

day of March and the tenth day of April, eighteen hundred and sixty five.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the heirs or legal representatives of said officers the sum or sums of money to which they may be found entitled under the provisions of this act; and a sum sufficient to pay the same is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Appropriation.

Approved, July 3, 1884.

CHAP. 148.—An act to authorize the extension of the Chesapeake and Ohio Railway Company to a point on the military lands at Fortress Monroe, Virginia.

July 3, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chesapeake and Ohio Railway Company is hereby authorized to extend its road from the present terminus thereof, on the waters of Mill Creek, county of Elizabeth City, Virginia, to a point on Hampton Roads, on the lands of the United States at Fortress Monroe, Virginia, upon such terms and conditions as to location and otherwise as the Secretary of War may approve: *Provided,* That the privilege herein extended shall be construed as a limited easement only, having in view purposes beneficial to the military reservation at Fortress Monroe, and subject at all times to the order of the President of the United States: *And provided further,* That the said Chesapeake and Ohio Railway Company shall construct and maintain thereon a suitable station, convenient and at all times accessible and open for the military transactions of said Fortress Monroe.

Chesapeake and Ohio Railway Company; extension of railroad authorized.

Provisos.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

SEC. 3. That this act shall be in force from its passage.

Approved, July 3, 1884.

CHAP. 149.—An act to authorize the construction of a bridge over the Missouri River at or near Sibley, in the State of Missouri.

July 3, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Kansas City Topeka and Western Railroad Company, a corporation duly and legally incorporated under and by virtue of the laws of the State of Kansas, its assigns or successors, to construct and maintain a bridge, and approaches thereto, over the Missouri River at or near Sibley, in the county of Jackson, in the State of Missouri. Said bridge shall be constructed to provide for the passage of railroad trains, and, at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

Bridge over Missouri River, at Sibley, Mo., for railroad purposes, etc.

SEC. 2. 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 no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, or passengers or freight passing over said bridge, than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States.

Declared a lawful structure and post-route.
Tolls, freight rates.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans, the spans thereof shall not be less than three hundred feet in length in the clear, and the main span shall be over the main channel

Spans, &c.

of the river. The lowest part of the superstructure of said bridge shall be at least fifty feet above extreme high-water mark, as understood at the point of location, and the bridge shall be at right angles to and its piers parallel with the current of the river: *Provided*, That if the same shall be constructed as a draw-bridge, the draw or pivot pier shall be at or near that shore nearest the channel of the river where, in the opinion of the Secretary of War, the passage through the draw at that point can be consistently maintained; if not so constructed, then the draw-pier to be in the main channel, and the opening or passage-way to be so protected that water-craft can be worked through it by lines when not safe to pass otherwise; and the spans shall not be less than one hundred and sixty feet in length in the clear, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge: *Provided also*, That said draw shall be opened promptly upon reasonable signal for the passing of boats; and 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, and other water-crafts through the said draw-openings, and as shall be designated and required by the Secretary of War. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners or of the persons or corporation controlling such bridge. 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 circuit 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.

Other railroads to have privileges 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, or persons or corporation controlling the same, and the several railroad companies, or any 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.

Plans and location to be submitted to the Secretary of War for his approval.

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

Proviso.

Draw-bridge.

Piers.

Proviso.

Lights and signals.

Navigation not to be interrupted.

Alterations at expense of company.

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.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved: *Provided*, That nothing herein contained shall be construed to abridge any constitutional power which either Congress or the State of Missouri may have over the regulation of charges for freight or passengers over said bridge

Received by the President, June 21, 1884.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. 176.—An act authorizing and directing the sale of the real estate and riparian rights now owned by the United States at Harper's Ferry, in the State of West Virginia.

July 4, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Solicitor of the Treasury is hereby authorized and directed to make sale of all the real estate and riparian rights now owned by the Government of the United States at Harper's Ferry, in the State of West Virginia, such sale to be at public auction, without reservation, except as hereinafter provided, to the highest bidder, and after not less than four weeks, public advertisement of the same, in such newspapers as the Solicitor, with the consent of the Secretary of the Treasury, may select for such publication: *Provided*, That the property shall not be sold for a less sum than twenty thousand dollars.

Sale of real estate and riparian rights of U. S. at Harper's Ferry, West Virginia.

Proviso.

SEC. 2. That said real estate and riparian rights shall be sold either as an entirety or in such parcels and divisions as in the judgment of the said Solicitor shall be most promotive of the interests of the United States, and upon such terms as to cash payment and credits as the Secretary of the Treasury may prescribe, but so that at least one-third of the purchase-money shall be paid in cash, and the credit portion shall bear interest at the rate of six per centum per annum.

Conditions and terms of sale.

SEC. 3. That upon the compliance of any purchaser or purchasers of the whole of any parcel purchased as aforesaid with the terms of sale, such purchaser or purchasers shall be let into possession of the premises so purchased; and upon full payment of the purchase-money and interest (if any be due), the Solicitor of the Treasury, for and in behalf of the United States, shall make, seal, and deliver to the purchaser or purchasers good and sufficient deed or deeds, conveying all the right, title, interest, and estate of the United States in said property or parcel thereof, as the case may be, in fee simple.

Conveyance of title.

SEC. 4. That this act shall be in force from its passage.

Approved, July 4, 1884.

CHAP. 177.—An act to Grant to the Gulf, Colorado and Santa Fe Railway Company a right of way through the Indian Territory, and for other purposes.

July 4, 1884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Gulf, Colorado and Santa Fe Railway Company, a corporation created under and by virtue of the laws of the State of Texas, be, and the same is hereby, invested

Right of way for railway, telegraph, and telephone lines to Col-