vol. 25, p. 670, repealed.

Vol. 31, p. 785, repealed.

Licenses for power
from government
dam.

Proviso.
Deposit, etc., of receipts.

industrial purposes not inconsistent with the requirements of navigation: *Provided*, That all moneys received under such leases or licenses shall be deposited in the Treasury of the United States, and an itemized statement thereof shall accompany the annual report of the Chief of Engineers.

White River, Wash.
Diversion of waters by State authorized.

SEC. 10. That in connection with any works which may be undertaken affecting the waters of the White, Stuck, and Puyallup rivers, in King and Pierce counties, State of Washington, under authority of the laws of said State, the Secretary of War is in his discretion hereby authorized to consent to the permanent diversion of the waters of the White River into the Stuck and Puyallup rivers upon the approval by him and the Chief of Engineers of the location and plans for such diversion. The Secretary of War is also authorized, in his discretion, to permit any corporation or association of persons in King County, Washington, at their own expense, and without cost to the United States Government, to widen, deepen, and straighten the Duwamish River in said King County: *Provided*, That the work so done shall be in accordance with plans approved by the Chief of Engineers of the War Department.

Duwamish River, Wash.
Widening, etc., permitted.

Proviso.
Approval of plans.

Saint Marys Falls Ship Canal.
Necessity of ownership of lands, etc., between, and Canadian boundary.

SEC. 11. That the ownership in fee simple absolute by the United States of all lands and property of every kind and description north of the present Saint Marys Falls Ship Canal throughout its entire length and lying between said ship canal and the international boundary line at Sault Sainte Marie, in the State of Michigan, is necessary for the purposes of navigation of said waters and the waters connected therewith.

Proceedings to acquire lands, etc.

The Secretary of War is hereby directed to take proceedings immediately for the acquisition by condemnation or otherwise of all of said lands and property of every kind and description, in fee simple absolute. He shall proceed in such taking by filing in the office of the register of deeds of Chippewa County, in the State of Michigan, a writing, stating the purpose for which the same is taken under the provisions of this section, and giving a full description of all the lands and property of every kind and description thus to be taken. After the filing of said writing, and ten days after publication thereof in one or more newspapers in the city of Sault Sainte Marie, in the State of Michigan, the United States shall be entitled to, and shall take, immediate possession of the property described, and may at once proceed with such public works thereon as have been authorized by Congress for the uses of navigation.

Commencement of work.

Condemnation proceedings.
Jurisdiction.

The circuit court of the United States for the western district of Michigan is hereby given exclusive jurisdiction to hear condemnation proceedings and to determine what compensation shall be awarded for property taken under authority of this section. After the taking of any property by the Government of the United States, as herein provided for, the United States, by its proper officials, shall begin condemnation proceedings in the aforesaid court, and the practice shall be in accordance with the practice in the courts of the State of Michigan for the condemnation of lands by the State for public buildings of such State so far as the same may be followed without conflicting with the provisions hereof. Possession may be taken by the United States prior to a determination by a court of any necessity of taking, and prior to any determination of the amount of compensation.

Payments.

Any money payable by the Government under the provisions of this section shall be payable out of any money heretofore authorized or appropriated for the purpose of improving Saint Marys River at the falls, Michigan.

Former provisions repealed.
Vol. 34, p. 1098.

All that part of "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March second, nineteen hundred and seven, beginning with the words "and all lands and

waters north of the present Saint Marys Falls ship canal throughout its length," and ending with the words "to comply with the provisions of the river and harbor Act of nineteen hundred and two, but such lands, if so acquired, shall be obtained without expense to the United States," is hereby repealed.

Every permit, license, or authority of every kind, nature, and description heretofore issued or granted by the United States, or any official thereof, to the Chandler-Dunbar Water Power Company, the Edison Sault Light and Power Company, the Edison Sault Electric Company, or the Saint Marys Power Company, shall cease and determine and become null and void on January first, nineteen hundred and eleven, and the Secretary of War is hereby authorized and instructed to revoke, cancel, and annul every such permit, license, or authority, to take effect on January first, nineteen hundred and eleven.

The Secretary of War may, in his discretion, permit the Chandler-Dunbar Water Power Company and the Edison Sault Electric Company to maintain their present works and utilize the water power in said river at said rapids, in so far as the same does not interfere with navigation, or retard the construction of government works in said river, under such rules or regulations as have been or hereafter shall be imposed by the Secretary of War, until they shall be paid the compensation awarded by the court for their property condemned under the provisions of this section; but said permit shall not extend beyond January first, nineteen hundred and eleven.

The President of the United States is respectfully requested to open negotiations with the Government of Great Britain for the purpose of effectually providing, by suitable treaty with said Government, for maintaining ample water levels for the uses of navigation in the Great Lakes and the waters connected therewith, by the construction of such controlling and remedial works in the connecting rivers and channels of such lakes as may be agreed upon by the said governments under the provisions of said treaty.

The Secretary of War is further authorized and instructed to cause to be made a preliminary examination and survey to ascertain and determine a proper plan and the probable expense for constructing in the rapids of the Saint Marys River a filling basin or forebay, from which the ship locks shall be filled: *Provided*, That such survey shall in no way delay or interfere with the plans for construction already underway.

SEC. 12. That part of 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, in section one, relating to the Michigan-Lake Superior Power Company, is hereby amended by adding the following:

The right to the flow of water, and riparian, water power, and other rights, now or hereafter owned by the United States in the Saint Marys River in Michigan shall be forever conserved for the benefit of the Government of the United States, primarily for the purposes of navigation and incidentally for the purpose of having the water power developed, either for the direct use of the United States, or by lease or other agreement, through the Secretary of War, who is hereby authorized to make such leases or agreements: *Provided*, That a just and reasonable compensation shall be paid for the use of all waters or water power now or hereafter owned in said Saint Marys River by the United States, whether utilized in said river or in any lateral canal, said compensation to be fixed by the Secretary of War: *Provided further*, That under no circumstances shall any rights be granted in said river which will interfere with the needs and uses of navigation, or which will limit the absolute control of said land and waters when

Revocation of existing licenses for water-power privileges.

Use pending condemnation.

Water levels of Great Lakes, etc.
Negotiations requested with Great Britain for maintaining.

Examination, etc., for filling basin in the rapids.

Proviso.
Not to delay construction.

Michigan-Lake Superior Power Company.
Vol. 32, p. 361, amended.

Declaration of right of United States to flow of water, etc.

Leases authorized.

Provisos.
Compensation to be paid for use.

Limitation on all grants.

Only excess of water for navigation to be leased.	desired for purposes of navigation by the United States, or for a longer period than thirty years, and the Secretary of War, in his discretion, may provide for readjustment of compensation at periods of ten years, nor shall any such rights be granted without just and adequate compensation. It is intended that any excess of water in the Saint Marys River at Sault Sainte Marie over and above the amount now or hereafter required for the uses of navigation shall be leased for power purposes by the Secretary of War upon such terms and conditions as shall be best calculated in his judgment to insure the development thereof. The Secretary of War may, as often as necessary, make such regulations as in his judgment are reasonable and just and best calculated to carry out the purposes of this section.
Regulations, etc.	SEC. 13. That for examinations, surveys, and contingencies, and for incidental repairs for rivers and harbors for which there may be no special appropriation, the sum of seven hundred thousand dollars is hereby appropriated, to be immediately available.
Appropriation for examinations, etc.	The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the localities named in this section, as hereinafter set forth, and a sufficient sum to pay the cost thereof may be allotted from the amount appropriated in this section. 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. Such examinations and surveys shall be reviewed by the Board of Engineers for Rivers and Harbors, as provided in section three of the river and harbor Act of March second, nineteen hundred and seven: <i>Provided</i> , That every report submitted to Congress in pursuance of this section, in addition to full information regarding the present and prospective commercial importance of the project covered by the report, and the benefit to commerce likely to result from any proposed plan of improvement, shall contain also such data as it may be practicable to secure regarding (first) the establishment of terminal and transfer facilities, (second) the development and utilization of water power for industrial and commercial purposes, and (third) such other subjects as may be properly connected with such project: <i>Provided further</i> , That in the investigation and study of these questions consideration shall be given only to their bearing upon the improvement of navigation and to the possibility and desirability of their being coordinated in a logical and proper manner with improvements for navigation to lessen the cost of such improvements and to compensate the Government for expenditures made in the interest of navigation: <i>And provided further</i> , That the investigation and study of these questions as provided herein may, upon review by the Board of Engineers for Rivers and Harbors when called for as now provided by law, be extended to any work of improvement now under way and to any locality the examination and survey of which has heretofore been, or may hereafter be, authorized by Congress.
Preliminary examinations to be made.	
Report on advisability.	
Surveys directed.	
Review by board. Vol. 34, p. 1118.	
<i>Provisos.</i> Additional information required in reports.	
Scope of investigations.	
Extension to other works.	

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:

Depth of waters.

ALABAMA.

Examinations ordered.
Alabama.

Mobile Harbor, with a view to obtaining a suitable depth and width.
Mulberry and Locust forks of the Warrior River, up the Mulberry Fork to Saunders Ferry, and up the Locust Fork to the mouth of Fivemile Creek.

Cahaba River, from its mouth to Centerville.

Chickasaw Creek, with a view to removing the bar at its mouth in Mobile River.

Fowl River, in connection with the proposed intracoastal waterway.

Bayou La Batre.

ARKANSAS.

Arkansas.

Ouachita River, from Camden to Arkadelphia.

Arkansas River between Little Rock and Ozark, with a view to improving the navigation by locks and dams or otherwise.

Arkansas River at Douglas, with a view to determining what improvements are necessary in the interest of navigation.

Blackfish Bayou, from its mouth to Fifteenmile Bayou.

ARKANSAS AND MISSOURI.

Arkansas and Missouri.

Little Black River.

CALIFORNIA.

California.

Oakland Harbor, with a view to obtaining a suitable depth and width and sufficient anchorage room.

Monterey Bay, with a view to selecting a harbor thereon.

Wilmington Harbor, with a view to obtaining a channel two hundred feet wide and twenty feet deep, beginning at the turning basin in said harbor, thence in a northeasterly direction to the east line of the east basin; and also a similar channel beginning at said turning basin, thence in a northwesterly direction to the north line of the west basin.

Sacramento River, from Sacramento to Red Bluff.

Feather River, from the mouth to Marysville.

Redwood Creek.

Humboldt Harbor, South Bay Channel, with a view to the removal of obstructions to navigation to the wharf at Fields Landing.

Humboldt Bay, with a view to securing increased depth between Eureka and Arcata.

CONNECTICUT.

Connecticut.

New Haven Harbor above Tomlinson Bridge and including Mill River and Quinnipiac River, including a report whether the whole or any part of the cost of improvement thereof should be borne by the General Government.

Bridgeport Harbor, with a view to providing increased facilities in Poquonock River and Cedar Creek branches, including a report whether the whole or any part of the cost of improvement thereof should be borne by the General Government.

Greenwich Harbor, with a view to widening to one hundred feet the existing nine-foot channel and continuing the same to the head of the harbor.

Norwalk Outer Harbor, with a view to the removal of a shoal near to and west of White Rock; also to straightening the main channel between Gregorys Point and South Norwalk.

Mystic River.

Shetucket River, from a point just south of the Laurel Hill Bridge to the dock of the city of Norwich, with a view to removing rocks and other obstructions in the channel.

Connecticut River up to Hartford.

Delaware.

DELAWARE.

Christiana River, from Newport to Christiana.

Broad Creek River, from the mouth to the town of Laurel.

Leipsic River.

Delaware and Maryland.

DELAWARE AND MARYLAND.

Pocomoke River, from Snow Hill, Maryland, to Gumboro, Delaware.

Nanticoke River, up to Middleford.

Florida.

FLORIDA.

Saint Augustine Harbor, with a view to constructing the necessary sea walls and also to providing a channel sixteen feet deep and three hundred feet wide from the city of Saint Augustine to the ocean.

Mosquito Inlet to New Smyrna.

Kissimmee River, from Kissimmee to Lake Okechobee.

Indian River, from Fort Pierce to Sewalls Point.

Suwanee River, from White Springs to the Gulf of Mexico.

Saint Johns River, from Jacksonville to the ocean, with a view to obtaining a depth of thirty feet.

Channel from Apalachicola River to Saint Andrews Bay.

Manatee River, with a view to securing a depth of thirteen feet from the mouth to Palmetto and Bradentown, and thence such depth to Ellenton and Rye as commerce may demand.

Hillsboro Bay, from the twenty-four-foot contour in the bay through the present twenty-foot channel to the head of the estuary in the direction of Ybor City, thence from the mouth of said estuary through said bay, as near the eastern shore thereof as practicable, to the western end of Hookers Point, and thence through the channel recently constructed by the Tampa Northern Railway Company to said twenty-foot channel.

Sarasota Bay, from Tampa Bay to Venice, thence through Caseys Pass to Lemon Bay, and thence to Gasparilla Sound.

Pine Island Sound, from Wulfert bulkhead to Blind Pass, thence along the western side of said sound to Captiva bulkhead.

New River, Dade County, Florida, with a view to securing a depth of twenty feet of water at the cut-off near the mouth, with jetties to protect the same.

The narrows, Santa Rosa Sound, Florida, for a channel of six feet.

Georgia.

GEORGIA.

Sapelo bar and harbor.

Oconee, Ocmulgee, and Altamaha rivers.

Ocmulgee River, with a view to the construction of locks and dams between Macon and Hawkinsville.

Big Satilla River from the mouth to Burnt Fort.

Savannah River, at Augusta, with a view to determining what improvements are necessary in the interest of navigation.

Ogeechee, Ochopee, and Cannouchee rivers.

GEORGIA AND ALABAMA.

Georgia and Alabama.

Etowah, Coosa, and Tallapoosa rivers, with a view to their improvement for navigation. Such examination for the improvement of the navigation of said rivers, including the Alabama River in connection therewith, shall include investigations necessary to determine whether storage reservoirs at the headwaters of said rivers can be utilized to advantage and, if so, what portion of the cost of any such improvements, including reservoirs, should be borne by owners of water power and others.

GEORGIA AND FLORIDA.

Georgia and Florida.

Saint Marys River.

HAWAII.

Hawaii.

Kahului Harbor, island of Maui.
Hanapepe Bay, island of Kauai.

ILLINOIS.

Illinois.

West Fork of the South Branch of Chicago River, with a view to obtaining a channel one hundred feet wide and twenty-one feet deep from the mouth to Sacramento avenue; also from Western avenue to Sacramento avenue.

ILLINOIS AND WISCONSIN.

Illinois and Wisconsin.

Rock River, with a view to securing a channel seven feet deep from the dam at the head of the feeder of the Illinois and Mississippi Canal, at or near Sterling, Illinois, to the city of Janesville, Wisconsin; also with a view to ascertaining whether, for the maintenance of navigation, storage reservoirs are necessary at or near the headwaters of said river, and to determine what portion of the cost of said improvement should be borne by owners of water power and others.

INDIANA AND ILLINOIS.

Indiana and Illinois.

Harbors and rivers at or near Chicago, Illinois, including Chicago Harbor, Chicago River, Calumet Harbor, Grand Calumet and Little Calumet rivers, Illinois and Indiana, Lake Calumet and necessary connection with Calumet River, and the lake shore from the mouth of Chicago River to the city of Gary, Indiana, for the purpose of reporting a plan for a complete, systematic, and broad improvement of harbor facilities for Chicago and adjacent territory.

Wabash River, from its mouth to Mount Carmel.

IDAHO.

Idaho.

Clearwater River from its mouth to Kamiah, with a view to a maximum depth of six feet.

IOWA.

Iowa.

Des Moines River.
Cedar River.
Iowa River.

KANSAS.

Kansas.

Kansas River, up to Argentine.
Missouri River at the city of Atchison, with a view to retaining said river in its proper channel.

Kentucky.

KENTUCKY.

Tradewater River.

Louisiana.

LOUISIANA.

Bayou Cocodrie.

Bayou Courtableau.

Bayou Boeuf.

Bayou Teche, with a view to securing increased depth.

Bayou Queue de Tortue.

Atchafalaya River, from Morgan City to the Gulf of Mexico, with a view to obtaining a channel two hundred and forty feet wide and twenty feet deep.

Louisiana and Arkansas.

LOUISIANA AND ARKANSAS.

Red River, from its mouth to Fulton, Arkansas.

Louisiana and Texas.

LOUISIANA AND TEXAS.

Survey of the Jefferson-Shreveport waterway in Texas and Louisiana, with a view to constructing a lock in the proposed dam at the foot of Caddo Lake, and providing a navigable channel therefrom to Red River.

Maine.

MAINE.

Isle au Haut Thoroughfare between the island of Isle au Haut and Kimball's Island, with a view to obtaining a channel of increased depth and width and the establishment of a harbor of refuge.

East Boothbay Harbor, with a view to an extension of the improvement contemplated in the report submitted in House Document Numbered Nine hundred and forty-four, Sixtieth Congress, first session.

Saco River.

Kennebec River, for a distance of five hundred yards from its mouth along what is known as Popham Beach.

Saint Croix River at and near Calais.

Maryland.

MARYLAND.

Cambridge Harbor.

Wicomico River, at the city of Salisbury, from the foot of Main street to the Salisbury mill dam.

Chesapeake Bay, between North Point light-house and Millers Island light-house, with a view to obtaining a channel to the Baltimore County shore; also on the eastern side of the Chesapeake Bay, with a view to obtaining a channel to the Kent County shore.

Corsica River.

Massachusetts.

MASSACHUSETTS.

Little Harbor, Woods Hole, with a view to its improvement by dredging.

Provincetown Harbor, with a view to the protection thereof.

Fall River Harbor, with a view to providing an anchorage area of a depth of twenty-five feet, extending from Borden Flats Light northerly to Slades Ferry Bridge, so called, and westerly to such a point as may be deemed feasible; also with a view to the construction of a breakwater from said Borden Flats Light to such point as may be deemed necessary.

Hingham Harbor.

Nantucket Sound, with a view to the removal of the northerly end of Stone Horse Shoal, and of such portions of Bearse Shoal and Pollock Rip Shoal as may be necessary.

Merrimac River, from Haverhill to Lowell.

MASSACHUSETTS AND CONNECTICUT.

Massachusetts and
Connecticut.

Connecticut River, from Hartford, Connecticut, to Holyoke, Massachusetts.

MICHIGAN.

Michigan.

Marquette Harbor.
 Manistee Harbor.
 Muskegon Harbor.
 Arcadia Harbor.
 Empire and Leland harbors.
 New Buffalo Harbor.
 Ontonagon Harbor.
 Saugatuck Harbor and Kalamazoo River, with a view to securing increased depth to the town of Douglas.
 Rogers City, with a view to determining what improvement, if any, is required in the harbor and the access thereto; also to report whether a harbor of refuge is desirable at this locality.
 Grand Haven Harbor, to east end of Fulton street and including channel into Spring Lake.
 Saginaw River, with a view to securing a depth of twenty feet from Saginaw Bay to Tittabawassee River.
 Inland water route between Cheboygan, on Lake Huron, and Petoskey, on Lake Michigan.
 Harbor at Forestville, with a view to improvement by dredging.
 Harbor at Port Sanilac, with a view to improvement by dredging.
 Harbor at Lexington, with a view to improvement by dredging.
 Pigeon River.
 Livingstone Channel, Detroit River, with a view to widening the same to six hundred feet; and a board of engineers shall be appointed to report upon the probable effect of such widening upon the depth of water in Lake Saint Clair and above the point of such proposed widening.
 Forester Harbor, with a view to deepening the same to twenty feet.
 White Lake Harbor, with a view to providing an entrance channel with a depth of twenty feet and a turning basin.
 Traverse Bay, at Traverse City, with a view to the construction of a breakwater.

MINNESOTA.

Minnesota.

Mississippi River, from Saint Paul to Minneapolis, with a view to modification of project to provide for increased depth and utilizing the surplus water for development of power: *Provided*, That if any modification of the present project be deemed advisable by the Chief of Engineers, no work thereon shall be performed inconsistent with such proposed modifications. The Chief of Engineers shall submit various practical alternative plans with the advantages of each.
 Reservoirs at headwaters of Mississippi River, with a view to an equalizing canal with regulating gates between Lake Winnibigoshish and Leech Lake.
 Warroad Harbor, with a view to deepening the channel and maintaining the same.
 Mississippi River, between Brainerd and Grand Rapids.
 Red Lake River, between Thief River Falls and Red Lake.
 Zippie Bay, Lake of the Woods, with a view to establishing a harbor of refuge.
 Rainy River, at the mouth.
 Minnesota River; also with a view to ascertaining whether, for the maintenance of navigation, storage reservoirs are necessary at or near the headwaters of said river, and to determine what portion of the

cost of said improvement should be borne by owners of water power and others.

Rainy Lake, with a view to locating the points dangerous to navigation by reason of submerged rocks.

Minnesota and Wisconsin.

MINNESOTA AND WISCONSIN.

Harbor at Duluth, Minnesota, and Superior, Wisconsin, with a view to securing increased anchorage area in the vicinity of Superior Entry.

Saint Louis River, from the upper limit of the present project to the stone quarries near Fond du Lac.

The report upon the examination and survey for the location of a canal connecting Lake Superior and the Mississippi River by way of the Saint Croix River, as provided by the river and harbor Act of eighteen hundred and ninety-four and as supplemented by the provisions of the river and harbor Act approved March thirty-first, eighteen hundred and ninety-nine, shall be completed by a further report as to whether existing conditions render such project now feasible and practicable, considering the necessary location, plans, cost of construction and maintenance, commerce affected, and water supply.

Mississippi.

MISSISSIPPI.

Horn Island Pass, from the outer bar in the Gulf of Mexico through and across Dago Shoals, in Mississippi Sound, by the most direct and practicable route, to the twenty-one-foot depth north of Petit Bois Island.

Dog River, to a point one-fourth mile above the Denney and Company railroad bridge.

Leaf and Pascagoula rivers, from the mouth of Bowie Creek to the junction of Pascagoula and Dog rivers.

Cassidy Bayou, from the mouth, near Marks, to Belen.

Bogue Phalia, from its mouth to the Forks of the Bogue.

Pearl River, from Rockport to Jackson.

Bayou Pierre, from the mouth to Port Gibson.

Montana.

MONTANA.

Flathead River, from its mouth, and by Kalispel Slough, to Kalispel, with a view to securing a depth of four feet.

Yellowstone River, from its mouth to Billings, with a view to a four-foot stage of water and the building of a lock at the United States Government dam.

Polson Bay, Flathead Lake, with a view to dredging the channel and providing a harbor on the east side.

New Hampshire.

NEW HAMPSHIRE.

Portsmouth Harbor, with a view to the construction of a lock and dam in the Piscataqua River.

Rye Harbor.

Cocheco and Lamprey rivers.

Exeter River.

New Jersey.

NEW JERSEY.

Absecon Inlet, with a view to maintaining a depth of twelve feet over the bar.

Delaware River, from Lalor street, Trenton, to upper railroad bridge, with a view to obtaining greater depth.

Double Creek, Ocean County.

Salem River, from the mouth to Salem.

Rancocas River, from the mouth to Mount Holly.

Hackensack River, with a view to providing a channel sixteen feet deep from Newark Bay to Little Ferry and twelve feet deep from Little Ferry to Anderson Street Bridge in the town of Hackensack.

Passaic River, with a view to extending continuous navigation from the Montclair and Greenwood Lake Railroad bridge to the city of Paterson.

Newark Bay, with a view to securing a channel along the eastern shore.

Mantua Creek, with a view to continuing improvement to the head of navigation.

NEW YORK.

New York.

Sterling Basin, Greenport Harbor.

Flushing Bay, with a view to securing increased depth to the head of navigation.

Huntington Harbor.

Stonybrook Harbor, including Porpoise Channel.

Indian Creek, Jamaica Bay, with a view to obtaining a depth of six feet.

Sheepshead Bay, with a view to obtaining an increased depth at its mouth.

East River, including Little Hell Gate.

Mamaroneck Harbor, with a view to deepening the channel to not less than twelve feet.

Harlem River, with a view of straightening the channel at the curve near the Johnson Iron Works.

Bay Ridge and Red Hook channels, New York Harbor, with a view to the removal of the shoal between these channels and the deep water of the bay and the construction of a breakwater or quay extending from Red Hook Point on and along the westerly side of said shoal as it now exists, for the purpose of providing protection to that part of the harbor against the effects of westerly winds.

Hudson River at Coeymans, with a view to securing a suitable width and depth in the channel along the village front behind the government dike; also at Albany, with a view to providing additional area of navigable depth at the mouth of Island Creek and vicinity, for the benefit of general commerce and the making up of barge tows; also at Troy, with a view to widening the channel below Adams street.

Hudson River, with a view to providing a channel not less than two hundred feet wide and twelve feet deep at all stages from deep water in the lower river to Waterford, including a lock and dam at Troy suitable in size for all probable purposes of navigation and commerce to and from the Barge Canal.

Plattsburg Harbor.

Charlotte Harbor.

Wilson Harbor.

Oak Orchard Harbor.

Buffalo Harbor, with a view to widening the channel at the entrance of the inner harbor, and also an estimate of the cost of the removal of the Watson elevator site, exclusive of the cost of acquiring title to the same.

Buffalo Harbor, with a view to widening and improving the entrance to Erie Basin.

Dunkirk Harbor.

The Secretary of War is hereby directed to report as soon as he is satisfied that the city of New York is prepared to undertake the work to be done by it preliminary to or contemporaneous with any dredging to be done by the United States Government as recommended in the

report and plan of the Secretary of War transmitted under date of February twenty-fifth, nineteen hundred and nine, for the improvement of Jamaica Bay, New York, and its entrance at Rockaway Inlet and Dead Horse Inlet.

North Carolina.

NORTH CAROLINA.

Cape Fear River, at and below Wilmington, with a view to obtaining a suitable depth and width.

Bay River.

Bogue Sound, contiguous to the town of Morehead City.

Pamlico and Tar rivers, with a view to obtaining greater depth and width as far up as Tarborough.

Point Harbor Channel, to and into Point Harbor.

Beaufort Harbor, with a view to obtaining a channel of not less than ten feet in depth and sixty feet in width, beginning at the town of Beaufort, thence between Pivers Island and the Town Marsh down through the Bulkhead Channel to Beaufort Inlet; also a continuation of the aforesaid channel from the town of Beaufort up through Gallants Channel, connecting with the waterway now under construction from Pamlico Sound to Beaufort Inlet.

Thoroughfare Bay, and the thoroughfare leading from Core Sound into Cedar Island Bay, and thence to Neuse River and Pamlico Sound, with a view to securing a channel sixty feet wide and six feet deep.

Northeast branch of the Cape Fear River, from its mouth for a distance of two and one-half miles, with a view to securing a depth of twenty feet.

Little Contentnia River up to the town of Ridge Springs.

Contentnia River from Snow Hill to Stantonsburg.

Neuse River from Pamlico Sound to New Bern; Trent River up to Quaker Bridge; Pasquotank River up to Elizabeth City; with a view to providing channels to conform with the depth of the authorized waterway to connect the waters of Pamlico Sound with the ocean at Beaufort.

Cape Lookout, with a view to providing a harbor of refuge for the largest coastwise vessels.

Swift Creek from its confluence with the Neuse River to the head of navigation.

Smiths Creek from its confluence with the Neuse River to the head of navigation.

North Carolina and South Carolina.

NORTH CAROLINA AND SOUTH CAROLINA.

Great Pedee River, from Cheraw, South Carolina, to Blewetts Falls, North Carolina.

North and South Dakota, Montana, and Missouri.

NORTH AND SOUTH DAKOTA, MONTANA AND MISSOURI.

The Missouri River from Sioux City, Iowa, to Fort Benton, Montana; also at or near Lake Contrary, Missouri, with a view to preventing a diversion of the channel.

Ohio.

OHIO.

Conneaut Harbor, with a view to enlarging and improving the outer harbor area.

Ashtabula Harbor, with a view to enlarging and improving the outer harbor area.

Lorain Harbor, with a view to enlarging and improving the outer harbor area; also the dock wall on the east side of the river extending east of the government pier shoreward to connect with completed work.

Port Clinton Harbor.

Mahoning River, with a view to its improvement from Girard dam to Warren.

Maumee River, at and above Toledo.

OHIO AND WEST VIRGINIA.

Ohio and West Virginia.

Survey of Ohio River, with a view to the selection of sites for the additional locks and dams between Lock Numbered Eight and Lock Numbered Twenty-nine including the last named lock, and for the preparation of plans and estimates.

OKLAHOMA.

Oklahoma.

Washita River, up to Mountain View.

Kiamichi River, up to a point opposite Talihina.

The North Canadian River, with a view to the diversion of a portion of its waters into the Cimarron River for improving the navigation of the latter river.

Arkansas River, from Fort Smith, Arkansas, to Tulsa, reporting an estimate of the cost to make the same navigable.

OKLAHOMA AND KANSAS.

Oklahoma and Kansas.

Verdigris River.

OREGON.

Oregon.

Wood River, from Klamath Lake to the head of navigation.

Columbia River, in front of the town of Hood River.

Coquille River, from the mouth, including the bar thereof, up to Myrtle Point.

Siuslaw River, at the mouth.

Willamette River, from Oregon City to Eugene.

Clatskanie River.

Falls of the Willamette River at Oregon City, with a view to determining what, if anything, should be done by the Federal Government in aid of navigation at this point.

Yaquina River, from Yaquina to Elk City.

Umpqua River bar.

Columbia and lower Willamette rivers below Portland, with a view to securing a permanent channel thirty feet in depth and of sufficient width.

PENNSYLVANIA.

Pennsylvania.

Crum River, from the mouth to Lieperville.

Erie Harbor, with a view to extension of the piers.

PENNSYLVANIA AND NEW JERSEY.

Pennsylvania and New Jersey.

Delaware River, from Allegheny avenue, Philadelphia, to Trenton.

PENNSYLVANIA, NEW JERSEY, AND DELAWARE.

Pennsylvania, New Jersey, and Delaware.

Delaware River, from Allegheny avenue, Philadelphia, to the sea, with a view to obtaining a channel thirty-five feet in depth and of suitable width.

PORTO RICO.

Porto Rico.

Arecibo Harbor.

Rhode Island.

RHODE ISLAND.

Newport Harbor, with a view to the modification and enlargement of the existing projects as indicated in plans "B" and "C" contained in House Document Numbered Four hundred and thirty-eight, Fifty-ninth Congress, second session.

Point Judith Pond, and the entrance thereto, with a view to obtaining a navigable depth.

Providence River and Harbor, with a view to widening and straightening the channel between Kettle Point and Gaspee Point, and to extending the twenty-five feet deep anchorage area westward to the western harbor line from a point just above Harbor Junction pier to Fields Point and cutting off Fields Point back to the harbor line.

Inner Harbor, Great Salt Pond, Block Island, with a view to widening the present channel and providing increased anchorage.

South Carolina.

SOUTH CAROLINA.

Cooper River.

Wateree, Congaree, and Santee rivers, including the Estherville-Minim Creek Canal.

Great Pedee River up to Cheraw, with a view to obtaining an increased depth.

Little Pedee River, from its mouth to the mouth of Lumber River.

Black River.

Lynch River and Clark Creek, from Effingham to Great Pedee River.

Mingo Creek, from Hemingway Bridge to its mouth.

Waverly Creek, from its mouth to Waverly Mills.

South Dakota and Iowa.

SOUTH DAKOTA AND IOWA.

Big Sioux River.

South Dakota and Minnesota.

SOUTH DAKOTA AND MINNESOTA.

Lake Traverse, with a view to removing obstructions to navigation.

Tennessee.

TENNESSEE.

Obey River.

Caney Fork, from its mouth for a distance of eighty miles up the same.

Tennessee, Alabama, and Kentucky.

TENNESSEE, ALABAMA, AND KENTUCKY.

Survey of Tennessee River from the confluence of the Holston and the French Broad rivers, to its mouth, with a view to securing the best permanent navigation by open channel work, or locks and dams, or both, and making an estimate of the cost of same, with a view to securing a depth from Knoxville to Chattanooga of six feet, if obtainable, or any such less depth as may be practicable between such depth and the present project depth; and from Chattanooga to the mouth of the river a depth of nine feet, if obtainable, or such less depth as may be practicable between such depth and the present project depth.

Tennessee and Kentucky.

TENNESSEE AND KENTUCKY.

Cumberland River, from Lock Numbered Seven, below Carthage, Tennessee, to Lock Numbered Twenty-one, below Burnside, Kentucky.

TEXAS.

Texas.

Aransas Pass Harbor, with a view to obtaining a suitable depth and width.

Channel from Aransas Pass Harbor to Rockport, with a view to deepening and widening the same.

Brazos Santiago Harbor.

Channel from Aransas Pass Harbor through Turtle Cove to Corpus Christi, with a view to obtaining a channel twenty-five feet deep and of the necessary width.

Channel extending from the mouths of the Sabine and Neches rivers to the mouth of Taylors Bayou, including the Sabine River from Orange to said canal, and the Neches River from Beaumont to said canal, with a view to widening and deepening said canal and removing the obstructions in the said rivers and improving the same; and in making such examination or survey the engineer or engineers having the same in charge shall take into account, and make report upon any proposition for participation in the expense of said project by the localities immediately affected thereby.

Sabine Pass and Port Arthur Ship Canal, to and including Taylors Bayou and the turning basin at Port Arthur, with a view to widening and deepening said channels and said turning basin, and to obtaining increased harbor room of equal depth at Port Arthur.

Brazos River, with a view to the selection of sites for the additional locks and dams between Old Washington and Waco.

TEXAS AND ARKANSAS.

Texas and Arkansas.

Survey of Sulphur River, from its mouth to the forks in Delta County, Texas.

UTAH.

Utah.

Grand River, from its mouth to Moab.

Green River, from its mouth to the town of Greenriver.

VERMONT.

Vermont.

Otter Creek, from Lake Champlain to Vergennes.

VIRGINIA.

Virginia.

Dymers Creek, with a view to increasing the depth over the bar at the entrance to fifteen feet.

Chincoteague Inlet, with a view to obtaining a channel depth of fifteen feet.

Mattox Creek, with a view to increasing the depth over the bar at or near its mouth.

Mattaponi River.

Totuskey River, from deep water in Rappahannock River to the bridge about five miles above its mouth.

Nansemond River, from Hampton Roads to Suffolk, with a view to widening and straightening the channel and deepening the same to twenty-five feet, and with a view to removing the bars in and near the mouth of Bennetts Creek.

Norfolk Harbor and the approaches thereto, with a view to obtaining a depth of thirty-five feet and suitable width from deep water in the sea via Elizabeth River and the Southern Branch to the navy-yard; also between Lamberts Point and Pinnars Point, with a view to

providing additional anchorage area abreast of and above Lamberts Point; also the Southern Branch of the Elizabeth River above the navy-yard.

Channel across Newport News Middle Ground Bar, with a view to obtaining a depth of thirty-five feet and suitable width between Old Point and Newport News.

Washington.

WASHINGTON.

Columbia River, from the mouth of Snake River to Wenatchee.

Pend Oreille River, from Newport to Metaline.

Okanogan River.

Lewis River, including the North Fork and the East Fork to La Center.

Alamicut River to the main channel of the Columbia.

Columbia River, from Vancouver to the mouth of Willamette River, with a view to securing increased width and depth.

Cowlitz River, from Castlerock to the head of navigation.

Tacoma Harbor, with a view to extending the Puyallup waterway five thousand feet or less.

Hammersley Inlet, Puget Sound.

Willapa Harbor and River, to and through Raymond.

Swinomish Slough.

Nooksak River to Lynden.

West Virginia.

WEST VIRGINIA.

Little Kanawha River, with a view to the modification of the existing system of locks and dams and its further improvement.

Wisconsin.

WISCONSIN.

Ashland Harbor, with a view to widening the channel to four hundred feet, or to such width as may be deemed suitable for the needs of commerce.

Oconto Harbor.

Depere Harbor, with a view to the construction of a turning basin in the Fox River at Depere and securing a channel twenty feet in depth from said turning basin to the city of Green Bay.

Port Washington Harbor.

Milwaukee Harbor, with a view to the creation of an outer harbor; also with a view to a modification of the present plan of improvement by providing for widening the channels in the inner harbor instead of the construction of certain turning basins heretofore authorized.

Highcliff Harbor, Lake Winnebago.

Yahara River, with a view to securing a channel four feet deep from Madison to Janesville.

Uniformity of appropriations.

UNIFORMITY RELATING TO APPROPRIATIONS.

Board of engineers to report on local improvements of harbors on Great Lakes, etc.

The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements.

INTRA-COASTAL WATERWAYS.

Intra-coastal waterways.

Survey for the construction of a continuous waterway, inland where practicable, from Boston, Massachusetts, to Long Island Sound including a waterway from the protected waters of Narragansett Bay through the ponds and lagoons lying along the southern coast of Rhode Island to Watch Hill and Fishers Island; thence to New York Bay; thence across the State of New Jersey to a suitable point on Delaware River or Bay; thence to Chesapeake Bay; thence from Norfolk, Virginia, to the sounds of North Carolina and Beaufort Inlet, North Carolina, for the purpose of ascertaining the cost of a channel with a maximum depth of twenty-five feet, or such lesser depths along any section or sections of the said waterway as may be found to be sufficient for commercial, naval, or military purposes. Such survey shall include an examination of all practicable routes, the preparation of plans and estimates of cost along the most available route, and a report upon the desirability of utilizing as a part of such waterway any existing public or private canal, or any part thereof, and the probable cost of acquiring the same.

Survey from Boston, Mass., to Beaufort Inlet, N. C., inland, where practicable.

Extent of report, etc.

Survey for the construction of a continuous waterway, inland where practicable, from Beaufort, North Carolina, to the Cape Fear River, North Carolina; thence to Winyah Bay, South Carolina; thence to Saint Johns River, Florida; thence to Key West, Florida, for the purpose of ascertaining the cost of a channel with a maximum depth of twelve feet, or such lesser depths along any section or sections of the said waterway as may be found to be sufficient for commercial, naval, or military purposes. Such survey shall include an examination of all practicable routes, the preparation of plans and estimates of cost along the most available route, and a report upon the desirability of utilizing as a part of such waterway any existing public or private canal, or any part thereof, and the probable cost of acquiring the same.

Survey from Beaufort, S. C., to Key West, Fla., inland, where practicable.

Extent of report, etc.

Survey for the construction of a continuous inland waterway across the State of Florida, between suitable points on the eastern and Gulf coasts of said State, for the purpose of ascertaining the cost of a channel with a maximum depth of twelve feet, or such lesser depths along any section or sections of said waterway as may be found sufficient for commercial, naval, and military purposes. Such survey shall include an examination of all practicable routes, the preparation of plans and estimates of cost along the most available route, and a report upon the desirability of utilizing as a part of such waterway any existing public or private canal, or any part thereof, and the probable cost of acquiring the same.

Survey inland across Florida, from ocean to the Gulf.

Extent of report, etc.

Survey for the construction of a continuous waterway, inland where practicable, along the Gulf of Mexico from Saint Georges Sound, Florida, to the Mississippi River at New Orleans, Louisiana, by way of Saint Andrews Bay, Choctawhatchee Bay, Pensacola Bay, and Perdido Bay, Florida; Mobile Bay, Alabama; Mississippi Sound, Alabama and Mississippi; Lake Borgne and Lake Pontchartrain, Louisiana, for the purpose of ascertaining the cost of a channel with a maximum depth of nine feet, or such lesser depths along any section or sections of the said waterway as may be found to be sufficient for commercial, naval, or military purposes. Such survey shall include an examination of all practicable routes, the preparation of plans and estimates of cost along the most available route, and a report upon the desirability of utilizing as a part of such waterway any existing public or private canal, or any part thereof, and the probable cost of acquiring the same.

Survey from St. George's Sound, Fla., to New Orleans, La., inland, where practicable.

Extent of report, etc.

Survey inland between Humboldt Bay and Eel River, Cal.

Survey for the construction of a continuous inland waterway in the State of California, between suitable points on Humboldt Bay and Eel River, with a view to obtaining a channel of suitable width and a maximum depth of nine feet, or such lesser depths along any section or sections of said waterway as may be found desirable. Such survey shall include an examination of all practicable routes.

Extent.

Inland waterway of Louisiana and Texas.

INLAND WATERWAY OF LOUISIANA AND TEXAS.

Survey from Mississippi River, La., to Rio Grande, Tex.

Survey for the construction of a continuous inland waterway from the Mississippi River to Bayou Teche; thence to Mermentau River; thence to Calcasieu River; thence to the Sabine River, Louisiana and Texas; thence to Galveston, Texas; thence to Brazos River, Texas; thence to Pass Cavallo; thence to Aransas Pass; thence to Point Isabel; and thence to the Rio Grande, for the purpose of ascertaining the cost of a channel with a maximum depth of nine feet, or such lesser depths along any section or sections of the said waterway as may be found to be sufficient for commercial, naval, or military purposes. Such survey shall include an examination of all practicable routes, the preparation of plans and estimates of cost along the most available route, and a report upon the desirability of utilizing as a part of such waterway any existing public or private canal, or any part thereof, and the probable cost of acquiring the same: *Provided*, That whenever, in the making of a survey of any of the preceding waterways, field work shall indicate that the proposed improvement is clearly inadvisable, no detailed survey or plans shall be made.

Extent of report, etc.

Proviso.
Rejection of inadvisable schemes.

Office of Chief of Engineers.
Employment of professional assistants authorized.
Post, p. 880.

SEC. 14. That the Chief of Engineers may, with the approval of the Secretary of War, employ in his office such professional and other assistants as, in his judgment, may be necessary to enable him to perform effectively and with advantage to the public service the various duties imposed upon his office by the laws enacted from time to time by Congress for the improvement, preservation, and protection of the navigable waters of the United States, the salaries of such employees to be paid by allotments from any appropriations made by Congress for examinations and surveys, or for the improvements of rivers and harbors: *Provided*, That expenditures hereunder shall not exceed twenty-five thousand dollars in any one year, and shall be in addition to those otherwise authorized by law: *And provided further*, That an itemized statement of all expenditures under this section, including the number of persons employed, their duties, and the amount paid to each, shall accompany the annual report of the Chief of Engineers.

Payment for.

Provisos.
Limit.

Itemized statement required.

Approved, March 3, 1909.

March 3, 1909.
[S. 5729.]

[Public, No. 318.]

CHAP. 265.—An Act To correct the records and authorize the reenlistment of certain noncommissioned officers and enlisted men belonging to Companies B, C, and D of the Twenty-fifth United States Infantry who were discharged without honor under Special Orders, Numbered Two hundred and sixty-six, War Department, November ninth, nineteen hundred and six, and the restoration to them of all rights of which they have been deprived on account thereof.

Brownsville, Tex.,
shooting affray.
Court of inquiry to investigate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to appoint a court of inquiry, to consist of five officers of the United States Army, not below the rank of colonel, which court shall be authorized to hear and report upon all charges and testimony relating to the shooting affray which took place at Brownsville, Texas, on the night of August thirteenth-fourteenth,