

a drawbridge the draw shall be opened promptly upon reasonable signal for the passage of boats as the Light-House Board may prescribe.

Lights.

SEC. 3. That if said bridge erected and maintained under the authority of this Act shall at any time substantially or materially obstruct the free navigation of said bay, or shall in the opinion of the Secretary of War obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction, and such alteration shall be made and all such obstruction be removed at the expense of said county, and in case of any litigation arising from obstruction or alleged obstruction to the free navigation of said bay the case may be brought in the district court of the United States having jurisdiction thereof: *Provided*, That nothing in this Act be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers and bays or to exempt said bridge from the operation of the same.

Unobstructed navigation.

Proviso.
Existing law unimpaired.

SEC. 4. That the bridge authorized to be constructed under this Act shall be built and located under and subject to such regulations for the security of navigation of said bay as the Secretary of War shall prescribe; and to secure that object the said county shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and a map of the location, prepared with reference to known datum plane upon prescribed scale, furnished by the engineer officer having supervision of said bay, and giving, for the space of two miles above and two miles below the proposed location of the bridge, the topography of the banks of the bay, with shore lines at high and low water, the direction and strength of the currents 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 may be required for a full and satisfactory understanding of the subject. And until the said plans 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 the said bridge during the process of construction such change shall be subject to the approval of the Secretary of War.

Secretary of War to approve plans.

SEC. 5. That the bridge constructed, maintained, and operated 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 transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal, telegraph, and telephone purposes over said bridge.

Lawful structure and post route.

SEC. 6. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

Commencement and completion.

SEC. 7. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 1, 1901.

CHAP. 800.—An Act To carry into effect the stipulations of article seven of the treaty between the United States and Spain concluded on the tenth day of December, eighteen hundred and ninety-eight.

March 2, 1901.

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 shall appoint, by and with the advice and consent of the Senate, five suitable persons learned in the law, who shall constitute a commission, whose duty it shall be, and it shall have jurisdiction, to

Commission to adjudicate claims of citizens of the United States against Spain (vol. 30, p. 1757) constituted.

President.	receive, examine, and adjudicate all claims of citizens of the United States against Spain, which the United States agreed to adjudicate and settle by the seventh article of the treaty concluded between the United States and Spain on the tenth day of December, anno Domini eighteen hundred and ninety-eight. It shall adjudicate said claims according to the merits of the several cases, the principles of equity, and of international law. One of said persons shall be designated by the terms of his appointment to be the president of said commission.
Vacancies.	The President of the United States, by and with the advice and consent of the Senate, shall fill by appointment all vacancies which may occur in said commission.
Oath.	SEC. 2. That each of the members of said commission, the Assistant Attorney-General, the assistant attorneys, and the clerk provided for by this Act shall be citizens of the United States, and shall take the oath of office prescribed by law to be taken by officers of the United States.
Sessions.	SEC. 3. That the said commission shall, within thirty days after the appointment of the members thereof, meet, and it shall thereafter hold its sessions, in the city of Washington. The Department of Justice shall provide said commission with all necessary and suitable rooms and offices for holding its sessions and transacting its business.
Rooms.	All the expenses, including salaries and compensation of said commission and of its officers and employees, shall be paid by the Department of Justice, upon vouchers certified by the president of the commission or by order of the other members of the commission in case of his absence or inability to act; and the sum of fifty thousand dollars annually, or so much thereof as may be necessary, is hereby appropriated and made immediately available for the Department of Justice as a special fund for the payment of said expenses.
Payment of salaries, etc.	SEC. 4. That the commission is empowered to make all necessary or convenient and proper rules and regulations of practice and procedure for the transaction of its business.
Appropriation.	SEC. 5. That the commission is empowered to appoint a clerk, and may also appoint one messenger and one or more stenographers, typewriters, and interpreters as the business of the commission may require; and may also appoint one or more commissioners, whose duty it shall be to take testimony in such cases as may be brought before said commission. Such commissioners to take testimony shall be citizens of the United States, and they shall receive for their services such fees as may be fixed by said commission, not exceeding the fees allowed by law for the taking of testimony to be used in the courts of the United States, including the sum of three dollars per day which the courts of the United States are now authorized by section twenty-one of the Act of May twenty-eighth, eighteen hundred and ninety-six, to allow to commissioners.
Rules.	The clerk of said commission shall, before assuming the duties of his office, execute a bond to the United States, with sufficient surety or sureties, in such amount and conditioned as the Attorney-General shall prescribe, for the faithful performance of his duties as such clerk.
Employees.	The appointments authorized by this section shall be made without reference to the rules and regulations of the civil service.
Commissioners to take testimony.	SEC. 6. That the President shall appoint, by and with the advice and consent of the Senate, one additional Assistant Attorney-General of the United States, who shall hold his office during the existence of said commission, and the Attorney-General of the United States is empowered to employ such assistant attorneys as the business of the commission may require. It shall be the duty of said Assistant Attorney-General and assistant attorneys to appear as attorneys and counsel for the United States, under the direction of the Attorney-General, and defend the United States in all proceedings to adjudicate claims which may be had before said commission.
Vol. 29, p. 184.	
Bond of clerk.	
Civil service exemption.	
Additional Assistant Attorney-General and assistant attorneys authorized.	
—duties.	

SEC. 7. That each of the said commissioners and the clerk and each of the commissioners to take testimony shall have authority to administer oaths in all proceedings before the commission, and every person knowingly and willfully swearing or affirming falsely in any such proceedings shall be deemed guilty of perjury, and shall, upon conviction, suffer the punishment provided by the laws of the United States for that offense, when committed in its courts of justice.

Authority to administer oaths.

—penalty.

SEC. 8. That all reports, records, proceedings, and other documents now on file or of record in the Department of State, or in any other Department, or certified copies thereof, relating to any claims prosecuted before the said commission under this Act shall be furnished to the commission upon its order, made of its own motion or at the request of the claimant or of the attorney representing the United States before said commission.

Access to departmental files.

SEC. 9. That every claim prosecuted before said commission shall be presented by petition, setting forth concisely and without unnecessary repetition the facts upon which such claim is based together with an itemized schedule setting forth all damages claimed. Said petition shall also state the full name, the residence, and the citizenship of the claimant, and the amount of damages sought to be recovered, and shall pray judgment upon the facts and law. It shall be signed by the claimant or his attorney or legal representative, and be verified by the affidavit of the claimant, his agent, attorney, or legal representative. It shall be filed with the clerk of the commission, and the prosecution of the claim shall be deemed to have been commenced at the date of such filing. All claims shall be filed as aforesaid within six months from the date of the first meeting of the commission, and every claim not filed within such time shall be forever barred: *Provided*, That the commission may receive claims presented within six months after the termination of said period if the claimants shall establish to their satisfaction good reasons for not presenting the same earlier.

Petition.

—contents, etc.

Time for filing claims limited.

Proviso, —reception afterwards.

SEC. 10. That service of the petition shall be made upon the Attorney-General of United States at such time and in such manner as may be prescribed by the rules of said commission. It shall be his duty to defend the interests of the United States, and he shall, within sixty days after the service of the petition upon him, unless the time shall be extended by order of the commission, file a demurrer or answer to said petition, which answer shall set up all matters of counterclaim, set-off, claim of damages, demand, or defense whatsoever of the Government against such claim: *Provided*, That should the Attorney-General fail to so answer or demur, the claimant may proceed with the case under such rules as the commission may adopt; but the claimant shall not in such case have award for his claim or for any part thereof unless he shall establish the same by proof satisfactory to the commission.

Service of petition.

Answer.

Proviso, —failure to answer; procedure.

SEC. 11. That the award in favor of any claimant shall be only for the amount of the actual and direct damage which said claimant shall prove that he has sustained. Remote or prospective damages shall not be awarded, nor shall interest be allowed on any claim.

Extent of award.

SEC. 12. That all awards of said commission shall be final unless a new trial or hearing shall be granted by said commission and no new trial or rehearing shall be had except upon motion made within sixty days of said award.

When award final.

SEC. 13. When the commission is in doubt as to any question of law arising upon the facts in any case before them, they may state the facts and the question of law so arising and certify the same to the Supreme Court of the United States for its decision, and said court shall have jurisdiction to consider and decide the same.

Appeal to Supreme Court.

SEC. 14. That the commission shall file with the Secretary of State a copy of the award in each case immediately after the same shall have been made and become final, and in every case of final award by said

Filing copy of award with Secretary of State. Payment.

commission the sum found to be due shall be paid out of any appropriation made or to be made by Congress for the payment and satisfaction of such awards on presentation to the Secretary of the Treasury of a copy of said award, certified by the clerk of the commission and signed by the president of said commission, or by the Secretary of State in case said commission has terminated and ceased to exist.

Disposition of records on expiration of commission.

All the files and records of said commission shall immediately upon the expiration thereof be deposited in the office of the Secretary of State.

Salaries.

SEC. 15. That the salaries and compensation of the persons appointed under this Act shall be as follows, and the same shall be paid monthly in equal installments:

To each commissioner, the sum of five thousand dollars per annum.

To the Assistant Attorney-General, the sum of five thousand dollars per annum.

To the clerk, the sum of three thousand five hundred dollars per annum.

To such assistant attorneys as may be employed, at the rate of two hundred dollars per month to each for the time of actual employment.

To the messenger and to each stenographer and typewriter, the sum of one thousand two hundred dollars per annum.

To each interpreter, not exceeding the sum of one thousand eight hundred dollars per annum.

Duration of commission.

SEC. 16. That the powers and jurisdiction hereby granted to said commission shall be in force and continue for the period of two years from the date of the approval of this Act, and for no longer time: *Provided*, That the President may, from time to time, extend the said period beyond said two years, not exceeding six months in each instance, when in his judgment such extension is necessary to enable the commission to complete its work: *And provided further*, That in case the commission shall have completed its work before the expiration of the said two years the President may dissolve said commission.

Proviso.
—extension.

—dissolution before two years.

Approved, March 2, 1901.

March 2, 1901.

CHAP. 801.—An Act To create a new Federal judicial district in Pennsylvania, to be called the middle district.

Pennsylvania, middle judicial district created.

Counties detached from eastern and western districts.

R. S., sec. 545, p. 91, amended.

Courts established.

To be part of third judicial circuit.
Terms of court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Lackawanna, Wyoming, Bradford, Monroe, Wayne, Pike, Susquehanna, Carbon, Tioga, Potter, Cameron, Clinton, Lycoming, Center, Union, Snyder, Mifflin, Juniata, Northumberland, Montour, Columbia, Sullivan, Luzerne, Dauphin, Lebanon, Perry, Huntingdon, Fulton, Franklin, Adams, York, and Cumberland, in the State of Pennsylvania, are hereby detached from the eastern and western districts of said State and shall henceforth constitute and compose a judicial district to be known as the middle district of Pennsylvania, and a circuit and a district court of the United States are hereby established therein.

SEC. 2. That the said middle district of Pennsylvania shall be attached to and constitute part of the third judicial circuit, and terms of said circuit and district courts shall be held therein as follows, to wit: At the city of Scranton, in the county of Lackawanna, on the first Monday of March and first Monday of October in each year; at the city of Williamsport, in the county of Lycoming, on the second Monday of January and second Monday of June in each year; at the city of Harrisburg, in the county of Dauphin, on the first Monday of May and second Monday of November in each year, the sessions of said courts to continue for such periods of time as the judges thereof shall, by their prior order, determine; and adjourned terms, sittings,