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PUBLIC ACTS OF THE FIFTY-THIRD CONGRESS

OF THE

UNITED STATES

Passed at the third session, which was begun and held at the city of Washington, in the District of Columbia, on Monday, the third day of December, 1894, and was adjourned without day on Saturday, the second day of March, 1895.

GROVER CLEVELAND, President; ADLAI E. STEVENSON, Vice-President; ISHAM G. HARRIS, President *pro tempore* of the Senate; M. W. RANSOM was elected President *pro tempore* of the Senate January seventh, 1895; ISHAM G. HARRIS was elected President *pro tempore* of the Senate January tenth, 1895; CHARLES F. CRISP, Speaker of the House of Representatives; JAMES D. RICHARDSON was elected Speaker *pro tempore* January twenty-first, 1895; Mr. CRISP resumed the duties of Speaker January thirty-first, 1895.

CHAP. 1.—An Act Granting the right of way through the Arlington reservation for electric railway purposes. December 8, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Washington, Alexandria and Mount Vernon Electric Railway Company, a body incorporated under the laws of the State of Virginia, be, and is hereby, authorized to construct and thereafter maintain and operate its electric railroad across the lower and eastern portion of the grounds of the United States Government known as the Arlington reservation, in the State of Virginia, opposite the city of Washington, said line to be east of and contiguous to the river road, except that said line running northerly may be diverted from said river road easterly at a point not more than twenty rods southerly from the intersection of the river road with the northerly line of said reservation: *Provided*, That this diversion shall not exceed twenty rods from said river road easterly; and for such purpose said company is hereby granted a right of way fifty feet in width, not including slopes, through the grounds aforesaid. And the said company shall repair at its own expense, in a manner satisfactory to the Secretary of War, any damage, injury, or displacement that may be done to roads, footways, bridges, or fences upon or through the Government lands referred to in this Act by the construction or operation of the said electric railway company, and shall erect such sheds or other shelter for the comfort and convenience of passengers and at such points as the Secretary of War shall direct: *Provided*, That said line or route shall be subject to the approval of the Secretary of War; and when such right of way shall cease to be used for the purpose aforesaid, the same shall revert to the United States Government. And said road shall be commenced within one year from the date of the passage of this Act and finished within three years: *And provided further*, That nothing in this Act shall allow the use of steam power: *And provided further*, That the said railway company shall not cross, enter, touch upon, or be granted any right whatsoever upon that part of the Government land set aside and known as the Arlington National Cemetery. And that material for the building, grading, or ballasting

Washington, Alexandria and Mount Vernon Railway Company may cross Arlington reservation, Va.

Ante, p. 499.

Location.

Provisos.
Width, etc.

Approval of route.

Reversion.

Construction.

Steam forbidden.

Cemetery land, etc.

of said electric railway shall not be obtained from, nor shall the trees be disturbed on, the Arlington reservation: *And provided further*, That the tracks of said company may be freely used for the passage of cars by the Falls Church and Potomac Railway Company from such point as said company may connect with the Washington, Alexandria and Mount Vernon Electric Railway Company. And the cars of said Falls Church and Potomac Railway Company shall be propelled over the said line, from its junction therewith, by the motive power of said Washington, Alexandria and Mount Vernon Electric Railway Company; and the said Falls Church and Potomac Railway Company shall have the right to collect fares on its cars as fully as if operating that portion of the line in its own right. But said Falls Church and Potomac Railway Company shall make just compensation for the use of said track and motive power; and in case any dispute should arise concerning such compensation or manner of use, any party in interest may apply to the supreme court of the District of Columbia, which court is hereby empowered to fix the amount to be paid for such use and motive power and the mode in which such use may be enjoyed: *Provided*, That the limitations, requirements, and restrictions imposed by this Act upon the Washington, Alexandria and Mount Vernon Electric Railway Company shall apply to the Falls Church and Potomac Railway Company. And the said Falls Church and Potomac Railway Company shall be subject, in case of any violations of the limitations, requirements, and restrictions aforesaid, to the same fine, penalties, and forfeiture of the privileges and rights herein granted as the Washington, Alexandria and Mount Vernon Electric Railway Company is subject to: *Provided*, That no cars owned or used by any steam railroad company shall be drawn over the tracks of this road lying within the reservation, and that the sidings and turn-outs within the reservation shall not be used for the assembling or storage of cars, except for the purpose of the accommodation and transportation of passengers on the same day.

Use by Falls Church and Potomac Railway Company.

Compensation.

Restrictions, etc., on both companies.

Steam traction prohibited.

Amendment, etc.

SEC. 2. That the right to repeal, alter, or amend this Act is reserved to Congress.

Approved, December 8, 1894.

December 13, 1894.

CHAP. 3.--An Act To provide for the location and satisfaction of outstanding military bounty land warrants and certificates of location under section three of the Act approved June second, eighteen hundred and fifty-eight.

Public lands.
Bounty land warrants and indemnity certificates receivable for certain land entries.
Vol. 11, p. 295.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the benefits now given thereto by law, all unsatisfied military bounty land warrants under any act of Congress, and unsatisfied indemnity certificates of location under the Act of Congress approved June second, eighteen hundred and fifty-eight, whether heretofore or hereafter issued, shall be receivable at the rate of one dollar and twenty-five cents per acre in payment or part payment for any lands entered under the desert land law of March third, eighteen hundred and eighty-seven, entitled "An Act to provide for the sale of desert lands in certain States and Territories," and the amendments thereto, the timber-culture law of March third, eighteen hundred and seventy-three, entitled "An Act to encourage the growth of timber on the Western prairies," and the amendments thereto; the timber and stone law of June third, eighteen hundred and seventy-eight, entitled "An Act for the sale of timber lands in the States of California, Oregon, Nebraska, and Washington Territory," and the amendments thereto, or for lands which may be sold at public auction, except such lands as shall have been purchased from any Indian tribe within ten years last past.

Vol. 19, p. 377.

Vol. 17, p. 605; Vol. 20, p. 113; Vol. 26, p. 1094.

Vol. 20, p. 89; Vol. 27, p. 348.

Indian lands excluded.

Approved, December 13, 1894.