

agree upon the sum or sums to be paid and upon 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 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 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, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, 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. And if any change is required by the Secretary of War in the plan of said bridge, whilst the same is in process of construction, or after its completion, or if the entire removal of said bridge is required by him at any time, the cost of such change or removal shall be paid by the company owning or controlling said bridge.

Secretary of War to approve plans, etc.

Change of plan, etc.

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within three years from the date of the approval of this act.

Commencement and completion.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Amendment, etc.

Approved, August 15, 1890.

CHAP. 796.—An act to amend an act approved August sixth, eighteen hundred and eighty-eight, authorizing the construction of bridges by the Houston, Central Arkansas and Northern Railway Company.

August 18, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved August sixth, eighteen hundred and eighty-eight, entitled "An Act authorizing the Houston, Central Arkansas and Northern Railway Company to construct and maintain bridges across Bayou Bartholomew and across Ouachita, Red, Little and Sabine Rivers in Louisiana," be and is hereby amended so that the time within which the actual construction of said bridges may be commenced is hereby extended for the period of one year from the date of the approval of this Act.

Bridges across Bayou Bartholomew and Ouachita, Red, Little, and Sabine Rivers, La.

Vol. 25, p. 377, amended.

Commencement extended.

Approved, August 18, 1890.

CHAP. 797.—An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

August 18, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sums of money herein provided for be, and the same are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available until expended, namely:

Fortifications appropriations.

Available until expended. Preservation and repair.

PRESERVATION AND REPAIR OF FORTIFICATIONS: For the protection, preservation, and repair of fortifications for which there may be no special appropriations available, eighty thousand dollars.

- Plans.** For preparation of plans for fortifications, five thousand dollars.
- Fort Marion; sea-wall.** For repair and preservation of Fort Marion, Florida, and for construction of sea-wall to preserve the site, fifteen thousand dollars.
- Sea-wall, Governor's Island.** For completing sea-wall at Governor's Island, New York Harbor, fifty thousand dollars.
- Torpedoes, etc.** **TORPEDES FOR HARBOR DEFENSE:** For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, one hundred thousand dollars.
- For needful casemates and cable galleries to render it possible to operate submarine mines, one hundred thousand dollars.
- For continuing torpedo experiments and for practical instruction of engineer troops in the details of the service, thirty thousand dollars.
- Purchase of machine guns.** **PURCHASE OF MACHINE GUNS:** For the purchase of machine guns, musket caliber, of American manufacture, twenty thousand dollars.
- Expenditures by Board of Ordnance and Fortification.** For the following, to be expended under the direct supervision of the Board of Ordnance and Fortification, created by the fortification appropriation act approved September twenty-second, eighteen hundred and eighty-eight, and in the manner prescribed by said act, namely:  
Vol. 25, pp. 489-491.
- Gun and mortar batteries.** **GUN AND MORTAR BATTERIES:** For construction of gun and mortar batteries for defense of Boston Harbor, two hundred and thirty-five thousand dollars; New York, seven hundred and twenty-six thousand dollars; San Francisco, two hundred and sixty thousand dollars; in all, one million two hundred and twenty-one thousand dollars.
- Boston.**
- New York.**
- San Francisco.**
- Procurement of land for works, etc.** For the procurement of land, or right pertaining thereto, needed for the site, location, construction, or prosecution of works, for fortifications and coast defenses, five hundred thousand dollars, or so much thereof as may be necessary, and hereafter the Secretary of War may cause proceedings to be instituted, in the name of the United States, in any court having jurisdiction of such proceedings, for the acquirement, by condemnation, of any land, or right pertaining thereto, needed for the site, location, construction, or prosecution of works for fortifications and coast defenses, such proceedings to be prosecuted in accordance with the laws relating to suits for the condemnation of property of the States wherein the proceedings may be instituted: *Provided*, That when the owner of such land or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of War, shall be reasonable, he may purchase the same at such price without further delay: *Provided further*, That the Secretary of War is hereby authorized to accept on behalf of the United States donations of lands or rights pertaining thereto required for the above-mentioned purposes: *And provided further*, That nothing herein contained shall be construed to authorize an expenditure, or to involve the Government in any contract or contracts for the future payment of money, in excess of the sums appropriated therefor.
- Condemnation procedure.**
- Provisos.**
- Immediate purchase at reasonable price.**
- Acceptance of donations.**
- Limitation of expenditure, etc.**
- Armament.** **ARMAMENT OF FORTIFICATIONS:** For the manufacture (finishing and assembling) of eight-inch, ten-inch, and twelve-inch steel sea-coast guns from forgings procured under fortification act of September twenty-second, eighteen hundred and eighty-eight, seventy thousand dollars.
- Manufacture, etc., of steel sea-coast guns.** For completing the manufacture (finishing and assembling) of three and six-tenths-inch, five-inch, and seven-inch steel field and siege cannon from forgings procured under fortification act of March second, eighteen hundred and eighty-nine, thirty-six thousand dollars, together with the unexpended balance of the appropriation of fourteen thousand dollars made for this object by the fortification
- Vol. 25, p. 490.**
- Completing steel field and siege cannon.**
- Unexpended balance.**

appropriation act approved March second, eighteen hundred and eighty-nine.

That contracts shall be invited by the Secretary of War by proper notice and publication for the manufacture (finishing and assembling) of eight-inch, ten-inch, and twelve-inch steel sea-coast guns from forgings procured under fortification act of September twenty-second, eighteen hundred and eighty-eight, and if private parties shall offer to finish, assemble, and deliver any of such guns in proper condition for use as completed guns, at a price fair to the Government, the necessary contracts shall be entered into by the Secretary for that purpose, and to carry into effect this provision the sum of two hundred thousand dollars is hereby appropriated: *Provided*, That the finishing and assembling of not over fifty per centum of each caliber of such forgings shall be thus contracted for: *Provided further*, That all contracts made hereunder shall be so made as to fully protect the Government against all loss or damage which may result from imperfect work, the fault of the contractor, and the work done hereunder shall be subject to inspection at every stage.

For steel field-guns of three and two-tenths-inch caliber, twenty-five thousand dollars.

For breech-loading rifled sea-coast mortars, cast-iron, hooped with steel, of twelve-inch caliber, four hundred thousand dollars: *Provided*, That contracts may be made for not more than one-fourth of the mortars herein provided for, to be constructed on the Pacific coast in the discretion of the Secretary of War.

For sights and implements for guns and for fuzes, two thousand dollars.

For metallic carriages for field-gun batteries, one hundred and forty-three thousand one hundred and thirty-five dollars.

For alteration of existing carriages for ten-inch and fifteen-inch smooth-bore guns to adapt them to present service conditions, one hundred thousand dollars.

For carriages for breech-loading rifled mortars of twelve-inch caliber, procured under the fortification act of September twenty second, eighteen hundred and eighty-eight, two hundred and twenty-five thousand dollars.

For powder for proving sea-coast mortars of twelve-inch caliber, procured under the fortification act of September twenty-second, eighteen hundred and eighty-eight, and for testing projectiles, ten thousand dollars.

For steel shell or shrapnel for field guns, twelve thousand dollars, and for cast-iron projectiles for field, siege, and sea-coast guns, twenty-four thousand five hundred dollars for issues to the service; in all, thirty-six thousand five hundred dollars.

For cast-iron projectiles for proving sea-coast mortars of twelve-inch caliber, procured under the fortification act of September twenty-second, eighteen hundred and eighty-eight, ten thousand dollars.

For steel shell for sea-coast cannon, twenty-five thousand dollars.

For steel armor-piercing projectiles for sea-coast guns, one hundred thousand dollars.

For purchase and erection of armor plate for testing armor-piercing projectiles, twenty-four thousand dollars.

ARMY GUN FACTORY: For machinery and plant for the manufacture of steel shell or shrapnel for field-guns, five thousand dollars.

For machinery to complete the full capacity of present gun factory building at Watervliet Arsenal, West Troy, New York, one hundred and sixty-five thousand dollars.

For construction of a building for wash-rooms, closets, and sinks for the operatives of the gun factory, twelve thousand dollars.

For increase of machinery and plant for manufacture of projectiles, and for castings needed in current work of gun fabrication at army gun factory, sixteen thousand dollars.

Vol. 25, p. 887.

Contracts for manufacture, etc.

Steel sea-coast guns.

Vol. 25, pp. 490-491.

*Provisos.*

Maximum per centage of contracts.

Government to be protected against loss, etc.

Inspection of work.

Steel field-guns.

Cast-iron mortars.

*Proviso.*

Maximum constructed on Pacific coast.

Sights, etc.

Metallic carriages for field guns.

Alterations of existing smooth-bore gun carriages.

Carriages for cast-iron mortars.  
Vol. 25, p. 490.

Powder for testing.

Steel projectiles, etc., for field, siege, and sea-coast guns.

Cast iron projectiles for sea-coast mortars.

Steel shell, sea-coast cannon.  
Steel projectiles, sea-coast guns.

Armor plate for tests.

Army gun factory.

Plant, etc., for field-gun projectiles.  
Machinery at Watervliet Arsenal, N. Y.

Wash-rooms, etc.

Increase of plant, etc., for making projectiles, etc.

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|---|--|
| Office.   | For erection and completion of a fire-proof brick office building for the army gun factory, Watervliet Arsenal, New York, twenty-three thousand dollars.   |
| Railroad sidings, etc.  | For railroad sidings, switches, and weighing scale at the army gun factory, Watervliet Arsenal, New York, two thousand eight hundred dollars.  |
| Steam engine, etc.  | For one hundred and fifty horse-power steam-engine and shafting for machine-shop at the army gun factory, Watervliet Arsenal, New York. three thousand five hundred dollars.   |
| Lathes, etc.  | For boring and turning lathes, rifling machine, and eighty-ton traveling-crane fully equipped for the manufacture of twelve-inch guns, at Watervliet Arsenal, New York, three hundred and twenty thousand dollars.   |
| All purchases to be of American material.<br><i>Proviso.</i>                      | That all material purchased under the foregoing provisions of this act shall be of American manufacture: <i>Provided</i> , That from the appropriation of twenty thousand dollars made in the fortification appropriation act, approved March second, eighteen hundred and eighty-nine, for conducting the annual heavy artillery practice of the Army, the Secretary of War may in his discretion authorize purchase of such instruments as may be necessary from abroad, whenever the same are not produced in this country.   |
| Instruments for annual artillery practice, excepted.                              |  |
| Gun factory board to be appointed.  | That the President is hereby authorized to appoint a board to consist of three officers of the Army, one of engineers, one of artillery, and one of ordnance, not below the rank of lieutenant-colonel, who shall inquire into the facilities for producing steel forgings for high-power guns at or near the Pacific coast; and in the vicinity of the Rock Island Arsenal, and in the vicinity of the Indianapolis Arsenal, and at some point on or near the Gulf coast, and the advisability of erecting gun factories for finishing and assembling high-power guns, to be mounted in fortifications, at the Benicia Arsenal, in California, or at the Rock Island Arsenal, or at the Indianapolis Arsenal, or at some point on or near the Gulf coast.   |
| Composition of board.<br>Duties.  |  |
| Report, etc.  | Said board shall also examine and report as to the capacity, cost of erection, and equipment of each of such gun factories.  |
| Expenses of board.  | For the payment of the necessary expenses of said board, three thousand dollars.   |
| Board of Ordnance and Fortification.<br>Foreign purchases for experimental tests. | <b>BOARD OF ORDNANCE AND FORTIFICATION:</b> To enable the Board of Ordnance and Fortification to purchase abroad, for experimental purposes, such articles of foreign manufacture as are not produced in this country, and which are necessary in order that the board may determine what may be best and worthy of adoption and manufacture in the United States, one hundred thousand dollars.   |
| Expenses of board.  | For the necessary expenses of the board, as provided for in the last clause of section six of the act approved September twenty-second, eighteen hundred and eighty-eight, five thousand dollars.  |
| Vol. 25, sec. 6, p. 491.  |  |
| Experimental tests.   | To enable the necessary experiments to be made to test the value thereof, including the purchase of material and construction where necessary, of pneumatic gun-carriages, segmental guns, and high explosives, fifty thousand dollars, or so much thereof as may be necessary. And the Secretary of War, through the medium of the Board of Ordnance and Fortification, under the appropriation made by section six of the fortification act, approved September twenty-second, eighteen hundred and eighty-eight, shall have authority if he deems it expedient, to test and purchase a recoil-operated infantry small arm of thirty caliber, with proper character and amount of ammunition, such ammunition to consist of the compound accelerating cartridge; and also to test and purchase one light rapid fire, rapid twist six-pounder breech loading field gun mounted upon a disappearing shielded field gun carriage, with proper amount of ammunition therefor, consisting of said accelerating cartridge, and also to test one retiring sea-coast defense carriage. And the last paragraph of |
| Pneumatic gun-carriages, guns, and high explosives.                               |  |
| Vol. 25, sec. 6, p. 490, 491.   |  |
| Recoil-operated infantry small arm, etc.  |  |
| Rapid fire, etc. six-pounder breech-loading field gun, etc.                       |  |
| Retiring sea-coast defense carriage.  | “An act making appropriations for the support of the Army for the  |

fiscal year ending June thirtieth, eighteen hundred and ninety, and for other purposes," approved March second, eighteen hundred and eighty-nine, is hereby so amended as to authorize the use, if the Secretary of War deems it expedient, of a six-inch breech-loading rifled cannon of new pattern in the test of the counterpoise battery therein provided for, and the appropriation is hereby continued for the purposes of such test for the fiscal year eighteen hundred and ninety-one.

SEC. 2. That the Secretary of War is hereby authorized and directed to purchase under contract, after due advertisement inviting proposals, and at prices which the Board of Ordnance and Fortification shall adjudge to be fair to the manufacturer and for the interest of the United States, twenty-five eight-inch, fifty ten-inch, and twenty-five twelve-inch guns, all of which guns shall be breech-loading single-charge steel guns, and of weight and dimensions to be prescribed by the Board, and shall fulfill the conditions hereinafter provided: *Provided*, That if two or more persons, citizens of the United States, submit proposals to furnish said guns, either in part or in whole, at prices not materially different from each other, contracts may be awarded, in such proportion, among the citizens submitting such proposals as the Secretary of War may direct. One type gun of each of the above-mentioned caliber, with the proper supply of ammunition therefor, shall be presented for test at such place and within such time as the contract shall provide, and shall be subjected to such tests in respect to accuracy, range, power, endurance, and general efficiency as the Board of Ordnance and Fortification shall have prescribed. All the other guns of each caliber, with the proper supply of ammunition, shall be delivered at such place and within such times as the contract shall provide, and shall be subjected to the ordinary service test of ten rounds with the full charge and weight of projectile, which shall develop the standard power prescribed for the gun. If the type gun sustains the prescribed test to the satisfaction of the Board of Ordnance and Fortification, it and each of the other guns which sustains the ordinary service test, and the ammunition expended in such tests, shall be accepted under the contract. All guns manufactured under these contracts, including the type guns, shall be subjected to inspection at all stages of manufacture, and no change whatever shall be made in the material, mode of manufacture, or dimensions of the guns for service from those employed in the type gun without the approval of the Secretary of War. Payment for each gun and ammunition for testing same, including cost of transportation, shall be made upon the satisfactory completion of the prescribed test for that gun. All tests of guns shall be made in the presence of the Board and of the person presenting the gun, or his authorized agent, and due regard shall be paid to suggestions offered by him which respect the mode of making such test.

That under the provisions of this section there shall not be expended or contract or contracts entered into involving the Government in an aggregate expenditure exceeding three million seven hundred and seventy-five thousand dollars, nor an expenditure on the part of the Government in any one fiscal year in excess of one million dollars. And all guns and materials purchased under the authority of this section shall be of American manufacture and furnished by citizens of the United States: *Provided further*, That contracts may be made for not exceeding one-fourth of the guns herein provided for, to be constructed on the Pacific coast, in the discretion of the Secretary of War: *Provided further*, That all expenditures made under this section shall be paid from the amount made available and provided for in section six of the "Act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service,

Vol. 25, p. 887, amended.

Appropriation continued.

Purchase of breech-loading single-charge steel guns.

Post, p. 770.

Provisos.  
Proposals, etc.

Award of contracts.

Type guns, etc., to be presented.

Tests.

Guns, etc., accepted upon approval by Board, after tests.

Inspection.

Change from type to be approved by Secretary of War.

Payment.

Parties present at tests.

Maximum expenditures.

American manufacture, etc.  
Maximum Pacific coast contracts.

Appropriation available.

Vol. 25, p. 491.

Estimates of appropriations to carry out contracts.  
Accounts.

Annual statement to Congress.

R. S., sec. 1665, p. 291.

and for other purposes," approved September twenty-second, eighteen hundred and eighty-eight, and the Secretary of War shall embrace in his estimates of appropriations for fortifications from time to time the amounts necessary to carry out all contracts made hereunder: *Provided further*, That full and accurate accounts shall be kept, showing the cost of all type and experimental manufacture of guns, and other articles, and the average cost of the several classes of guns and the other articles manufactured by the Government a statement of which account shall be laid before Congress annually in the same manner as is now required from National Armories under section sixteen hundred and sixty-five of the Revised Statutes.

Approved, August 18, 1890.

August 19, 1890.

**CHAP. 801.**—An act to amend the laws relative to shipping commissioners.

Shipment of crews by shipping commissioners, for American vessels in coastwise, etc., trade.

Vol. 24, sec. 2, p. 80.

Shipping articles.

Form, etc.

R. S., 4511, p. 872;  
4512, pp. 872, 873.  
R. S., 4522, p. 874;  
4524, p. 875.  
R. S., 4525, p. 875;  
4526, p. 875.  
R. S., 4527, p. 875;  
4528, p. 875.  
R. S., 4554, p. 861;  
4596, p. 890.  
R. S., 4597, p. 891;  
4598, p. 891.  
R. S., 4599, p. 891;  
4601, p. 892.  
R. S., 4602, p. 892;  
4603, p. 892.  
R. S., 4604, p. 892;  
4605, p. 892.  
R. S., 4610, pp. 893,  
894; 4612, p. 894.

Provisions as above extended to vessels in coastwise, etc., trade.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when a crew is shipped by a shipping commissioner for any American vessel in the coastwise trade, or the trade between the United States and the Dominion of Canada, or Newfoundland, or the West Indies, or Mexico, as authorized by section two of an act approved June nineteenth, eighteen hundred and eighty-six, entitled an act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes, an agreement shall be made with each seaman engaged as one of such crew, in the same manner and form as is provided by sections forty-five hundred and eleven and forty-five hundred and twelve of the Revised Statutes for the shipment of the crews of other vessels; and the provisions of sections forty-five hundred and twenty-two, forty-five hundred and twenty-four, forty-five hundred and twenty-five, forty-five hundred and twenty-six, forty-five hundred and twenty-seven, forty-five hundred and twenty-eight, forty-five hundred and fifty-four, forty-five hundred and ninety-six, forty-five hundred and ninety-seven, forty-five hundred and ninety-eight, forty-five hundred and ninety-nine, forty-six hundred and one, forty-six hundred and two, forty-six hundred and three, forty-six hundred and four, forty-six hundred and five, forty-six hundred and ten, and forty-six hundred and twelve of the Revised Statutes shall extend to and embrace such vessels in the coastwise trade and the trade between the United States and the Dominion of Canada, or Newfoundland, or the West Indies, or Mexico, where their crews have been shipped by a shipping commissioner, to the same extent and with the same force and effect as if said vessels had been mentioned and embraced in the language and terms of said sections.

Approved, August 19, 1890.

August 19, 1890.

**CHAP. 802.**—An act to adopt regulations for preventing collisions at sea.

Regulations for preventing collisions at sea.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following regulations for preventing collisions at sea shall be followed by all public and private vessels of the United States upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

Preliminary.

PRELIMINARY.

Meaning of terms.

"Sailing-vessel."

In the following rules every steam-vessel which is under sail and not under steam is to be considered a sailing-vessel, and every vessel