

Act, and if the underground system now used by the company is finally rejected, it is authorized to install an underground system essentially similar to that used by the Metropolitan Railway Company.

Underground system.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this Act.

Amendment.

Approved, June 15, 1898.

CHAP. 451.—An Act To authorize the establishment of a life-saving station at or near Charlevoix, Michigan.

June 15, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station at or near Charlevoix, Michigan, in such locality as the General Superintendent of the Life Saving Service may recommend.

Life Saving Service. Station established at Charlevoix, Mich.

SEC. 2. That the character of the equipments and appliances of the station, the number of men constituting its crew, and the portion of the year during which it shall be manned, shall be determined by the General Superintendent of the Life-Saving Service.

Equipments, etc.

Approved, June 15, 1898.

CHAP. 452.—An Act To authorize the construction of a bridge across the Missouri River at or near Quindaro, Kansas, by the Kansas City, Northeastern and Gulf Railway Company.

June 15, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kansas City, Northeastern and Gulf Railway Company, a corporation duly incorporated under the laws of the State of Kansas, be, and the same is hereby, authorized and empowered to erect, construct, and maintain a bridge over and across the Missouri River for the passage and crossing of railroad cars and engines and such other material and things as may be used in the management, construction, or operation of a railroad, hereby giving and granting unto said railway company the power and authority to erect, establish, construct, and maintain in connection with such railway bridge a wagon and foot-passenger bridge, or either or both of them.

Kansas City, Northeastern and Gulf Railway may bridge Missouri River.

SEC. 2. That said bridge shall be constructed over said river at or within one mile of the section line dividing sections twenty-nine and thirty, in township ten south, of range twenty-five east, and at or near what is known as Quindaro, in Wyandotte County, Kansas.

Location.

SEC. 3. That any 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 transportation 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 railroads or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post roads of the United States.

Lawful structure and post route.

SEC. 4. That the rights, privileges, and authority granted to said railway company by this Act shall extend to and be enjoyed by the successors, grantees, and assigns of said railway company, and the obligations and duties by this Act made incumbent upon said railway company shall be assumed in all respects by any such grantee, assignee, or successor of said railway company. The said railway company shall have the right, privilege, and authority to build, establish, erect, and maintain all necessary approaches to said bridge upon either bank of said river; and when said bridge is constructed all trains of all other railroad companies, or transportation companies, which may desire to use said bridge in the conduct of their business, and which may approach said bridge from either side of said river shall pay to said railway com-

Rights and obligations of successors of railway

Approaches to bridge.

pany, its successors or assigns, a reasonable compensation for the use of the same, to be fixed by the Secretary of War, if the parties to such transactions can not agree. The owners of said bridge, if they shall erect, establish, and maintain in connection therewith a wagon and foot-passenger bridge, may charge and receive reasonable compensation or tolls, at the option of said railway company, its successors or assigns, for the transit over said bridge of all wagons, carriages, vehicles, animals, and foot passengers.

Tolls.

To be a high bridge, etc. SEC. 5. That any bridge built under the provisions of this Act shall be a high bridge with unbroken and continuous spans, the lowest point of superstructure of which shall have an elevation of at least fifty feet above the high-water grade line for bridges as established by the Missouri River Commission, and the main or channel span shall afford a clear channel way of not less than four hundred feet, and all other spans over the waterway shall have a clear channel way of at least three hundred feet, and the said bridge shall be built at right angles to and its piers parallel with the current of the river: *Provided*, That said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe, and such sheer booms or other structures as may be necessary to safely guide vessels, rafts, or other water craft safely through said channel spans, and as shall be designed and required by the Secretary of War: *And provided further*, That the corporation building said bridge may, subject to the approval of the Secretary of War, enter upon the banks of said river either above or below the point of location of said bridge, and confine the flow of the water to a permanent channel, and to do whatever may be necessary to accomplish said object, but shall not impede or obstruct the navigation or flood discharge of said river, and shall be liable for all injuries to or appropriation of private property, and all plans for such works or erections upon or within the banks of the river shall first be submitted to the Secretary of War for his approval, and no such works shall be commenced without his approval.

Provisions. Lights.

Aids to navigation.

Construction of permanent channel.

—qualifications, etc.

Obstruction of navigation. Secretary of War to approve plans, etc.

—changes.

Litigation.

Telegraph, etc., lines.

Amendment.

Commencement and completion.

SEC. 6. That no bridge shall be erected or maintained under the authority of this Act which shall substantially or materially obstruct the free navigation of said river; and no bridge shall be commenced or built under this Act until the location thereof and the plans and specification for its construction, with such maps as may be necessary for a full understanding of the regimen of the river for a distance of one mile above and one half mile below the proposed site of the bridge, shall have been submitted to and approved by the Secretary of War; and any change in the plan of such construction or any alteration in the bridge after its construction shall be subject to the like approval; and whenever said bridge shall, in the opinion of the Secretary of War, substantially obstruct the free navigation of said river, he is hereby authorized to cause such change or alteration of said bridge to be made as will obviate such obstruction, and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge, or the persons operating or controlling the same; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of the Missouri River, at or near the crossing of said bridge, caused thereby, the cause shall be commenced and tried in the circuit courts of the United States, of either judicial district of the State of Missouri or Kansas, in which said bridge or any portion of such obstruction touches.

SEC. 7. That the United States shall also have the right to construct, without charge therefor, telegraph or telephone lines across said bridge, and the Congress of the United States may at any time alter, amend, or repeal this Act.

SEC. 8. 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.

Approved, June 15, 1898.

CHAP. 456.—An Act To provide an American register for the steamer Arkadia.

June 16, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to cause the foreign-built steamer Arkadia, owned by the New York and Porto Rico Steamship Company, incorporated under the laws of the State of New York, to be registered as a vessel of the United States: *Provided,* That the said steamship shall not engage in the coastwise trade of the United States, but shall not be excluded from that between this country and Porto Rico.

Steamer "Arkadia."
Granted American register.

Provido.
Coastwise trade.

Approved, June 16, 1898.

CHAP. 457.—An Act To provide American registers for the steamers Victoria, Olympia, Arizona, Columbia, Argyle, and Tacoma.

June 16, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to cause the foreign-built steamers Victoria, Olympia, Arizona, Columbia, Argyle, and Tacoma, owned by the Northern Pacific Steamship Company, to be registered as vessels of the United States.

Steamers "Victoria,"
"Olympia," "Arizona,"
"Columbia," "Argyle,"
and "Tacoma."
Granted American registers.

Approved, June 16, 1898.

CHAP. 458.—An Act For the protection of homestead settlers who enter the military or naval service of the United States in time of war.

June 16, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case in which a settler on the public land of the United States under the homestead laws enlists or is actually engaged in the Army, Navy, or Marine Corps of the United States as private soldier, officer, seaman, or marine, during the existing war with Spain, or during any other war in which the United States may be engaged, his services therein shall, in the administration of the homestead laws, be construed to be equivalent to all intents and purposes to residence and cultivation for the same length of time upon the tract entered or settled upon; and hereafter no contest shall be initiated on the ground of abandonment, nor allegation of abandonment sustained against any such settler, unless it shall be alleged in the preliminary affidavit or affidavits of contest, and proved at the hearing in cases hereafter initiated, that the settler's alleged absence from the land was not due to his employment in such service: *Provided,* That if such settler shall be discharged on account of wounds received or disability incurred in the line of duty, then the term of his enlistment shall be deducted from the required length of residence without reference to the time of actual service: *Provided further,* That no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year after he shall have commenced his improvements.

Public lands.
Absence of settler
enlisted as soldier,
etc., to be equivalent
to residence, etc.

Providos.
Discharge for disability.

One year's residence
necessary.

Approved, June 16, 1898.

CHAP. 459.—An Act For a survey for a channel leading from Ship Island Harbor, Mississippi, to the railroad pier at Gulf Port, Mississippi, and to Biloxi, Mississippi, and for a survey of Ship Island Pass.

June 16, 1898.

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 and directed to cause to be made a survey for a channel leading from Ship Island Harbor, Mississippi, to the rail-

Survey of channel
from Ship Island Har-
bor, Mississippi, to
Gulf Port, etc.