

**§ 11. Authority for compact between Middle Northwest States as to jurisdiction of offenses committed on boundary waters**

The consent of the Congress is given to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of them, by such agreement or compact as they may deem desirable or necessary, or as may be evidenced by legislative acts enacted by any two or more of said States, not in conflict with the Constitution of the United States or any law thereof, to determine and settle the jurisdiction to be exercised by said States, respectively, over offenses arising out of the violation of the laws of any of said States upon any of the waters forming the boundary lines between any two or more of said States, or waters through which such boundary line extends, and that the consent of the Congress be, and the same is, given to the concurrent jurisdiction agreed to by the States of Minnesota and South Dakota, as evidenced by the act of the Legislature of the State of Minnesota approved April 20, 1917, and the act of the Legislature of the State of South Dakota approved February 13, 1917.

(Mar. 4, 1921, ch. 176, 41 Stat. 1447.)

**Editorial Notes**

CODIFICATION

This section is from a resolution entitled a "Joint Resolution giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States".

**§ 12. Port Arthur Ship Canal**

After there shall be conveyed to the United States, free of cost, a valid title to the line of water communication between Taylors Bayou and Sabine Pass, in the State of Texas, known as the Port Arthur Ship Canal, together with a valid title to the turning basin as existing June 19, 1906, and to the artificial slip on which the lumber dock of the Port Arthur Canal and Dock Company is built, the said waterways shall thereupon become free public waters of the United States, and be subject to the laws enacted by Congress for the maintenance, preservation, protection, and regulation of navigable waters: *Provided*, That the company or corporation conveying title to said canal as aforesaid shall also convey to the United States, free of cost, the fee to a strip of land one hundred and fifty feet wide along the westerly margin of the canal, except that where the right of way of the Southern Pacific Railroad Company prevents the transfer of such strip of land along the westerly margin of said canal there shall be conveyed such strip on the easterly margin thereof as may be necessary to make up such one hundred and fifty feet of width, with the reservation that until Congress shall have authorized and provided for the enlargement and widening of said canal the said company or corporation, its successors or assigns, shall have the right to control, occupy, and use the said strip of land

and every part thereof in the same manner and to the same extent as before the execution and delivery of the conveyance, and also the right to transfer, lease, sell, quitclaim, or otherwise dispose of said property and every part thereof, subject to the grant made to the United States. The charges for the use of said docks and wharves shall be just and reasonable and shall not be greater than charges for similar services at other ports of the United States on the Gulf of Mexico.

(June 19, 1906, ch. 3436, §1, 34 Stat. 302.)

**Editorial Notes**

CODIFICATION

This section is from a proviso following provisions establishing an additional collection district in the State of Texas to be known as the district of Sabine; the establishment of the said district being conditioned on the making of the conveyance referred to in this section.

Further provisions of the said proviso authorizing the Secretary of War to accept the said waterways as the property of the United States, and directing that the Act take effect only when the requirements of the section be fully complied with to the satisfaction of the Secretary of War, have been omitted as executed and obsolete.

**SUBCHAPTER II—WATERS DECLARED NONNAVIGABLE: CHANGE OF NAME**

**§ 21. Bayou Cocodrie, Louisiana**

Bayou Cocodrie, from its source to its junction with Bayou Chicot, in the State of Louisiana, is declared to be not a navigable water of the United States within the meaning of the laws enacted by the Congress for the preservation and protection of such waters.

The right to alter, amend, or repeal this section is expressly reserved.

(Feb. 25, 1921, ch. 71, §§1, 2, 41 Stat. 1145.)

**Editorial Notes**

CODIFICATION

The first sentence hereof is section 1 and the second sentence section 2 of act Feb. 25, 1921, entitled "An Act to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot".

**§ 22. Bayou Meto, Arkansas**

The Bayou Meto, in the State of Arkansas, is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.

(Aug. 8, 1917, ch. 49, §16, 40 Stat. 268.)

**§ 23. Bear Creek, Mississippi**

Bear Creek in Humphreys, Leflore, and Sunflower Counties, in the State of Mississippi, is declared to be a nonnavigable stream within the meaning of the Constitution and the laws of the United States.

The right of Congress to alter, amend, or repeal this section is expressly reserved.

(Mar. 3, 1923, ch. 229, §§1, 2, 42 Stat. 1442.)

**Editorial Notes**

## CODIFICATION

The first sentence hereof is section 1 and the last sentence section 2 of act Mar. 3, 1923, entitled "An Act declaring Bear Creek in Humphreys, Leflore, and Sunflower counties, Mississippi, to be a nonnavigable stream".

**§ 24. Big Tarkio River, Missouri**

The Big Tarkio River, in the counties of Holt and Atchison, in the State of Missouri, is declared to be not a navigable water of the United States within the meaning of the laws enacted by Congress for the preservation and protection of such waters.

The right to alter, amend, or repeal this section is expressly reserved.

(Feb. 15, 1910, ch. 33, §§ 1, 2, 36 Stat. 194.)

**Editorial Notes**

## CODIFICATION

The first sentence hereof is section 1 and the last sentence section 2 of act Feb. 15, 1910, entitled "An Act to declare Big Tarkio River, in Holt and Atchison counties, Missouri, nonnavigable".

**§ 25. Cache River, Arkansas**

The Cache River in the State of Arkansas is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States. This provision shall become void after one year from July 27, 1916, unless within said period the Legislature of Arkansas shall pass an act expressly approving this declaration. The right of the Congress to alter, amend, or repeal this section is expressly reserved.

(July 27, 1916, ch. 260, § 1, 39 Stat. 399.)

**Editorial Notes**

## CODIFICATION

Section was a provision of section 1 of act July 27, 1916, popularly known as the "Rivers and Harbors Appropriation Act of 1916".

## APPROVAL OF DECLARATION

See Arkansas Laws 1917, ch. 2, act 406.

**§ 26. Calumet River, Cook County, Illinois, old channel**

The portion of the old channel of the Calumet River in the northwest quarter of section thirty, township thirty-seven north, range fifteen east, of the third principal meridian, in Cook County, Illinois, which lies outside of the new channel lines as established by the United States and shown on "Map of the Calumet River, Illinois, from Lake Michigan to Calumet Lake, to accompany report of W. G. Ewing, United States attorney to the Attorney-General, respecting cession of right of way for improvement of said river under Act of Congress approved July fifth, eighteen hundred and eighty-four," is hereby abandoned as navigable water from and after the time that a navigable channel shall be cut through said quarter section within the new channel lines of the river as shown on the said map.

The portion of the old channel of the Calumet River in the north quarter of fractional section

seven, township thirty-seven north, range fifteen, east of the third principal meridian, south of the Indian boundary line, in Cook County, Illinois, which lies outside of the new channel lines as established by the United States and shown on "map of the Calumet River, Illinois, from Lake Michigan to Calumet Lake, to accompany report of W. G. Ewing, United States attorney, to the Attorney General, respecting cession of right of way for improvement of said river, under Act of Congress approved July fifth, eighteen hundred and eighty-four," is abandoned as navigable water.

(Apr. 21, 1904, ch. 1409, 33 Stat. 239, 240; Feb. 27, 1915, ch. 68, 38 Stat. 817.)

**Editorial Notes**

## REFERENCES IN TEXT

Act of Congress approved July 5, 1884, referred to in text, is act July 5, 1884, ch. 229, 23 Stat. 143, which provided in part for the appropriation of \$50,000 for the continuing improvement of the Calumet River, provided that no part of such appropriation be expended until the right of way should have been conveyed to the United States, free from expense, and the United States released from liability to adjacent property owners, to the satisfaction of the Secretary of War.

**§ 26a. Additional portion of Calumet River, old channel, abandoned as navigable water**

The portion of the old channel of the Calumet River in sections eighteen and nineteen, township thirty-seven north, range fifteen east, of the third principal meridian, in Cook County, Illinois, which lies outside of the new channel lines established by the United States and shown on the map referred to in section 26 of this title, and which lies outside of the exterior limits of the turning basin to be established on said Calumet River in said sections, is abandoned as navigable water of the United States from and after the time when the United States shall have secured title to the land necessary for the establishment of the turning basin at some point, to be approved by the Chief of Engineers, between One hundred and thirteenth Street and One hundred and seventeenth Street in the city of Chicago.

(Mar. 4, 1913, ch. 144, § 1, 37 Stat. 816.)

**§ 26b. Portion of Calumet River, Chicago, as non-navigable stream**

The portion of the Calumet River, in the city of Chicago, county of Cook, State of Illinois, lying between the intersections of this river with the two lines described below, is a nonnavigable stream within the meaning of the Constitution and laws of the United States:

Beginning at a point on the south line of the north half of section 36, township 37 north, range 14 east, of the third principal meridian, one thousand eight hundred and seventy-three and seven-hundredths feet west of the east line of said section; thence northwesterly on a straight line to a point three thousand two hundred and eighty feet west of the east line and seven hundred and eighty-five feet south of the north line of said section; and

Beginning at a point five hundred and eighty-five feet east of the west line and seven hundred