

entitled to fish in the waters of Alaska from employing as laborers any aliens who can now be lawfully employed under the existing laws of the United States, either at stated wages or by piecework, or both, in connection with Alaskan fisheries, or with the canning, salting or otherwise preserving of fish.

Penalty for violations.

SEC. 2. That every person, company, corporation, or association found guilty of a violation of any provision of this Act or of any regulation made thereunder shall, for each offense, be fined not less than one hundred dollars nor more than five hundred dollars, which fine shall be a lien against any vessel or other property of the offending party or which was used in the commission of such unlawful act. Every vessel used or employed in violation of any provision of this Act or of any regulation made thereunder shall be liable to a fine of not less than one hundred dollars nor more than five hundred dollars, and may be seized and proceeded against by way of libel in any court having jurisdiction of the offense.

Prosecution.

SEC. 3. That the violation of any provision of this Act or of any regulation made thereunder may be prosecuted in any United States district court of Alaska, California, Oregon, or Washington.

Seizures and arrests.

SEC. 4. That the collector of customs of the district of Alaska is hereby authorized to search and seize every foreign vessel and arrest every person violating any provision of this Act or any regulation made thereunder, and the Secretary of Commerce and Labor shall have power to authorize officers of the Navy and of the Revenue-Cutter Service and agents of the Department of Commerce and Labor to likewise make such searches, seizures, and arrests. If any foreign vessel shall be found within the waters to which this Act applies, having on board fresh or cured fish and apparatus or implements suitable for killing or taking fish, it shall be presumed that the vessel and apparatus were used in violation of this Act until it is otherwise sufficiently proved. And every vessel, its tackle, apparatus, or implements so seized shall be given into the custody of the United States marshal of either of the districts mentioned in section three of this Act, and shall be held by him subject to the proceedings provided for in section two of this Act. The facts in connection with such seizure shall be at once reported to the United States district attorney for the district to which the vessel so seized shall be taken, whose duty it shall be to institute the proper proceedings.

Enforcement of regulations.

SEC. 5. That the Secretary of Commerce and Labor shall have power to make rules and regulations not inconsistent with law to carry into effect the provisions of this Act. And it shall be the duty of the Secretary of Commerce and Labor to enforce the provisions of this Act and the rules and regulations made thereunder, and for that purpose he may employ, through the Secretary of the Treasury and the Secretary of the Navy, the vessels of the United States Revenue-Cutter Service and of the Navy: *Provided, however,* That nothing contained in this Act shall be construed as affecting any existing treaty or convention between the United States and any foreign power.

Proviso.
Existing treaties,
etc., not affected.

Approved, June 14, 1903.

June 14, 1906.
[S. 5357.]

CHAP. 3300.—An Act Permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minnesota.

[Public, No. 229.]

Mississippi River,
Minn.
Mississippi River
Power Company may
dam.
Location.

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 Mississippi River Power Company, a corporation organized under the laws of the State of Minnesota, its successors and assigns, to build a dam across the Mississippi River between

the township of Monticello, in Wright County, Minnesota, and the township of Becker, in Sherburne County, Minnesota, and above the village of Monticello, in said Wright County, 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 Mississippi River Power Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modification of said plans shall have previously been submitted 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 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 Commission, shall be constructed and maintained at said dam by The Mississippi River Power Company, its successors or assigns.

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, June 14, 1906.

CHAP. 3301.—An Act To authorize the Charleston Light and Water Company to construct and maintain a dam across Goose Creek in Berkeley County, in the State of South Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right, power, and privilege to construct, erect, and maintain a dam across the said Goose Creek is hereby authorized, granted, and given to the said the Charleston Light and Water Company, its successors and assigns: *Provided*, That the said the Charleston Light and Water Company shall be liable for all such damages as may be established in any court of competent jurisdiction by any landowner claiming that his land has been damaged

Provisos.
Secretary of War to approve plans, etc.

Modification of plans.

Sluiceway.

Lock.

Control of dam by United States.

Changes.

Fishways.

Litigation.

Proviso.
Existing laws not affected.

Time of completion.
Post, p. 1235.

Amendment.

June 14, 1906.
[H. R. 8410.]
[Public. No. 230.]

Goose Creek, S. C. Charleston Light and Water Company may dam.

Provisos.
Damages.