

Disagreement with owner of bridge.

and if the owner or owners of said bridge and the several railroad companies, or either or any of them desiring such use, shall fail to agree upon the sum or sums to be paid under the rules and conditions to which each shall conform in using the same, 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, of which hearing each party shall have due notice, and the determination of the Secretary of War thereof shall be binding upon the parties to such controversy."

Approved, April 25, 1898.

April 25, 1898.

**CHAP. 189.**—An Act Declaring that war exists between the United States of America and the Kingdom of Spain.

Declaration that war exists between the United States and Spain.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, First.* That war be, and the same is hereby, declared to exist, and that war has existed since the twenty-first day of April, anno Domini eighteen hundred and ninety-eight, including said day, between the United States of America and the Kingdom of Spain.

Land and naval forces to be used.

*Second.* That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry this Act into effect.

Approved, April 25, 1898.

April 26, 1898.

**CHAP. 191.**—An Act For the better organization of the line of the Army of the United States.

Army. Reorganization of the line. Peace organization infantry regiments. R. S., sec. 1106, p. 204, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* hereafter the peace organization of each regiment of infantry now in service shall embrace one colonel, one lieutenant-colonel, two majors, ten captains, twelve first lieutenants, ten second lieutenants, one sergeant-major, one quartermaster-sergeant, one chief musician, two principal musicians, two battalions of four companies each, and two skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops: *And provided further*, That the vacancies in the grade of major created by this section shall be filled by promotion according to seniority in the infantry arm.

R. S., sec. 1107, p. 204. *Provisos.* Chaplains colored regiments. R. S., sec. 1121, p. 205. Vacancies in grade of major, how filled.

War organization, addition of third battalion.

**SEC. 2.** That upon a declaration of war by Congress, or a declaration by Congress that war exists the President, in his discretion, may establish a third battalion for each infantry regiment, consisting of four companies, to be supplied by manning the two skeleton companies and by organizing two additional companies. The vacancies of commissioned officers in the additional companies shall be filled by promotions by seniority in the infantry arm, and by appointments in accordance with existing law; and hereafter all vacancies occurring in the cavalry, artillery, and infantry above the grade of second lieutenant shall, subject to the examination now required by law, be filled by promotion according to seniority from the next lower grade in each arm.

Vacancies of commissioned officers.

—above second lieutenant.

**SEC. 3.** That upon a declaration of war by Congress, or a declaration of Congress that war exists, the enlisted strength of a company, troop, and battery, respectively, may, in the discretion of the President, be increased to comprise not exceeding:

War organization of companies of infantry.

For each company of infantry: One first sergeant, one quartermaster-sergeant, four sergeants, twelve corporals, two musicians, one artificer,