

of chief engineers shall not be increased: *Provided*, That nothing in this act shall cause any officer to be retarded in his promotion or receive a less rate of pay than would otherwise have been the case.

SEC. 3. That suitable medals be struck at the United States Mint in commemoration of the perils encountered by the officers and men of the said Jeannette Arctic Expedition, and as an expression of the high esteem in which Congress holds their services in the said expedition; and that one of the said medals be presented to each of the survivors of said expedition, and one to the heirs of each of the deceased members.

SEC. 4. That a sufficient sum for the purposes of this act is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Approved, September 30, 1890.

CHAP. 1129.—An act to authorize the Mobile, Jackson and Kansas City Railroad Company to cross certain rivers in the State of Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given to the Mobile, Jackson and Kansas City Railroad Company, a corporation duly organized and existing under the laws of the States of Alabama and Mississippi, its successors and assigns, to construct, maintain, and use a bridge or bridges, and approaches thereto, over the Pascagoula River, in the county of Green, in the State of Mississippi, or over the two rivers, the Chickasawhay and the Leaf, which form the Pascagoula, above their junction in the said county of Green, at such point or points as said railroad company may desire or find most practicable in the final location of its railroad between the city of Mobile, in the State of Alabama, and either or both the city of Jackson and the village of Brandon, in the State of Mississippi, and to construct, maintain, and use a bridge or bridges, and approaches thereto, across the Pearl River in or on the line of the county of Rankin, in said State of Mississippi, at such point or points as the said railroad company may find most practicable and convenient when it shall make the final location of its line of railroad in accordance with the charter to it granted by the State of Mississippi: *Provided*, That any 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 or rivers 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 the bridge and a map of the location, giving, for the space of one mile above and one mile below the proposed location, the topography of the banks of the river or rivers, the shore lines at high and low water, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built: *Provided, also*, That if any such bridge shall be built with unbroken and continuous spans they shall conform in length and height to the requirements of the Secretary of War; and if any such bridge shall be constructed as a draw-bridge the same shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans of such length as the Secretary of War shall prescribe; and said draw shall be opened promptly upon reasonable signal for the passage of any kind of river craft, including rafts; and, whatever kind of bridge is built, the said company or corporation shall main-

Proviso.
Not to affect other officers.

Medals.

Distribution.

Appropriation.

September 30, 1890.

Mobile, Jackson and Kansas City Railroad Company may bridge Pascagoula River, or Chickasawhay and Leaf Rivers, Green county, and Pearl River, Rankin county, Miss.

Locations.

Provisos.
Security of navigation.

Secretary of War to approve plans, etc.

Continuous spans or draw-bridge. Spans.

Pivot-draw.

Spans.
Opening of draw.

Lights, etc. tain at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board may prescribe: *And provided, also,* That if more than one bridge is built under this act the above provisions and requirements shall apply to all.

Application of re- quirements, etc. SEC. 2. That any and all bridges built under this act shall be lawful structures, and the line of railroad and bridges so constructed by the said railroad company shall constitute a post-route and shall enjoy all the rights and privileges of other post-roads of the United States.

Lawful structures and post-routes. SEC. 3. That this act shall be null and void if actual construction of the bridges herein authorized be not commenced within two years and completed within four years from the date of the approval of this act.

Commencement and completion. SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Amendment. Approved, September 30, 1890.

September 30, 1890.

CHAP. 1130.—An act authorizing the use of the Louisville and Portland Canal Basin on certain conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the written contract by and between the city of Louisville, the Louisville and Portland Canal Company, and John P. Byrne, made in the year eighteen hundred and seventy, under which the firm of Byrne and Speed, of Louisville, Kentucky, constructed a basin on the south side of the Louisville and Portland Canal, above Fifteenth street, and also erected buildings, with elevator machinery therein, on land then the property of the Louisville and Portland Canal Company, now the property of the United States, is ratified and confirmed, subject, however, to the following modifications and provisions, to wit: Byrne and Speed, their assignees and grantees, are hereafter to pay to the United States of America, for the use of the land, an annual rental of two hundred and fifty dollars, to be paid semi-annually, through the officer in charge of the canal.

Louisville and Port- land Canal. They shall not erect any additional buildings of any kind, but may keep in repair those now standing, or may reconstruct them or any part thereof, in case of destruction by fire or from other cause.

Byrne and Speed may conditionally use the Louisville and Portland Canal Basin, Louisville, Ky. SEC 2. That when, in the opinion of the Secretary of War, the use of said basin or buildings shall become prejudicial to the canal or its use, he shall detail a commission of not less than three nor more than five officers of the Engineer Corps of the United States Army, with orders to assemble in Louisville, and to decide whether the use of the said basin or buildings is prejudicial to the canal or its use.

Ratification, etc., of contract. Said commission shall cause notice to be given to Byrne and Speed, or their assigns, of the time and place of their sitting, and shall, after hearing any evidence offered by Byrne and Speed, or by the officer representing the Government, proceed to hear and determine the matter submitted to them, and if they find that the use of the said basin or buildings is prejudicial to the canal or its use, they will also assess and find the value of the excavation and masonry of the basin made and erected by Byrne and Speed in the construction of said basin, and upon the payment or tender by the Secretary of War of the sum so fixed Byrne and Speed shall remove within six months their buildings from the canal property, discontinue the use of said basin, and relinquish all claims under the above-mentioned contract.

Rental. A copy of the finding of the commission shall be furnished to Byrne and Speed, or their assigns.

Building restriction. SEC. 3. That the ratification provided in this act shall not take effect unless within ninety days from its passage Byrne and Speed shall file with the Secretary of War their written acceptance of its

Notice. Removal of build- ings, etc. Relinquishment of claims. Copy of finding. Acceptance of ratifi- cation.