

Ante, p. 495.

said fees shall have been rendered and finally acted upon according to the provisions of the Act of July thirty-first, eighteen hundred and ninety-four (chapter one hundred and seventy-four, Twenty-eighth Statutes at Large, page one hundred and sixty-two), unless the proper accounting officer of the Treasury fails to finally act thereon within six months after the account is received in said office.

Approved, July 1, 1898.

July 1, 1898.

CHAP. 547.—An Act To authorize the White and Black River Valley Railway Company to build a bridge across the Black River in Arkansas.

White and Black
River Valley Railway
Company bridge Black
River, Arkansas.

—location.

—drawspan.

Proviso.

Lawful structure
and post route.

Telegraph, etc., com-
panies.

Secretary of War to
approve plans.

—changes.

Lights.

Amendment.

Free navigation.

Railroads.
—equal rights to use,
etc.

—disagreement with
owner of bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the White and Black River Valley Railway Company, a corporation created and existing under the laws of the State of Arkansas, be, and is hereby, authorized to erect and maintain a bridge across the Black River, in township twelve north, range three west, or at such point near said township as shall be selected by said railway company for crossing said river with their railway line, the said bridge to have a drawspan so as not to interfere with the navigation of said river: *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, and munitions of war of the United States or for through passengers or freight passing over said bridge than the rate per mile paid for their transportation over the railroads leading to the said bridge; 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.

SEC. 2. That the plan and location of said bridge, with a detailed map of the river at the proposed site of the bridge and near thereto, exhibiting the depths and currents, shall be submitted to the Secretary of War for his approval, and until he approves the plans and location of said bridge it shall not be built; but upon the approval of said plan by the Secretary of War the said company or corporation may proceed to the erection of said bridge in conformity with said approved plan, and should any change be made in the plan of said bridge during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War. And there shall be displayed on said bridge from sunset to sunrise such lights or other signals as may be prescribed by the Light-House Board.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this Act at any time; and if at any time navigation of said river shall in any manner be obstructed or impaired by the said bridge the Secretary of War shall have authority, and it shall be his duty, to require the said railway company to alter and change the said bridge, at its own expense, and in such manner as may be proper to secure free and complete navigation without impediment; and if upon reasonable notice to the said railway company to make such changes or improvements the said company fails to do so all the rights conferred by this Act shall be forfeited.

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 railroad trains or cars over the same, and over the approaches to the same, upon the payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use shall fail to agree upon the sum or sums to be paid, and upon the rules and conditions to which each shall conform in using said bridge, all matters at

issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

SEC. 5. 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.

Commencement and completion.

Approved, July 1, 1898.

CHAP. 548.—An Act Extending the time for the construction of a bridge across the Missouri River at Yankton, South Dakota.

July 1, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of the Act of June twenty-second, eighteen hundred and ninety-two, entitled "An Act to authorize the construction of a bridge across the Missouri River at the city of Yankton, South Dakota," and the Act of May twenty-eighth, eighteen hundred and ninety-four, amendatory thereof, are hereby amended so as to read as follows:

Bridge over Missouri River at Yankton, S. Dak.

Time extended for construction.
Vol. 27, p. 56.
Vol. 28, p. 78.

"SEC. 6. That this Act shall be null and void if the bridge herein authorized is not completed within two years from the twenty-second day of June, eighteen hundred and ninety-eight."

Approved, July 1, 1898.

CHAP. 563.—An Act To relieve owners of mining claims who enlist in the military or naval service of the United States for duty in the war with Spain from performing assessment work during such term of service.

July 2, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section twenty-three hundred and twenty-four of the Revised Statutes of the United States, which require that on each claim located after the tenth day of May, eighteen hundred and seventy-two, and until patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year, shall not apply to claims or parts of claims owned by persons who may enlist in the volunteer army or navy of the United States for service in a war between this country and Spain, so that no mining claim or any part thereof owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments until six months after such owner is mustered out of the service, or, if he should not survive the war, then six months after his death in the service.

Public lands.
Mining claims of persons enlisting not subject to forfeiture for nonperformance of annual labor etc.
R. S., sec. 2324, p. 426.

SEC. 2. That those desiring to take advantage of this Act shall file, or cause to be filed, a notice in the clerk's office where the location certificate of said mine is recorded before the expiration of the assessment year, giving notice of his enlistment and of his desire to hold said claim under this Act.

Notice of enlistment.

SEC. 3. That if any such enlisted soldier or sailor has a coowner or coowners in any mining claim, and who are not in the Army or Navy, and such coowner or coowners fail to do such a proportion of one hundred dollars' worth of work per annum as the interest of such non-enlisted person or persons bears to the whole claim, then such interest shall be open to relocation by any other qualified person or persons by their doing the necessary work thereon and filing an affidavit of labor showing the forfeiture and that the relocators had done the annual work required of such nonenlisted persons and succeeded them in right under this Act, which work may be done at any time after the expiration of the assessment year and before the former owners resume work thereon. The work and affidavit aforesaid shall operate as a transfer of said forfeited interest from the former owners to said relocators.

No exemption to co-owners not enlisted.

Approved, July 2, 1898.