

and assume the duties of such office, the President may when the public exigency requires it, designate any officer of the United States to perform the duties of such office, but such designation shall not be for a longer time than twenty days, and such officer so designated shall give bonds if required by the President for the faithful discharge of the said duties, and the Secretary of the Interior shall allow in the settlement of the accounts of such officer, the necessary expenses incurred by him in the discharge of his duties under this act. The foregoing provisions shall apply to any vacancy now existing.

Approved, March 8, 1878.

CHAP. 26.—An act to amend an act entitled “An act to provide for the preparation and publication of a new edition of the Revised Statutes of the United States”, approved March second, eighteen hundred and seventy-seven.

March 9, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled “An act to provide for the preparation and publication of a new edition of the Revised Statutes of the United States”, approved March second, eighteen hundred and seventy-seven, be, and the same is hereby, amended as follows, to wit: By striking out from the ninth and tenth lines of section four as published in the nineteenth volume of the Statutes at Large, the words “and conclusive”; and, in the tenth line, the words “and treaties”; and, by inserting after the word “Territories” at the end of the eleventh line, the following words, to wit: “but shall not preclude reference to, nor control, in case of any discrepancy, the effect of any original act as passed by Congress since the first day of December, eighteen hundred and seventy-three”.

Revised Statutes; new edition *prima facie* evidence.

1877, ch. 82,
19 Stat., 268.

Approved, March 9, 1878.

CHAP. 27.—An act changing the times of holding terms of the district court for the district of West Virginia.

March 9, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the district court of the United States for the district of West Virginia shall be held at the times and places following; but when any of said dates shall fall on Sunday the term shall commence the following Monday, to wit: At the city of Wheeling, on the first day of March and the first day of September; at Clarksburg, on the first day of April and the first day of October; at Charleston, on the first day of May and the first day of November. And all pending process, rules, and proceedings shall be conducted in the same manner and with the same effect as to time as if this act had not passed.

West Virginia; terms of district court for district of.

Approved, March 9, 1878.

CHAP. 28.—An act amending the laws granting pensions to the soldiers and sailors of the war of eighteen hundred and twelve, and their widows, and for other purposes.

March 9, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-rolls the names of the surviving officers and enlisted and drafted men, without regard to color, including militia and volunteers, of the military and naval service of the United States, who served for fourteen days in the war with Great Britain of eighteen hundred and twelve, or who were in any engagement, and were honorably discharged, and the surviving widows of such officers and enlisted and drafted men.

War of 1812; soldiers and sailors of, to be placed on pension-rolls.

- What persons entitled.** SEC. 2. That this act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month. Pensions under this act shall be at the rate of eight dollars per month, except as herein provided, and shall be paid to the persons entitled thereto, from and after the passage of this act, for and during their natural lives: *Provided*, That the pensions to widows provided for in this act shall cease when they shall marry again.
- Rate and term of pension.**
- Widows.**
- Proof.** SEC. 3. That before the name of any person shall be placed upon the pension-rolls under this act, proof shall be made, under such rules and regulations as the Commissioner of Pensions, with the approval of the Secretary of the Interior, shall prescribe, that the applicant is entitled to a pension under this act; and any person who shall falsely take any oath required to be taken under the provisions of this act shall be guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the rolls the name of any person, when it shall appear, by proof satisfactory to him, that such name was put on said rolls by or through false or fraudulent representations, or by mistake as to the right of such person to a pension under this act. The loss or lack of a certificate of discharge shall not deprive the applicant of the benefit of this act, but other proof of the service performed and of an honorable discharge, if satisfactory, shall be deemed sufficient; and when there is no record evidence of such service and such discharge, the applicant may establish the same by other satisfactory testimony: *Provided*, That when any person has been granted a land-warrant under any act of Congress for and on account of service in the said war of eighteen hundred and twelve, such grant shall be prima-facie evidence of his service and honorable discharge, so as to entitle him, if living, or his widow, if he be dead, to a pension under this act; but such evidence shall not be conclusive, and may be rebutted by evidence that such land-warrant was improperly granted.
- False oath.**
- Striking from rolls.**
- Loss of certificate; want of record.**
- Land-warrant prima facie evidence.**
- Act applied. Existing acts.** SEC. 4. That all applications for pensions of the classes provided for in this act heretofore or which may hereafter be made shall be considered and decided as though made under this act; and all laws now in force in regard to the manner of paying pensions, and in reference to the punishment of frauds, shall be applicable to all claims under the provisions of this act.
- Restoration of pensioners engaged in rebellion.** SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-rolls the names of all persons now surviving heretofore pensioned on account of service in the war of eighteen hundred and twelve against Great Britain, or for service in any of the Indian wars, and whose names were stricken from the rolls in pursuance of the act entitled "An act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the government, or who have in any manner encouraged the rebels," approved February fourth, eighteen hundred and sixty-two; and that the joint resolution entitled "Joint resolution prohibiting payment by any officer of the government to any person not known to have been opposed to the rebellion and in favor of its suppression," approved March second, eighteen hundred and sixty-seven, and section four thousand seven hundred and sixteen of the Revised Statutes of the United States, shall not apply to the persons provided for by this act: *Provided*, That no money shall be paid to any one on account of pensions for the time during which his name remained stricken from the rolls.
- 1862, ch. 18,
12 Stat., 337.
- 1867, Res. 46,
14 Stat., 571.
R. S., 3480, p. 633,
R. S., 4716, p. 926,
not to apply.
- Proviso.**
- Widows of pensioners stricken from rolls.** SEC. 6. That the surviving widow of any pensioner of the war of eighteen hundred and twelve where the name of said pensioner was stricken from the pension-rolls in pursuance of the act entitled "An act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the government,
- 1862, ch. 18,
12 Stat., 337.

or who have in any manner encouraged the rebels," approved February fourth, eighteen hundred and sixty-two, and where, under the existing provisions of law, said pensioner died without his name being restored to the rolls, shall be entitled to make claim for a pension as such widow after the passage of this act: *Provided*, That no such arrearages shall be paid for any period prior to the time of the removal of the disability of the pensioner, as provided in section five: *And provided further*, That under this act any widow of a Revolutionary soldier who served fourteen days or was in any engagement shall be placed upon the pension-rolls of the United States, and receive a pension at the rate of eight dollars per month.

Proviso.

Widows of Revolutionary soldiers.

SEC. 7. That all laws and clauses of laws in conflict with this act be, and they are hereby, repealed.

Repeals.

Approved, March 9, 1878.

CHAP. 32.—An act to authorize the construction of a bridge across the Missouri River at or near Glasgow, Missouri.

March 13, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any corporation existing, or which may be organized, under the laws of the State of Missouri, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Missouri River, at or near Glasgow, in the county of Howard, in said State. Said bridge shall be constructed to provide for the passage of railway-trains, and, at the option of the corporation by which it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers.

Railroad and wagon bridge may be built at Glasgow, Mo.

SEC. 2. That any bridge built under this act, and subject 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 transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States.

Post-route; rate payable by United States.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans, the spans thereof shall not be less than three hundred feet in length in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least fifty feet above extreme high-water mark as understood at the point of location, and the bridge shall be at right angles to, and its piers parallel with, the current of the river: *Provided*, That if the same shall be constructed as a draw-bridge, the draw or pivot shall be over the main channel of the river at an accessible navigable point, and the spans shall not be less than one hundred and sixty feet in length in the clear, and the piers of said bridge shall be parallel with, and the bridge itself at right angles to, the current of the river, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge: *Provided also*, That said draw shall be opened promptly, upon reasonable signal, for the passing of boats; and said company or corporation shall maintain at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority 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 all such alterations shall be made and all such obstruc-

How to be constructed.

Opening of draw; signals.

Obstruction of navigation.

Alterations.