

and damage by the United States military authorities, for Government purposes during the war with Spain, of the buildings and grounds of the Indiana State board of agriculture, and the actual value of the use, occupation, and damage to same, and to find and award and to certify to the Secretary of the Treasury what amount, if any, is equitably due to said Indiana State board of agriculture from the United States, under the Act of June sixth, nineteen hundred, and amendments thereto, as the reasonable value of such use, occupation, and damage.

Approved, April 7, 1904.

Vol. 31, p. 632.

April 7, 1904.
[H. R. 13480.]

[Public, No. 89.]

Wabash River,
Southern Indiana
Railway Company
may bridge, in Vigo
County, Ind.

CHAP. 943.—An Act To authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River in Vigo County, Indiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Southern Indiana Railway Company, a corporation created and existing by virtue of the laws of the State of Indiana, its successors or assigns, to build a bridge across the Wabash River at a point selected by the said railway company near the confluence of said river and Coal Creek, and near the section line dividing sections twenty-eight and thirty-three, township thirteen north, range nine west, in Vigo County, Indiana, and to lay on or over said bridge railway tracks for the connection of the railway tracks it may hereafter build to the point to be selected for crossing the said river.

Lawful structure
and post route.

Telegraph, etc.,
rights.

Secretary of War to
approve plans, etc.

Changes.

Proviso,
Opening draw.

Lights, etc.

SEC. 2. That any bridge authorized to be constructed under this Act shall be a lawful structure, and shall be recognized and known as a post route, and it shall enjoy the rights and privileges of other post-roads in the United States, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, or for through passengers or freight passing over said bridge, than the rate per mile for their transportation over the railroads leading to the said bridge; and the United States shall have the right of way across said bridge for postal, telegraph, and telephone purposes, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies. Said bridge shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said railway company shall submit to the Secretary of War, for his examination and approval, a design and drawings 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 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 plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction or after completion, such change shall be subject to the approval of the Secretary of War; and the said company shall, at its own expense, make from time to time such changes in said bridge as the Secretary of War may order in the interest of navigation: *Provided,* That if said bridge be built as a drawbridge the draw shall be promptly opened upon reasonable signal for the passage of boats, and whatever kind of bridge is built, the said company shall maintain thereon, at its own expense, from

sunset to sunrise, such lights or other signals as the Light-House Board may prescribe.

SEC. 3. That 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 the approaches thereto upon payment of a reasonable compensation for such use, or, in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest.

Use by other roads.

SEC. 4. That this Act shall be null and void unless the bridge herein authorized shall be commenced within two years and completed within four years from the date hereof.

Time of construction.

SEC. 5. That the right to amend, alter, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 7, 1904.

CHAP. 945.—An Act To increase the pensions of those who have lost both eyes or have become totally blind from causes occurring in the military or naval service of the United States.

April 8, 1904.
[S. 671.]

[Public, No. 90.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this Act all persons on the pension roll, and all persons hereafter granted a pension, who, while in the military or naval service of the United States and in the line of duty, shall have lost both eyes, or who have become totally blind from causes occurring in the service of the United States, shall receive a pension at the rate of one hundred dollars per month: *Provided, however,* That this Act shall not be so construed as to reduce any pension under any Act, public or private.

Pensions.
Total blindness rate increased.
R. S., sec. 4698, p. 915, amended.

Proviso.
No reduction.

Approved, April 8, 1904.

CHAP. 946.—An Act To transfer Captain Seth Mitchell Ackley from the retired to the active list of the Navy.

April 8, 1904.
[S. 2650.]

[Public, No. 91.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to restore Seth Mitchell Ackley, now a captain on the retired list, to the active list of the Navy: *Provided,* That the said Ackley shall, upon examination in accordance with regulations to be prescribed by the Secretary of the Navy, before an examining board composed of five members, of whom three shall be line officers his senior in rank, and the remaining two medical members, satisfactorily establish his mental, moral, professional, and physical fitness to perform active service, the place to which he shall be restored to be determined by the Secretary of the Navy after recommendation with regard thereto by said board: *And provided further,* That the said Ackley shall be carried as additional to the number of the grade to which he may be restored, or at any time thereafter promoted.

Seth Mitchell Ackley.
Restored to active list of Navy.
Provisos.
Examination.

Number of grade increased.

Approved, April 8, 1904.