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of the bridge, and a map of the location, giving, for the space of one mile above and one mile below the proposed location of the bridge, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the current at low, medium, and high-water 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 changes 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.

To be finished in two years.

SEC. 10. That in case the construction of the bridge authorized in this act be not commenced within two years and completed within seven years from the date of its approval, then this act shall be null and void.

Pooling of earnings forbidden.

SEC. 11. That whereas a principal reason for giving authority to build the bridge herein contemplated is to secure reasonable rates and tolls for corporations and individuals for passing over the same, the Saint Louis Merchants' Bridge Company, or its successors or assigns, shall not agree or consent to the consolidation of this bridge with any other bridge across the Mississippi River, or to the pooling of the earnings of this bridge company with the earnings of any other bridge company on said river, nor shall any person who is or may be a stockholder or director or manager of any other bridge over said river be a stockholder or director or manager of the bridge herein provided for: *Provided*, That if this provision of this act shall at any time be violated in any of these particulars, such violation shall, without legal proceeding, at once forfeit the privilege hereby granted, and said bridge shall become the property of the United States, and the Secretary of War shall take possession of the same in the name and for the use of the United States.

Proviso.
Violation to forfeit franchise.

Right to amend, etc., reserved.

SEC. 12. That the right to alter, amend, or repeal this act is hereby expressly reserved. *And it is further provided* that no bridge shall be constructed across the Mississippi River within two miles above or two miles below the bridge herein authorized.

Proviso.

Approved, February 3, 1887.

Feb. 3, 1887.

CHAP. 92.—An act to amend an act entitled "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June third, eighteen hundred and eighty-four.

Date of commission to certain volunteer officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June third, eighteen hundred and eighty-four, be, and is hereby, amended so as to read as follows:

Vol. 23, p. 34.
Vol. 16, p. 385.
Vol. 14, p. 368.

"That the joint resolution approved July eleventh, eighteen hundred and seventy, entitled 'Joint resolution amendatory of joint resolution for the relief of certain officers of the Army,' approved July twenty-sixth, eighteen hundred and sixty-six, is hereby so amended and shall be so construed that in all cases arising under the same any person who was duly appointed and commissioned, whether his commission was actually received by him or not, shall be considered as commissioned to the grade therein named from the date from which he was to take rank under and by the terms of his said commission, and shall be entitled to all pay and emoluments as if actually mustered at that date: *Provided*, That at the date from which he was to take rank by the terms of his commission there was a vacancy to which he could be so commissioned and that he was actually performing the duties of the grade to which he was so commissioned, or, if not so performing such

To receive pay, etc., from date of commission.

Provisos.
If vacancy existed, or duties were performed.

duties, then from such time after the date of his commission as he may have actually entered upon such duties: *And provided further*, That any person held as a prisoner of war, or who may have been absent by reason of wounds or in hospital by reason of disability received in the service in the line of duty, at the date of his commission, if a vacancy existed for him in the grade to which so commissioned, shall be entitled to the same pay and emoluments as if actually performing the duties of the grade to which he was commissioned and actually mustered at such date: *And provided further*, That this act and the resolution hereby amended shall be construed to apply only in those cases where the commission bears date prior to June twentieth, eighteen hundred and sixty-three, or after that date when their commands were not below the minimum number required by existing laws and regulations: *And provided further*, That the pay and allowances actually received shall be deducted from the sums to be paid under this act.

Prisoners of war or disabled officers.

Application.

Pay received to be deducted.

Approved, February 3, 1887.

Feb. 3, 1887.

CHAP. 93.—An act for the relief of Elon A. Marsh and Minard Lefever.

Preamble.

Whereas, heretofore, to wit, on the twenty-eighth day of December, anno Domini eighteen hundred and eighty, in due form of procedure and in all legal respects, letters patent numbered two hundred and thirty-six thousand and fifty-two of the United States of America were duly granted and issued to Elon A. Marsh and his assignee, Minard Lefever, of Battle Creek, in the county of Calhoun and State of Michigan, one of the United States, for a new and useful improvement in steam-engine valve-gear, save that the said letters patent were not, by accident or mistake, at the said time of issuing, to wit, on the twenty-eighth day of December, eighteen hundred and eighty, signed, as by law required, by the Secretary of the Interior; and

Whereas the said-named letters patent were afterward, to wit, on the twenty-fourth day of February, anno Domini eighteen hundred and eighty-two, but not before, duly signed by the then Acting Secretary of the Interior: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the letters patent named in the preamble of this act are hereby and by this act made legal, valid, complete, and operative, in law and equity, from the twenty-eighth day of December, eighteen hundred and eighty, to the same extent and for the same term that the same would have been legal, valid, complete, and operative if the signature of the Secretary of the Interior had, at the time of the supposed issue of said letters patent on the day aforesaid, been placed thereon, and the omission of said signature thereon had not occurred. *Provided, however*, That the provisions of this act shall not be held or construed to apply to or affect any suits now pending, nor any cause of action arising prior to its passage.

Elon A. Marsh and Minard Lefever.

Patent for steam-engine valve-gear to issue as from Dec. 28, 1880.

Proviso.
Pending suits not affected.

Approved, February 3, 1887.

Feb. 4, 1887.

CHAP. 103.—An act to provide for the erection of a public building at Wilmington, North Carolina.

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 directed to purchase a site for, and cause to be erected thereon, a suitable building, with a fire-proof vault extending to each story, for the accommodation of the post-office, custom-house, United States court-rooms, and other Government offices, at the city of Wilmington, in the State of North Carolina. The site, and building

Wilmington, N. C.

Public-building. Site.