

Contracts voidable. for the right of railroads across such homestead to one hundred feet in width on either side of the center line of said railroad; and all contracts by the settler made before his receipt of patent from the Government, for the conveyance of the land homesteaded by him or her, except as herein provided, shall be held null and void.

Approved, March 3, 1903.

March 3, 1903.

[Public, No. 153.]

Capt. Kensey J. Hampton.
May be appointed captain and quartermaster, Army.

CHAP. 1003.—An Act To authorize the President of the United States to appoint Kensey J. Hampton captain and quartermaster in the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States in his discretion be, and he is hereby, authorized to appoint Kensey J. Hampton, late captain and assistant quartermaster, United States Volunteers, to the grade of captain and quartermaster, United States Army, to fill the first or any subsequent vacancy in said grade in the Quartermaster's Department occurring after the passage of this Act.

Approved, March 3, 1903.

March 3, 1903.

[Public, No. 154.]

Locks 2 and 3, Big Sandy River, W. Va. Kenova and Big Sandy Railroad Company granted right of way through.

Proviso.
Payment.

Time of construction.

Reversion.

Amendment.

CHAP. 1004.—An Act Granting the right of way to the Kenova and Big Sandy Railroad Company through the Government lands at Lock Number Two, Big Sandy River, and at Lock Number Three, Big Sandy River, both in Wayne County, West Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kenova and Big Sandy Railroad Company, a corporation created under and by virtue of the law of the State of West Virginia, its successors and assigns, be, and the same are hereby, empowered to locate, construct, and maintain its railroad through the lands belonging to the United States Government at Lock Number Two, Big Sandy River, and at Lock Number Three, Big Sandy River, in Wayne County, in the State of West Virginia, under such conditions and upon such lines, and of such widths, as shall be determined and approved by the Secretary of War: *Provided,* That the said company shall pay to the United States such sum of money as the Secretary of War shall decide to be the value of the lands so occupied.

SEC. 2. That the right of way granted herein under the provisions contained in this Act shall become inoperative and null and void unless the said company shall, within the term of two years from the first of January, nineteen hundred and three, have so far advanced the construction of said road as to satisfy the War Department that said company is lawfully and successfully established and that said road will be completed as proposed within a reasonable time.

SEC. 3. That if in the future, in the construction or operation by the United States of locks, dams, or other improvements to facilitate navigation on the Big Sandy River, or the tributaries thereof, it shall be necessary to utilize any land or other property of the said railroad company, the privilege shall be granted on such terms as shall be determined by the Secretary of War, and the said railroad company shall execute a valid agreement to that effect to be submitted to and approved by the said Secretary of War.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 3, 1903.