

the south half of the southwest quarter of section twenty-two, township fourteen north, range eight west of the fifth principal meridian, in the county of Independence, in the State of Arkansas, reserved for use in connection with the construction of Lock Numbered Three, Upper White River, Arkansas, said railway to be constructed, maintained, and operated upon the following terms and conditions, to wit: The railway track so authorized shall be carried across the above-described land on a trestle affording not less than thirteen feet longitudinal clearance between bents, the cap timbers of said trestle to be not over twelve feet in length, and the batter of the inclined posts not to exceed three inches horizontal distance to one foot vertical distance. Said White River Railway Company, its successors and assigns, shall build and maintain, at their own expense, at some near-by point, a siding or spur track from which the United States can receive and forward freight, either in carload lots or less than car-load lots. Said railway company shall, during the time of the construction of the lock and dam, establish Lock Numbered Three as a flag station for all trains carrying passengers. Said White River Railway Company shall not use the river banks within a distance of one hundred and fifty feet above and below the limits of the lock walls of said Lock Numbered Three as a place for depositing spoil and waste, except under such conditions as may be approved by the United States engineer officer in charge of the improvements of Upper White River, Arkansas.

Rights reserved.

SEC. 2. That there is hereby specially reserved to the United States the right to erect chutes or other structures over and under said trestle, in such manner as not to interfere with the movement of trains; to load or unload cars while on the main track of said railway in the vicinity of Lock Numbered Three, provided regularly scheduled trains shall not be thereby delayed; and to build temporary warehouses and other structures, not only along said railway trestle, but also along the railway track adjacent to said reservation for said Lock Numbered Three, on each side thereof, and as close thereto as can be done without interfering with the safe movement and operation of trains, and the said White River Railway Company shall permit the United States to enter upon its right of way adjacent to the Government reserve for the purpose of so doing: *Provided*, That the United States in exercising its right to excavate under the aforesaid trestle will not be responsible to the said railway company, its employees, passengers, patrons, or the public for any delay or injury caused by said excavation.

Proviso.
Nonresponsibility of
the United States.

Secretary of War to
approve work.

SEC. 3. That all work done by said White River Railway Company under this Act shall be subject at all times during and after its completion to the approval of the Secretary of War, and shall be done under the supervision of the engineer officer of the United States Army in charge of the improvement of Upper White River, Arkansas.

Amendment.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 26, 1902.

February 26, 1902.

[Public, No. 24.]

CHAP. 33.—An Act To transfer the county of Carroll from the northwestern division of the northern district of Georgia to the northern district of Georgia of the United States district and circuit courts, and for other purposes.

Georgia northern
judicial district.
Carroll County
transferred from
northwestern divi-
sion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Carroll, in the State of Georgia, be, and is hereby, transferred from the northwestern division of the northern district of Georgia to the northern district of Georgia of the United States district and circuit courts; but this transfer shall not affect any suit or legal proceeding begun prior to the passage of this Act.

Vol. 31, p. 73.

Approved, February 26, 1902.

CHAP. 34.—An Act For the relief of parties for property taken from them by military forces of the United States.

February 27, 1902.

[Public, No. 25.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Quartermaster-General is directed, under such rules and regulations as may be approved by the Secretary of War, to investigate, or cause to be investigated, the claims of artillery and cavalry officers and private soldiers of the Confederate army for horses, side arms, and baggage alleged to have been taken from them by Federal troops, at and after the surrender at Appomattox, acting under orders, in violation of the terms of surrender of the Confederate armies, and he shall, subject to the approval of the Secretary of War, issue his voucher to such persons as shall be shown by such investigation to be entitled thereto, which voucher shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided,* That the expenditures under this Act shall not exceed fifty thousand dollars.

Property of Confederate soldiers.
Investigation of claims.

Issue and payment of vouchers.

Proviso.
Limit of expenditures.

Proof required.

SEC. 2. That no claimant shall be entitled to or receive any voucher as herein provided unless he shall establish to the satisfaction of the Quartermaster-General that he, or the person through or from whom he asserts said claim, was paroled at the time of said surrender; that he had kept his parole in good faith; that he was the actual owner of the horses, side arms, and baggage for which he claims compensation; that such property was taken from him by troops of the United States acting under orders and in violation of the terms of the surrender under which he was paroled. And if the soldier has died since his parole was received, the sum he may be entitled to shall be paid to his wife; if she be dead, then to his children; if he has no wife or child or children living, then to his parents, or either of them if one of them be dead; and no other shall be entitled to receive the same. If he has minor children, the same may be paid to their guardians.

Payment to heirs.

Approved, February 27, 1902.

CHAP. 134.—An Act To grant the right of way through the Oklahoma Territory and the Indian Territory to the Enid and Anadarko Railway Company, and for other purposes.

February 28, 1902.

[Public, No. 26.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Enid and Anadarko Railway Company, a corporation created under and by virtue of the laws of the Territory of Oklahoma, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway and telegraph and telephone line through the Territory of Oklahoma and the Indian Territory, beginning at a point on its railway between Anadarko and Watonga, in the Territory of Oklahoma, thence in an easterly direction by the most practicable route to a point on the eastern boundary of the Indian Territory near Fort Smith, in the State of Arkansas, together with such branch lines to be built from any point on the line above described to any other point in the Indian Territory as said railway company may at any time hereafter decide to construct, with the right to construct, use, and maintain such tracks, turn-outs, sidings, and extensions as said company may deem it to its interest to construct along and upon the right of way and depot grounds hereby granted.

Enid and Anadarko Railway Company.
Right of way to, through Oklahoma and Indian Territories.

Location.

Construction.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, and for no other purpose, a right of way one hundred feet in width through said Oklahoma Territory and said Indian Territory, and to take and use a strip of land two hundred feet

Width.