

CHAP. 95.—An Act Granting the right of way to the Albany and Astoria Railroad Company through the Grand Ronde Indian Reservation, in the State of Oregon.

June 6, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a right of way not exceeding one hundred feet in width and such additional width as may be required at any point on account of the formation of the ground for necessary cuts and fills through the Grand Ronde Indian Reservation, in the State of Oregon, shall be, and is hereby, granted to the Albany and Astoria Railroad Company, a corporation duly organized under the laws of the State of Oregon, or its assigns, according to the plans and surveys of the route to be filed in the Department and approved by the Secretary of the Interior; and said company shall also have the right to take from said lands adjacent to the line of said railroad, material, stone, earth, and timber necessary for the construction of said railroad; also ground adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount two hundred feet in width and three thousand feet in length for each station, to the extent of one station for each ten miles of road.

Albany and Astoria Railroad Company granted right of way through Grand Ronde Indian Reservation, Oreg.

Material.
Stations, etc.

SEC. 2. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid to the Indians for such right of way, and provide the time and manner of payment thereof, and also to ascertain and fix the amount of compensation to be made to the individual members of the tribe for damages sustained by them by reason of the construction of said road; but no right of any kind shall vest in said company in or to any part of the right of way herein provided until plats thereof, made upon actual survey for the definite location of such railroad, and including the points for station buildings, depots, 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 to the inspection of any party interested therein, and until all compensation aforesaid has been fixed and paid; and the surveys, construction, and operation of such railroad, including the charges of transportation, 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: *Provided,* That the consent of the Indians to said right of way and compensation shall be obtained by said railroad company in such manner as the Secretary of the Interior shall prescribe before any right in this act shall accrue to said company.

Compensation.

Secretary of Interior to approve location, etc.

Proviso.
Consent of Indians.

SEC. 3. That whenever said right of way shall cease to be used for the purposes of the said railroad company, the same shall revert to the United States: *Provided, however,* That said company may be, and hereby is, granted three years to complete its railroad across said reservation after filing the maps of definite location thereof in the Department of the Interior.

Reversion.

Proviso.
Construction.

SEC. 4. That said railroad company shall accept this right of way upon the express condition, binding upon itself, its successors or assigns, that they will neither aid, advise, nor assist in any effort looking toward the changing or extinguishing of the present tenure of the Indians in their land, and will not attempt to secure from the Indian tribes any further grant of land or its occupancy than is hereinbefore provided.

Condition of acceptance.

SEC. 5. That any failure in the performance of the conditions required by this act shall be taken and deemed to be a forfeiture of all the rights and privileges herein granted, without any act of Congress or judgment of court declaring the same.

Forfeiture.

SEC. 6. That this act may be at any time altered, amended, or repealed by Congress.

Amendment, etc.

Approved, June 6, 1894.

June 7, 1894.

CHAP. 99.—An Act To grant certain lands to the township board of Inwood Township, Michigan, for cemetery purposes.

Inwood, Mich.
Lands granted for
cemetery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the southwest quarter of the northeast quarter of section thirty-three, township forty-one north, range seventeen west, Marquette land district, Michigan, is hereby granted to the township board of Inwood Township, in the State of Michigan, for the purpose of maintaining a public cemetery thereon.

Approved, June 7, 1894.

June 7, 1894.

CHAP. 100.—An Act Authorizing the construction of a bridge over the Monongahela River, at the foot of Dickson street, in the borough of Homestead, in the State of Pennsylvania.

Braddock and
Homestead Bridge
Company may bridge
Monongahela River,
Pittsburg, Pa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Braddock and Homestead Bridge Company, a corporation duly authorized under the laws of the Commonwealth of Pennsylvania, its successors and assigns, be, and they hereby are, authorized and empowered to construct, maintain, and operate a bridge over the Monongahela River, between a point at or near the foot of Dickson street, in the borough of Homestead, Allegheny County, to a point in the city of Pittsburg on the opposite side of said river, all within the State of Pennsylvania.

Railway, wagon,
and foot bridge.

SEC. 2. That said bridge may be constructed for the passage of steam and electric motors and trains for passengers and freight, wagons and vehicles of all kinds, and for the transit of animals and for foot passengers, for toll, the rates of toll to be approved by the Secretary of War: *Provided,* That all companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of trains or cars over the same and over the approaches thereto, upon payment of reasonable compensation for such use; and in case of disagreement between the owner of said bridge and said companies in regard to the amount to be paid or the conditions to be observed all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Proviso.
Use by other com-
panies.

Commencement.

SEC. 3. That the said Braddock and Homestead Bridge Company, its successors and assigns, shall not begin the construction of its bridge, piers, abutments, causeways, and other works over, in, or on said river until the location and plan of the same shall have been submitted to and approved by the Secretary of War.

Secretary of War to
approve plans, etc.

SEC. 4. That any bridge authorized to be constructed under this Act shall be built and located under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe, and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location, giving, for the space of one-half mile above and one-half mile below the proposed location, the high and low water lines upon the banks of the river, the direction and strength of the currents at low and high water, with the soundings, accurately showing the bed of the stream, and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge, 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 plans of said bridge during the progress of its construction such changes shall be subject to the approval of the Secretary of War: *Provided,* That the channel span of said bridge shall not be less than five hundred feet in length and shall be elevated above pool full in said river at least fifty-three feet in the clear.

Changes.

Proviso.
Channel span.