consent of the Senate, appoint Andrew J. Smith, late colonel of the
Seventh United States cavalry and a major-general of volunteers, a
colonel of cavalry in the army of the United States, and thereupon
to place him, the said Andrew J. Smith, upon the retired list of the
army, with the rank and grade of colonel, without regard and in
addition to the number now authorized by law of said retired list.
Approved, December 24, 1888.

CHAP. 18.—An act granting to Citrous Water Company right of way across
Papago Indian Reservation in Maricopa County, Arizona.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the Citrous
Water Company, a corporation organized under the laws of the State
of California, and transacting business in the Territory of Arizona,
is hereby granted the right of way, one hundred feet in width, across,
through, and out of township south five, range west five, Gila and
Salt River base and meridian, the said described land being a part
of the Papago Indian Reservation in Maricopa County, Arizona, for
the sole purpose of constructing a ditch or canal, to be used in con-
vveying water across said reservation for use in irrigating lands and
supplying water to owners of land below: Provided, That so long as
said reservation shall continue for the use and occupation of said
Indians, said Indians shall, free of cost, be supplied with water from
said ditch or canal in such quantity and under such regulations as
shall be prescribed by the Secretary of the Interior, and that rea-
sonable compensation only, subject at all times to the control of
Congress, shall be charged to those supplied with water for use upon
land held under the United States: Provided further, That said
right of way herein granted shall not be mortgaged, sold, trans-
ferred, or assigned except for the purposes of construction: And pro-
vided further, That unless said canal for which this right of way is
granted be completed within two years after the approval of this
act the provisions of this act shall be null and void.

SEC. 2. This act, and all rights acquired under the same, shall be
subject at all times to modification, revocation, amendment, or repeal
by Congress.

Approved, January 1, 1889.

CHAP. 19.—An act to regulate appointments in the Marine Hospital Service of
the United States.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That medical officers
of the Marine Hospital Service of the United States shall hereafter be
appointed by the President, by and with the advice and consent of the
Senate; and no person shall be so appointed until after passing a satis-
factory examination in the several branches of medicine, surgery, and
hygiene before a board of medical officers of the said service. Said
examination shall be conducted according to rules prepared by the
Supervising Surgeon-General, and approved by the Secretary of the
Treasury and the President.

SEC. 2. That original appointments in the service shall only be made
to the rank of assistant surgeon; and no officer shall be promoted to
the rank of passed assistant surgeon until after four years' service and
a second examination as aforesaid; and no passed assistant surgeon
shall be promoted to be surgeon until after due examination: Pro-
vided, That nothing in this act shall be so construed as to affect the
Promotion.

rank or promotion of any officer originally appointed before the adop-
tion of the regulations of eighteen hundred and seventy-nine; and the
President is authorized to nominate for confirmation the officers in
the service on the date of the passage of this act.

Approved, January 4, 1889.

CHAP. 20.—An act to incorporate the American Historical Association.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That Andrew D.
White, of Ithaca, in the State of New York; George Bancroft, of
Washington, in the District of Columbia; Justin Winsor, of Cam-
bridge, in the State of Massachusetts; William F. Poole, of Chicago,
in the State of Illinois; Herbert B. Adams, of Baltimore, in the
State of Maryland; Clarence W. Bowen, of Brooklyn, in the State
of New York, their associates and successors, are hereby created in
the District of Columbia a body corporate and politic, by the name
of the American Historical Association, for the promotion of his-
torical studies, the collection and preservation of historical manu-
scripts, and for kindred purposes in the interest of American history
and of history in America. Said association is authorized to hold
real and personal estate in the District of Columbia so far only as
may be necessary to its lawful ends to an amount not exceeding
five hundred thousand dollars, to adopt a constitution, and to make
by-laws not inconsistent with law. Said association shall have its
principal office at Washington, in the District of Columbia, and
may hold its annual meetings in such places as the said incorpora-
tors shall determine. Said association shall report annually to the
Secretary of the Smithsonian Institution concerning its proceedings
and the condition of historical study in America. Said Secretary
shall communicate to Congress the whole of such reports, or such
portion thereof as he shall see fit. The Regents of the Smithsonian
Institution are authorized to permit said association to deposit its
collections, manuscripts, books, pamphlets, and other material for
history in the Smithsonian Institution or in the National Museum;
at their discretion, upon such conditions and under such rules as
they shall prescribe.

Approved, January 4, 1889.

CHAP. 21.—An act to authorize the Cairo and Tennessee River Railroad Com-
pany to construct bridges across the Tennessee and Cumberland Rivers.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the Cairo and
Tennessee River Railroad Company, organized under act of the gen-
eral assembly of the Commonwealth of Kentucky, be, and is hereby,
authorized to construct and maintain bridges, and approaches thereto,
over the Tennessee River at any point below Aurora, south bound-
ary of Calloway County, in the State of Kentucky, and the Cumber-
land-River at any point in Trigg County, State of Kentucky, and at
any point in Monroe or Cumberland Counties, Kentucky, or in Clay
County, Tennessee, on said river. Said bridges shall be constructed
to provide for the passage of railway trains, and, at the option of
the corporation by which they may be built, may be used for the
passage of wagons and vehicles of all kinds, for the transit of ani-
mals, and for foot-passengers.

SEC. 2. That any bridge built under this act and subject to its limit-
ations shall be a lawful structure, and shall be recognized and known