

to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

### § 39. Ollala Slough, Oregon

All of that portion of Ollala Slough in Lincoln County, Oregon, above a point where a line that is one hundred and twenty rods south and running east and west and parallel with the section line between sections 8 and 17 in township 11 south, range 10 west of the Willamette meridian, crosses said stream, is declared to be a non-navigable stream.

(Feb. 26, 1917, ch. 119, 39 Stat. 937.)

### § 40. One Hundred and Two River, Missouri

One Hundred and Two River south of the north boundary line of Andrew County, Missouri, as now located, 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. 31, §§ 1, 2, 36 Stat. 194.)

### § 41. Osage River, Missouri

The Osage River in the State of Missouri above the point where the south line of sections 15 and 16 in township 40 north, of range 22 west, of the fifth principal meridian, and in the county of Benton, State of Missouri, crosses said river, is declared not to be a navigable stream, and shall be so treated by the Secretary of the Army and by all other authorities.

(Mar. 4, 1904, ch. 393, 33 Stat. 58; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

#### CODIFICATION

This section superseded act June 24, 1902, ch. 1154, 32 Stat. 398, which declared that the Osage River above the point where the dividing line between the counties of Benton and Saint Clair crosses the river should not be a navigable stream.

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

### § 42. Platte River, Missouri

The Platte River in the State of Missouri is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States, and jurisdiction over said river is declared to be vested in the State of Missouri.

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

(Feb. 16, 1921, ch. 62, §§ 1, 2, 41 Stat. 1105.)

#### CODIFICATION

The two sentences of this section are, respectively, from sections 1 and 2 of act Feb. 16, 1921, entitled "An Act declaring the Platte River to be a nonnavigable stream".

### § 43. Saint Marys River, Ohio and Indiana

Saint Marys River, Ohio and Indiana, is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.

(Aug. 8, 1917, ch. 49, § 17, 40 Stat. 268.)

### § 44. Sturgeon Bay, Illinois

So much of the west fork of Sturgeon Bay within the county of Mercer and State of Illinois as lies west of the line between the east half and the west half of the east half of section 25, in township 14 north, range 6 west of the fourth principal meridian, and so much of the east fork of said Sturgeon Bay as lies north of the north line of section 30, in township 14 north, range 5 west of the fourth principal meridian, shall not be deemed navigable waters of the United States.

(Feb. 7, 1907, No. 13, 34 Stat. 1421.)

### § 45. Swan Creek, Toledo, Ohio

Swan Creek, a stream lying within the limits of the city of Toledo, State of Ohio, is declared to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the preservation and protection of such waterways, and the consent of Congress is given for the filling in of said creek by the local authorities.

(Mar. 4, 1915, ch. 142, § 13, 38 Stat. 1055.)

#### CODIFICATION

Section is from act Mar. 4, 1915, popularly known as the "Rivers and Harbors Appropriation Act of 1915".

### § 46. Tchula Lake, Mississippi

Tchula Lake, in Holmes County, in the State of Mississippi, is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.

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

(July 1, 1922, ch. 266, §§ 1, 2, 42 Stat. 816.)

#### CODIFICATION

The two sentences comprising this section are, respectively, sections 1 and 2 of act July 1, 1922, entitled "An act declaring Tchula Lake, Holmes County, Mississippi, to be a nonnavigable stream".

### § 47. Eagle Lake, Louisiana-Mississippi

Eagle Lake, which lies partly within the limits of the State of Mississippi, in Warren County, and partly within the limits of the State of Louisiana, in Madison Parish, is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.

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

(June 2, 1926, ch. 445, §§ 1, 2, 44 Stat. 681.)

### § 48. Noxubee River, Mississippi

That portion of the Noxubee River in Noxubee County, in the State of Mississippi is declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.