

upon the assurance that suffering seamen and citizens of the United States will be admitted to the privileges of said hospitals.

CONTINGENT EXPENSES, UNITED STATES CONSULATES.

Contingent expenses,
consulates.

Expenses of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent, postage, furniture, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular clerks, compensation of Chinese writers, loss by exchange, and such other miscellaneous expenses as the President may think necessary for the several consulates, consular agencies, and commercial agencies in the transaction of their business, two hundred and fifty-five thousand dollars.

Approved, March 12, 1904.

March 14, 1904.
[H. R. 10136.]

[Public, No. 49.]

Indian Territory.
Bail allowed in
criminal cases on ap-
peals.

Bond.

Pending cases.

CHAP. 544.—An Act Authorizing bail in criminal cases upon appeal in the courts of Indian Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon appeals in all criminal cases from inferior courts to the United States district courts, and from the district courts to the court of appeals, in the Indian Territory, the defendants shall be admitted to bail pending the final determination of the cases upon appeal except in capital cases. The amount of bail shall be fixed and the bond shall be approved by the court trying the case or by one of the judges of the court of appeals. Such bond shall be conditional for the appearance of the defendant at all times, when required in the prosecution of said appeal, and that he will surrender himself in execution of the final judgment therein.

SEC. 2. That the provisions of this Act shall apply to all cases now pending upon appeal in the courts of the Indian Territory.

Approved, March 14, 1904.

March 14, 1904.
[H. R. 3578.]

[Public, No. 50.]

Monongahela River,
Pa.
Mercantile Bridge
Company may bridge.

Location.

Construction.

CHAP. 545.—An Act To authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver Township, Westmoreland County.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mercantile Bridge Company, a proposed company for which application for a charter and letters patent has been made to the governor of the State of Pennsylvania by Tom P. Sloan, John Percival, B. C. Sloan, A. H. Nelson, and Henry Sheets, is hereby authorized to construct, maintain, and operate a highway bridge across the Monongahela River from a point in the borough of North Charleroi, county of Washington and State of Pennsylvania, to a point on the opposite side of the river, in the township of Rostraver, county of Westmoreland and State of Pennsylvania. The said bridge, when built in accordance with this Act, shall be a legal structure and may be used for all the purposes of a highway bridge.

SEC. 2. That the channel span of any bridge built under the provisions of this Act shall not be less than fifty-four feet above the level of the water at pool full in said river, measured to the lowest part of the superstructure thereof, nor shall the said span be less than three hundred feet in length in the clear, and the piers of the bridge shall be

parallel with the current of the river, and the said span shall be over the main channel of the river at ordinary water: *Provided*, That any bridge constructed under this Act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which also no higher charge shall be made for the transportation over the same of the mails, the troops, or munition of war of the United States than the rate per mile paid for transportation over railroads and public highways leading to the said bridge.

Proviso.
Lawful structure and post route.

SEC. 3. That the bridge authorized to be constructed under this Act shall be so located and built that navigation under it shall be reasonably free, easy and unobstructed, and to secure that object the bridge company shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location, giving for the space of three-fourths of a mile above the proposed location the depths and currents at all points of the same and the depths and the currents as far below the proposed location as he may require, and also give the location of any other bridge for three-fourths of a mile above and below the proposed location, together with all other information touching the said bridge and river as may be deemed requisite by the Secretary of War to determine whether said bridge when built will conform to the provisions of this Act and cause any unreasonable obstruction to the navigation of the river or injuriously affect the flow of water.

Unobstructed navigation.

SEC. 4. That the Secretary of War is hereby authorized and directed, upon receiving said plan and map, and upon being satisfied that a bridge built upon such a plan and at said locality will conform to the provisions of this Act and cause no unreasonable obstruction to the navigation of the river or injuriously affect the flow of water, to notify said company that he approves the same; and upon receiving such notification the said company may proceed to the erection of said bridge, conforming strictly to the approved plan and location. But until the Secretary of War shall approve the plan and location of the said bridge and notify the said company of the same in writing the bridge shall not be commenced; and no change shall be made in the approved plan of the bridge during the progress of the work thereon or after completion, unless such change is approved by the Secretary of War.

Secretary of War to approve plans, etc.

SEC. 5. That said bridge shall be constructed and used for the passage of wagons and vehicles of all kinds, for the transit of animals and foot passengers, for the erection and maintenance thereon of telegraph and telephone wires, and the passage and operation of street cars over the same for such reasonable rates of toll as may be fixed by the laws of the State of Pennsylvania, or may be agreed upon between the bridge company and such persons or corporations using the same where the rates of toll are not fixed by law; and in case the parties interested shall fail to agree on the sum to be paid and on the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall, upon the application of either party, be determined by the circuit court of the United States in and for any district in which any portion of said bridge may be. The United States shall also have the right of way over said bridge for postal telegraph and telephone purposes: *Provided*, That all street-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 or cars over the same and over the approaches thereto, and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across the bridge.

Wagon, street-car, and foot bridge.

Proviso.
Use by street railroads.

Telegraph, etc. rights.

SEC. 6. That said bridge herein authorized to be constructed shall so be kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts, both by day and by

Lights, etc.

Changes.	night, and there shall be displayed on said bridge by the owners thereof, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe; and such changes shall be made from time to time in the structure of said bridge, by the owners thereof at their own expense, as the Secretary of War may deem necessary and order in the interest of navigation; and in case of any litigation arising from any alleged obstruction to the navigation of any of said rivers created by the construction of any bridge under this Act, the cause or question arising may be tried before the circuit court of the United States in and for any district in which any portion of said obstruction or bridge may be: <i>Provided</i> , 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 same.
Litigation.	
Proviso. Existing laws not affected.	
Time of construction.	SEC. 7. That this Act shall be null and void unless the construction of said bridge shall be commenced within one year and completed within three years from the passage of this Act.
Amendment.	SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved.
	Approved, March 14, 1904.

March 14, 1904.
[H. R. 5761.]
[Public, No. 51.]

Monongahela River,
Act authorizing the
Charleroi and Monessen
Bridge Company
to bridge, reenacted.
Vol. 31, p. 1451.

CHAP. 546.—An Act To authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved March third, nineteen hundred and one, entitled "An Act to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River," which Act has expired by limitation, be, and is hereby, revived and reenacted.

SEC. 2. That section seven of the said Act is hereby amended to read as follows:

Time for construction extended.
Vol. 31, p. 1458,
amended.

"SEC. 7. That this Act shall be null and void unless the construction of such bridge shall be commenced within one year and completed within three years from March third, nineteen hundred and four."

Approved, March 14, 1904.

March 15, 1904.
[H. R. 1909.]
[Public, No. 52.]

Winthrop, Mass.
Land for public road
conveyed to.

CHAP. 547.—An Act To authorize the conveyance to the town of Winthrop, Massachusetts, for perpetual use as a public road, of a certain tract of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to convey to the town of Winthrop, in the county of Suffolk, State of Massachusetts, for perpetual use as a public road, the following-described tract of land: A strip of land twenty-five feet wide, extending along the northerly side of the United States Military reservation at Fort Banks, from the easterly side of Elm avenue to the easterly side of Winthrop street, town of Winthrop, in the county of Suffolk, Massachusetts; and more particularly described as follows: "Beginning at the point of intersection of the northeasterly side of Winthrop street with the southeasterly side of the location of the Boston, Revere Beach and Lynn Railroad Company's right of way, and running thence northeasterly along the southeasterly side of said right of way for a distance of six hundred feet, more or less, to the northeasterly side of Elm avenue; thence southeasterly along the northeasterly side of Elm avenue for a distance of twenty-five feet; thence southwesterly along a line parallel to and twenty-five feet distant from the southeasterly line of the location of the Boston, Revere

Description.