

- across the Mississippi River near the village of Bemidji, between the outlet of Lake Bemidji and Wolf Lake, Beltrami County, in said river, and near the village of Bemidji, Beltrami 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 of the power thereby developed: *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 commencement of the construction of the same: *And provided further*, That the said Kirby Thomas, E. J. Swedback, and M. A. Spooner, their heirs, administrators, and assignees, shall not deviate from such plans after such approval, either before or after the completion of said structure, unless the modification of said plans shall have previously been admitted 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 the 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 the said dam so far as shall be necessary for purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of such a dam as he may deem advisable in the interests of navigation: *And provided further*, That suitable fishways and lights, to be approved by the Secretary of Commerce and Labor, shall be constructed and maintained at said dam by Kirby Thomas, E. J. Swedback, and M. A. Spooner, their heirs, administrators, and assignees.
- 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, 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 same.
- SEC. 3.** That this Act shall be null and void unless the dam herein authorized be commenced within one year and be completed within three years from the time of the passage of this Act.
- SEC. 4.** That the right to amend or repeal this Act is hereby expressly reserved.

Approved, March 3, 1905.

March 3, 1905.
[H. R. 19052.]

CHAP. 1475.—An Act To incorporate the American Academy in Rome.

[Public, No. 208.]

American Academy
in Rome.
Incorporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edwin A. Abbey, Samuel A. B. Abbott, Charles Francis Adams, Edwin A. Alderman, James W. Alexander, John J. Albright, James B. Angell, Charles T. Barney, Edward J. Berwind, Edwin H. Blashfield, William A. Boring, Robert S. Brookings, Glen Brown, Daniel H. Burnham, Nicholas Murray Butler, John L. Cadwalader, Frank W. Chandler, Edward H.

Coates, Thomas Jefferson Coolidge, Frank Miles Day, Albert Dean Currier, William E. Dodge, William F. Draper, William E. Eames, Charles W. Eliot, Theodore N. Ely, Marshall Field, Charles L. Freer, Daniel Chester French, W. M. R. French, Henry C. Frick, Lyman J. Gage, Richard Watson Gilder, Cass Gilbert, Daniel Coit Gilman, Elmer Ellsworth Garnsey, Arthur T. Hadley, Charles C. Harrison, Thomas Hastings, William H. Herriman, Henry L. Higginson, Charles L. Hutchinson, William M. Kendall, John La Farge, Charles Lanier, Frederick Layton, Austin W. Lord, George B. McClellan, Clarence H. Mackay, Charles F. McKim, William C. McMillan, Frederic MacMonnies, William Rutherford Mead, Frank Millet, S. Weir Mitchell, Charles Moore, Edwin D. Morgan, J. Pierpont Morgan, H. Siddons Mowbray, Frederick Law Olmsted, Francis L. Patton, Robert Swain Peabody, Henry Kirke Porter, George B. Post, Henry S. Pritchett, Frederick W. Rhineland, James D. Richardson, Edward Robinson, Elihu Root, F. Augustus Schermerhorn, J. G. Schurman, Carl Schurz, James Speyer, James Stillman, Waldo Story, Augustus Saint Gaudens, H. A. C. Taylor, S. Breck Parkman Trowbridge, William K. Vanderbilt, Henry Walters, John Q. A. Ward, Henry White, Stanford White, S. O. Warren, Egerton L. Winthrop, their associates and successors, are hereby created a body corporate and politic in the District of Columbia by the name of the American Academy in Rome, for the purpose of establishing and maintaining an institution to promote the study and practice of the fine arts and to aid and stimulate the education and training of architects, painters, sculptors, and other artists, by enabling such citizens of the United States as shall be selected by competition from among those who have passed with honor through leading technical schools or have been equally well qualified by private instruction or study to develop their powers and complete their training under the most favorable conditions of direction and surroundings.

Purposes.

SEC. 2. That said corporation may adopt a constitution and make all by-laws, rules, and regulations not inconsistent with law that may be necessary or expedient in order to accomplish the purposes of its creation; and it may hold real estate and personal property in the United States and in the Kingdom of Italy for the necessary use and purposes of said organization to an amount not to exceed one million dollars; and it may adopt a seal. Said corporation shall have its principal office in Washington, in the District of Columbia, and shall hold its annual meetings in such places as the said incorporators shall determine.

Powers.

Principal office.

SEC. 3. That no official of the United States shall be eligible to serve as director of the said corporation, and when any director shall become an official of the United States he shall cease by virtue of this Act to be a director of the corporation hereby authorized.

Directors.

SEC. 4. That under no circumstances shall the United States be liable for any obligation incurred by this corporation.

Nonliability of Government.

Approved, March 3, 1905.

CHAP. 1476.—An Act To authorize the Secretary of the Interior to construct dams across the Yellowstone River in Montana in connection with irrigation works.

March 3, 1905.

[H. R. 19118.]

[Public, No. 209.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where, in carrying out projects under the provisions of the national reclamation Act, it shall be necessary to construct dams in or across the Yellowstone River in the State of Montana, the Secretary of the Interior is hereby authorized to construct and use and operate the same in the manner and for the purposes contemplated by said reclamation Act.

Yellowstone River, Mont.
Dams under reclamation act.
Vol. 32, p. 388.

Approved, March 3, 1905.