

- tions be removed at the expense of the owner or owners of said bridge.
- Jurisdiction of courts.** And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case may be brought in the district court of the United States of the State of Missouri, in which any portion of said obstruction or bridge may be located: *Provided further*, 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 this bridge from the operation of the same.
- Existing laws.**
- Use of bridge.** 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 railway-trains over the same, and over the approaches thereto, upon 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 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.
- Regulations by Secretary of War.** 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 should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.
- Map and drawings.**
- Approval.**
- Amendment and repeal.** SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, March 13, 1878.

March 15, 1878.

**CHAP. 34.**—An act further to suspend the operations of section five thousand five hundred and seventy-four of the Revised Statutes of the United States, title seventy-two, in relation to guano islands.

R. S., 5574, p. 1086, suspended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section five thousand five hundred and seventy-four, title seventy-two, of the Revised Statutes of the United States, be, and the same is hereby, further suspended, as therein set forth, for the period of five years next from and after the passage of this act.

Approved, March 15, 1878.

March 16, 1878.

**CHAP. 37.**—An act to make persons charged with crimes and offences competent witnesses in the United States and Territorial Courts.

Accused persons may testify.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in the trial of all indictments, informations, complaints, and other proceedings against persons charged with the commission of crimes, offences, and misdemeanors, in the United States courts, Territorial courts, and courts-martial, and courts of inquiry, in any State or Territory, including the District of

Columbia, the person so charged shall, at his own request but not otherwise, be a competent witness. And his failure to make such request shall not create any presumption against him.

Approved, March 16, 1878.

**CHAP. 38.**—An act in aid of a Polar expedition designed by James Gordon Bennett.

March 18, 1878.

Whereas James Gordon Bennett, a citizen of the United States, has purchased in Great Britain a vessel supposed to be specially adapted to Arctic expeditions, and proposes, at his own cost, to fit out and man said vessel, and to devote her to efforts to solve the Polar problem; and

Preamble.  
1879, ch. 109,  
Post, 323.  
J. G. Bennett's  
Polar expedition.

Whereas it is deemed desirable that said vessel, while so engaged, shall carry the American flag and be officered by American naval officers: Therefore,

*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 authorized to issue an American register to said vessel by the name of Jeannette, and that the President of the United States be authorized to detail, with their own consent, commissioned, warrant, and petty officers of the Navy, not to exceed ten in number, to act as officers of said vessel during her first voyage to the Arctic seas: *Provided, however,* That such detail shall be made of such officers only as the President is satisfied can be absent from their regular duties without detriment to the public service.

American register to vessel.

Naval officers for command of.

*Proviso.*

Approved, March 18, 1878.

**CHAP. 42.**—An act to authorize the granting of an American register to a foreign built ship, for the purpose of the Woodruff Scientific Expedition around the world.

March 23, 1878.

*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 and empowered to grant, for the purposes of the "Woodruff Scientific Expedition around the World" a register for a foreign built steamship: *Provided,* That the said steamship be approved by the Secretary of the Navy as suitable in all respects for the purposes of said expedition and there shall be maintained thereon without expense to the United States a school with capacity for at least two hundred students together with a competent faculty for the promotion of scientific and nautical knowledge. *And it is further provided,* That in no case shall mercantile or commercial ventures form any part of said expedition or the government of the United States be now or hereafter subjected to any expense on account thereof.

Woodruff Scientific Expedition.

American register to vessel for.

*Provisos.*

Approved, March 23, 1878.

**CHAP. 43.**—An act making appropriations for fortifications and for other works of defense, and for the armament thereof, for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes.

March 23, 1878.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one hundred thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the protection, preservation, and repair of fortifications and other works of defense, for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, the same to be expended under the direction of the Secretary of War; also, the following for armament of fortifications, namely:

Appropriations.

Fortifications.

For the armament of sea-coast fortifications, including heavy guns and howitzers for flank defense, carriages, projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, and for Gatling or other machine guns, one hundred and twenty-five thousand dollars.

Armament of fortifications.