

the United States within whose jurisdiction the bridge or any part thereof is located. If the construction of said bridge shall not be commenced within two and completed within four years after the passage of this act, all privileges conferred hereby and this act shall become null and void.

Approved, April 20, 1888.

April 23, 1888.

CHAP. 155.—An act to amend an act entitled "An act for the erection of a public building at Chattanooga, Tennessee," approved February twenty-fifth, eighteen hundred and eighty-five, and the act amendatory thereof approved February twenty-first, eighteen hundred and eighty-seven.

Chattanooga, Tenn.
Public building.

Vol. 23, p. 320.

Vol. 24, p. 407.

Limit of cost in-
creased.

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act for the erection of a public building at Chattanooga, Tennessee," approved February twenty-fifth, eighteen hundred and eighty-five, and the act amendatory thereof approved February twenty-first, eighteen hundred and eighty-seven, be, and the same is hereby, so amended as to provide that the cost of said building, including site and building complete, shall not exceed the sum of two hundred and seventy-five thousand dollars.

SEC. 2. That the sum of seventy-five thousand dollars, it being the amount provided for in the first section of this act as increase of limit of cost of said building, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act.

Approved, April 23, 1888.

April 24, 1888.

CHAP. 191.—An act to appropriate a sum of money sufficient to carry out the provisions of the act approved March fifth, eighteen hundred and eighty-eight, entitled, "An act for the purchase of a site, including the building thereon, also for the erection of the necessary store-houses, for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, District of Columbia."

Signal Service.
Appropriation for
building, Washington,
D. C.
Ante, p. 44.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated a sum sufficient to carry out the provisions of an act entitled, "An act for the purchase of a site, including the building thereon, also for the erection of the necessary store-houses, for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, District of Columbia," approved March fifth, eighteen hundred and eighty-eight.

Approved, April 24, 1888.

April 24, 1888.

CHAP. 192.—An act granting the right of way to the Duluth, Rainy Lake River and Southwestern Railway Company through certain Indian lands in the State of Minnesota.

Right of way to Du-
luth, Rainy Lake
River and Southwest-
ern Railway Company
through certain lands
in Minnesota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way is hereby granted, as hereinafter set forth, to the Duluth, Rainy Lake River and Southwestern Railway Company, a corporation organized and existing under the laws of the State of Minnesota, for railroad purposes, through the lands in northern Minnesota set apart for the use of the Bois Forte Band of Chippewas by treaty dated April seventh, eighteen hundred and sixty-six, commonly known as the Bois Forte Indian Reservation, and through the unsurveyed lands belonging to the United States adjoining the southern bound-

ary thereof; also through the Red Lake unceded Indian lands in the State of Minnesota, and through the unsurveyed lands belonging to the United States adjoining the northwestern boundary thereof.

SEC. 2. That the line of said railroad shall extend from the city of Duluth, by the most convenient and practicable route, in a north-westerly direction, through the counties of Saint Louis and Itasca, to the mouth of Rainy Lake River, south of the "Lake of the Woods," and at or near the boundary post on the highlands opposite to what is known as the Forte Louise Reserve, on the Canadian side; thence northwesterly to or near the mouth of War Road River, thence southwesterly or westerly through the counties of Beltrami, Kittson, and Marshall, in the State of Minnesota, to the Red River of the North.

Location of road.

SEC. 3. That the right of way through the said Bois Forte Indian Reservation and Red Lake unceded Indian lands, and the unsurveyed lands thereto adjoining, hereby granted to said company, shall be seventy-five feet in width on each side of the central line of said railroad as aforesaid; and said company shall also have the right to take from said lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction of said railroad, also ground adjacent to such right of way, for station buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, not to exceed in quantity three hundred feet in width and three thousand feet in length for each station, to the extent of one station for each ten miles of its road, except at its point at the mouth of Rainy Lake River aforesaid, in which case said company shall have the right to take eighty acres for station buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, and for other purposes: *Provided*, That the consent of the Indians to said right of way shall be obtained by said railroad company, in such manner as the President may prescribe, before any right under this act shall accrue to said company.

Width.

Stations.

Proviso.
Consent of Indians.

SEC. 4. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid the Indians for such right of way and lands, and provide the time and manner for the payment thereof, and also to ascertain and fix the amount of compensation to be made to individual members of the several tribes or bands for damages sustained by them by reason of the construction of said road; but no right of any kind shall vest in said railway company in or to any part of the right of way herein provided for until plats thereof, made upon actual survey for the definite location of such railroads, and including the points for station buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, shall be filed with and approved by the Secretary of the Interior, which approval shall be made in writing and be open for the inspection of any party interested therein; and until the compensation aforesaid has been fixed and paid; and the surveys and construction and operation of such railroad shall be conducted with due regard for the rights of the Indians, and in accordance with such rules and regulations as the Secretary of the Interior may make to carry out this provision.

Compensation.

Survey.

SEC. 5. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said road shall be completed: *Provided*, That the company may mortgage said franchise, together with the rolling-stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order within two years from the passage of this act.

Not transferable until completion.

Proviso.
Mortgage.

Commencement and completion.

SEC. 6. That said railway company shall accept this right of way upon the express condition, binding upon itself, its successors, and assigns, that it will neither aid, advise, nor assist in any effort look-

Terms of acceptance.

ing towards the changing or extinguishing the present tenure of the Indians in their lands, and will not attempt to secure from the Indian tribes any further grant of land, or its occupancy, than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

Proviso.

Forfeiture.

Amendment, etc.

SEC. 7. That Congress may at any time amend, add to, alter, or repeal this act.

Approved, April 24, 1888.

April 24, 1888.

CHAP. 193.—An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tennessee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Kansas City and Memphis Railway and Bridge Company, a corporation created and organized under and by virtue of the laws of the State of Arkansas, its successors and assigns, be, and the same are hereby, authorized and empowered to erect, construct, and maintain a bridge over the Mississippi River, from or near the town of Hopefield, in the State of Arkansas to or near the taxing district of Shelby county, commonly known as the city of Memphis, in the State of Tennessee. Said bridge shall be constructed to provide for the passage of railway trains, and wagons and vehicles of all kinds, for the transit of animals, and at the option of the corporation by which it may be built, for foot-passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

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 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.

SEC. 3. That the said bridge shall be made with unbroken and continuous spans. Before approving the plans for said bridge, the Secretary of War shall order three engineer officers from the Engineer Bureau to be detailed to the duty of examining, by actual inspection, the locality where said bridge is to be built, and to report what shall be the length of the main channel span and of the other spans: *Provided*, That the main channel span shall in no event be less than seven hundred feet in length, or the other spans less than six hundred feet each in length; and if the report of said officers shall be approved by the Secretary of War, the spans of said bridge shall be of the length so required. The lowest part of the superstructure of said bridge shall be at least seventy-five 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. 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 obstructions be removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river caused or alleged to be caused by said bridge, the case

Kansas City and Memphis Railway and Bridge Company may bridge Mississippi River at Memphis, Tenn.

Railway, wagon, and foot bridge.

To be lawful structure and post-route.

Construction.

Proviso.
Spans.

Free navigation not to be impaired.

Litigation.