

CHAP. 59.—An Act Authorizing the Mississippi River, Hamburg and Western Railway Company to construct and maintain a bridge across the Bayou Bartholomew, in Arkansas.

March 12, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mississippi River, Hamburg and Western Railway Company, a corporation created and existing under and by virtue of the laws of the State of Arkansas, be, and is hereby, authorized to construct and maintain a bridge across Bayou Bartholomew, in the State of Arkansas, at such point suitable to the interests of navigation as may hereafter be selected by said railway company for crossing said bayou with its railroad line. Said bridge shall be constructed to provide for the passage of railway trains, and at the option of said railway company may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of toll as may be fixed by said railway company and approved by the Secretary of War.

Mississippi River, Hamburg and Western Railway Co. may bridge the Bayou Bartholomew, Ark.

Transit of trains, etc.

Toll.

Lawful structure and post route.

Postal telegraph telephone, etc.

Provided.

Aids to navigation.

Lights, etc.

Obstructions to free navigation.—alterations by Secretary of War, etc.

—litigation.

Provided. Laws to protect navigation of rivers not impaired.

Equal rights to railroad companies to use, etc.

Secretary of War to prescribe regulations.

—to approve plans, map, etc.

SEC. 2. That said bridge built under this Act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge, and shall enjoy the rights and privileges of other post roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes: *Provided*, That the bridge herein authorized to be constructed shall be so kept and managed by the company owning or operating it as to afford proper ways and means for the passage through or under it of vessels, barges, or rafts at all times, both by day and by night; and there shall be displayed on said bridge, from sunset to sunrise, such lights and signals as the Light-House Board shall prescribe.

SEC. 3. That if said bridge, erected and maintained under the authority of this Act, shall at any time substantially or materially obstruct the free navigation of said bayou, or shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction, and such alteration shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said bayou, the case may be brought in the district court of the United States in the State of Arkansas in which any portion of said obstruction or bridge may be located: *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 bridge from the operation of the same.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; or, in case of disagreement, upon such terms and conditions as may be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest.

SEC. 5. That the bridge authorized to be constructed under this Act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe, and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and a map of the location, prepared with reference to a known datum plane, upon prescribed scale, furnished by the engineer officer having supervision of said river, and giving for

the space of one mile above and one mile below the proposed location of the bridge the topography of the banks of the bayou, with shore lines at high and low water, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plans and location of the bridge are approved by the Secretary of War the bridge shall not be built, and should any change be made in the plan of the said bridge during the process of construction, such change shall be subject to the approval of the Secretary of War, and said structure shall be changed at the cost and expense of the owners thereof from time to time as the Secretary of War may direct, so as to preserve the free and convenient navigation of said bayou.

—changes.

Commencement and completion.

SEC. 6. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

Right to alter, etc.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 12, 1898.

March 14, 1898.

CHAP. 60.—An Act Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes, namely:

Pensions appropriations

Invalid, etc., pensions.

For army and navy pensions, as follows: For invalids, widows, minor children, dependent relatives, army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, one hundred and forty million dollars: *Provided*, That the appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose: *Provided further*, That the amount paid to each of the several classes of pensioners shall be accounted for separately: *Provided further*, That hereafter no pensions shall be paid upon power of attorney from pensioners residing in foreign countries.

Provisos.
Navy pensions.

Accounts.

Pensioners residing abroad.

Examining surgeons.

Fees, etc.

Provisos.
Examinations.

No fee unless service rendered.

Rating.

Agents' salaries.

Clerk hire.
Proviso.
Apportionment.

For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-nine, seven hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *Provided*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to.

For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

For clerk hire, four hundred and fifteen thousand dollars: *Provided*, That the amount of clerk hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.