

Secretary of War to decide.

Secretary of War to approve plans, etc.

Litigation.

Amendment, etc.

in issue between them shall be decided by the Secretary of War upon the hearing of the allegations and proofs of the parties.

SEC. 4. That said company shall submit to the Secretary of War for his examination and approval the design and drawings of the bridge and a map of the location, giving the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the current at all stages, and the soundings, accurately showing the bed of the stream, and if the Secretary of War, upon an examination of the papers to him submitted, shall require any change in the location or plans of said bridge, or its entire removal, the company shall, at its own expense, comply with such requirements; and if any change be made in the plan of said bridge such change shall be subject to the approval of the Secretary of War; and if any litigation shall be had in regard to said bridge, by reason of said bridge being alleged to be an obstruction to the navigation of said Coosa River, the same shall be in the circuit court of the United States in whose territorial jurisdiction said bridge or any part thereof is located.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved, and any alterations or changes that may be required by the Secretary of War in the bridge constructed under this act shall be made by the corporation owning or controlling the same at its own expense.

Approved, March 1, 1889.

March 1, 1889.

CHAP. 323.—An act providing for the establishment of a life-saving station at mouth of Coquille River, Oregon.

Life-saving station established at mouth of Coquille River, Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a life Saving Station be and is hereby established at mouth of Coquille River, in Coos County, in the State of Oregon.

Approved, March 1, 1889.

March 1, 1889.

CHAP. 324.—An act for the erection of a light-house on or near Diamond Shoal, off Cape Hatteras, North Carolina.

Cape Hatteras, N. C.
Light-house at Diamond Shoal.
Provision.
Contract.

Payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a light-house be established on or near Diamond Shoal, off Cape Hatteras, North Carolina, at a cost not to exceed five hundred thousand dollars: *Provided,* That the contractors for doing this work shall be the lowest responsible bidders and best fitted by reason of skill and experience to do the work: *And provided further,* That payments shall be made therefor as the work progresses in the discretion of the Light-House Board, and subject to the approval of the Secretary of the Treasury.

Approved, March 1, 1889.

March 1, 1889.

CHAP. 325.—An act for the erection of a public building at the city of Kalamazoo, Michigan.

Kalamazoo, Mich.

Public building.
Site.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the post-office and other Government offices at the city of Kalamazoo, in the

State of Michigan. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of seventy-five thousand dollars, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury, and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of seventy-five thousand dollars for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least forty feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Michigan shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Plans, etc.

Limit of cost.

Proviso.
Title, etc.

SEC. 2. That the sum of seventy-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated for said purpose, out of any moneys in the Treasury not otherwise appropriated.

Appropriation.

Approved, March 1, 1889.

CHAP. 326.—An act for the relief of certain settlers in Hettinger County, Dakota.

March 1, 1889.

Whereas certain settlers in townships one hundred and thirty-five north and one hundred and thirty-six north, range ninety-seven west, and one hundred and thirty-four north, range ninety-six west, fifth principal meridian, Hettinger County, Dakota, find that by reason of a mistake in the preliminary survey their homestead claims are on lands of the Northern Pacific Railroad rather than on Government sections: Therefore,

Preamble.

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 is hereby authorized and empowered to give relief to such homesteaders or others as have been adversely affected by the Government survey, by an exchange of lands with the Northern Pacific Railroad, section for section, or fraction thereof, as the interests of the parties may appear, so as to admit of the company taking other lands within the indemnity limits, in lieu of the tracts covered by actual settlements made prior to Government survey: *Provided*, That the said railroad company will become a party to said exchange.

Hettinger County, Dakota.
Relief to homesteaders entering lands of railroad company.

SEC. 2. That the homestead residence of five years required for holding said lands shall date from the first occupation of said claims.

Residence.

SEC. 3. That nothing contained in this act shall be taken or construed as waiving, releasing or in any wise affecting any right of the United States to forfeit any lands granted to the Northern Pacific Railroad Company by act of Congress to aid in the construction of its line of railroad, by reason of the breach of the conditions of any such grant; and any rights to any lands acquired by the Northern Pacific Railroad Company under the provisions of this act shall be taken and held subject to whatever conditions and right of forfeiture now attach to the lands which the Northern Pacific Railroad Company may give in exchange under the provisions of this act.

Right to forfeit unearned lands retained.

Approved, March 1, 1889.