

CHAP. 120.—An Act To revive, reenact, and amend an Act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Missouri.

February 8, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved July twenty-sixth, eighteen hundred and ninety-four, entitled "An Act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Missouri," which Act has expired by limitation, be, and is hereby, revived, reenacted, and amended.

Lexington Bridge and Terminal Company may bridge Missouri River at Lexington.
Chap. 162, vol. 28, p. 120, reenacted, etc.

That section one of said Act be amended so as to read as follows:

"That the Lexington Bridge and Terminal Company, a corporation existing under the laws of the State of Missouri, its assigns, grantees, successors, and legal representatives, be, and are hereby, authorized to build, own, operate, and maintain a bridge and approaches thereto over the Missouri River at or near the city of Lexington, in said State of Missouri. Said bridge shall be constructed to provide for the passage of wagons, carriages, vehicles of all kinds, for the transit of animals, horsemen, and foot passengers. And authority is hereby given to said company and assigns, at its option, to construct said bridge so as to provide for the passage of railway cars and trains propelled by electricity or steam, such reasonable rates of toll to be charged as may be approved from time to time by the Secretary of War. Said corporation and its assigns may build a suspension bridge, at their option, under the authority hereby granted."

Railway, wagon, and foot bridge.

Toll.
Suspension bridge.

SEC. 2. That any bridge constructed under this Act and according to its limitations shall be a lawful structure and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transmission over the same of mails, the troops, and the munitions of war of the United States than the rate per mile paid for their transportation over the railroads or public highways leading to said bridge; and the United States shall have the right of way for postal-telegraph and telephone purposes across said bridge.

Lawful structure and post route.

Postal telegraph.

Construction.

SEC. 3. That said bridge shall be made with unbroken and continuous spans, and shall not be of less elevation in any case than fifty feet above high-water mark, as understood at the point of location, to the lowest member of the bridge superstructure, nor shall the spans of said bridge over the waterways of said river be less than four hundred feet in length in the clear, and the piers of said bridge shall be parallel with the current of said river and the bridge itself at right angles thereto: *Provided*, That in case the approach and passage under the channel span of said bridge be found at any time dangerous or difficult of access by the river traffic the owners of said bridge shall construct, at their own expense, such works of channel regulation and such aids to navigation as the Secretary of War shall order, to render the approach and passage reasonably safe and easy: *Provided also*, That said company or corporation shall maintain at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Provisos.
Aids to navigation.

Lights, etc.

Section four shall be amended so as to read as follows:

"**SEC. 4.** That if said bridge shall be constructed for railroad purposes, then 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 its use; and in case the owner or owners of said bridge 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 to rules and conditions to which each shall conform in using such bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and the proof of the parties."

Railroad companies' right to use.

—disagreement of, with owner of bridge.

Section five shall be amended so as to read as follows:

"**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

Secretary of War to approve plans, etc.

—changes.

Commencement and completion.

Amendment.

security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing 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 current 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 shall 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; and if said bridge is not commenced within two years and completed within three years from the passage of this Act the rights and privileges hereby granted shall be null and void."

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 8, 1899.

February 8, 1899.

CHAP. 121.—An Act To prevent the abatement of certain actions.

Suits against Government officers not to abate on their retirement, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no suit, action, or other proceeding lawfully commenced by or against the head of any Department or Bureau or other officer of the United States in his official capacity, or in relation to the discharge of his official duties, shall abate by reason of his death, or the expiration of his term of office, or his retirement, or resignation, or removal from office, but, in such event, the Court, on motion or supplemental petition filed, at any time within twelve months thereafter, showing a necessity for the survival thereof to obtain a settlement of the questions involved, may allow the same to be maintained by or against his successor in office, and the Court may make such order as shall be equitable for the payment of costs.

Approved, February 8, 1899.

February 8, 1899.

CHAP. 122.—An Act Authorizing the Secretary of the Interior to permit the use of the buildings on the Fort Supply Military Reservation by Oklahoma Territory for an insane asylum.

Fort Supply Military Reservation.
Use of buildings on, for insane asylum by Oklahoma Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized, under rules and regulations to be provided by him, to permit the use of the buildings on the Fort Supply Military Reservation, and so much of the land as may be necessary for such use, by the Territory of Oklahoma for the purpose of an insane asylum for said Territory. Said authority may be revoked, at the discretion of the Secretary of the Interior.

Approved, February 8, 1899.

February 8, 1899.

CHAP. 123.—An Act For adjusting clothing account for deceased soldiers, in certain cases.

Army.
Deductions from pay of volunteer dying six months after enrollment only where clothing actually overdrawn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the adjustment of the accounts of volunteers enrolled on account of the existing war with Spain, who have died, or may hereafter die within six months from the date of their enrollment, the accounting officers of the Treasury shall make no stoppage on account of clothing overdrawn against the pay or