

Secretary of the Interior, and out of the balance of the "arrears of interest" of five hundred and fifty-eight thousand five hundred and twenty dollars and fifty-four cents appropriated by the act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight, entitled "An act for the protection of the people of the Indian Territory, and for other purposes," yet due to the Chickasaws and remaining to their credit in the Treasury of the United States; and so much of such moneys as may be necessary for such payment are hereby appropriated and made available for that purpose, and the balance, if any there be, shall remain in the Treasury of the United States, and be distributed per capita with the other funds of the tribes. And all acts of Congress or other treaty provisions in conflict with this provision are hereby repealed.

Vol. 80, p. 513.

Repeal.

73. This agreement shall be binding upon the United States and upon the Choctaw and Chickasaw nations and all Choctaws and Chickasaws, when ratified by Congress and by a majority of the whole number of votes cast by the legal voters of the Choctaw and Chickasaw tribes in the manner following: The principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall, within one hundred and twenty days after the ratification of this agreement by Congress, make public proclamation that the same shall be voted upon at any special election to be held for that purpose within thirty days thereafter, on a certain day therein named; and all male citizens of each of the said tribes qualified to vote under the tribal laws shall have a right to vote at the election precinct most convenient to his residence, whether the same be within the bounds of his tribe or not. And if this agreement be ratified by said tribes as aforesaid, the date upon which said election is held shall be deemed to be the date of final ratification.

Agreement binding after ratification.

Special election.

Date of final ratification.

74. The votes cast in both the Choctaw and Chickasaw nations shall be forthwith returned and duly certified by the precinct officers to the national secretaries of said tribes, and shall be presented by said national secretaries to a board of commissioners consisting of the principal chief, and the national secretary of the Choctaw Nation and the governor and national secretary of the Chickasaw Nation and two members of the Commission to the Five Civilized Tribes; and said board shall meet without delay at Atoka, Indian Territory, and canvass and count said votes, and make proclamation of the result.

Proclamation.

In witness whereof the said commissioners do hereby affix their names at Washington, District of Columbia, this twenty-first day of March, 1902.

Approved, July 1, 1902.

**CHAP. 1363.**—An Act Authorizing the adjustment of rights of settlers on the Navajo Indian Reservation, Territory of Arizona.

July 1, 1902.

[Public, No. 229.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all lands claimed by actual settlers or persons to whom valid rights attach, who settled upon or occupied any part of the public lands of the United States prior to the date of the Executive order of January sixth, eighteen hundred and eighty, extending the boundaries of the Navajo Indian Reservation, in the Territory of Arizona, and which were included in said Executive order, are hereby excepted from the operations thereof, and said settlers are hereby granted authority to establish their rights and secure patents for any of said lands to which they have a valid title under the public-land laws of the United States.

Public lands. Rights of settlers on extended Navajo Reservation, Ariz., confirmed.

Approved, July 1, 1902.

July 1, 1902.

[Public, No. 280.]

**CHAP. 1364.**—An Act To provide for the construction of a bridge by the Duluth, Pierre and Black Hills Railroad Company across the Missouri River at Pierre, South Dakota.

Missouri River.  
Duluth, Pierre, and  
Black Hills Railroad  
Company may bridge  
at Pierre, S. Dak.

Railroad, wagon,  
and foot bridge.

Secretary of War to  
approve plans, etc.

Provisos.  
Construction.

Pivot draw.

Opening draw.

Lights, etc.

Channel.

Use by other com-  
panies.  
Compensation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Duluth, Pierre and Black Hills Railroad Company, a corporation duly organized under the general incorporation laws of the State of South Dakota, its successors and assigns, is hereby authorized to construct and maintain a bridge across the Missouri River at or near the city of Pierre, Hughes County, South Dakota, and also to lay on and over said bridge a railway track or tracks for the passage of railway trains; and said corporation may construct and maintain ways for wagons, carriages, and foot passengers, charging and receiving such reasonable tolls therefor as may be approved from time to time by the Secretary of War.

**SEC. 2.** That said bridge shall be constructed and built without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order to secure that object the said corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge, and a map of the location, giving, for the space of one mile above and one mile below the proposed location, the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the currents at all stages, and the soundings accurately showing the bed of the stream, the location of any other bridge or bridges, 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 built: *Provided,* That if the said bridge shall be made with unbroken and continuous spans it shall not be of less elevation in any case than fifty feet above extreme high-water mark as understood at the point of location to the lowest part of the superstructure of the bridge, nor shall the spans of said bridge be less than three hundred feet in length in the clear; and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right angles thereto, and the main span shall be over the main channel of the river and not less than three hundred feet in length in the clear: *And provided also,* That if any bridge built under this Act shall be constructed as a drawbridge the same shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and navigable point and with spans of not less than two hundred feet in length in the clear on each side of central or pivot pier of the draw, and the next adjoining span or spans to the draw shall not be less than three hundred feet, and the headroom under all river spans shall not be less than ten feet above local high-water mark, and the piers of said bridge shall be built with the current of said river and the bridge itself at right angles thereto: *Provided also,* That said draw shall be opened promptly upon the 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: *Provided also,* That said company shall, at its own expense, build and maintain, under direction and supervision of the Secretary of War, such wing dams and booms or other works necessary to maintain the channel within the draw spans of said bridge, and shall, at their own expense, maintain a depth of water through said draw spans not less than that now existing, as shown by the report of the War Department, at the point where said bridge may be located: *Provided also,* That all railway companies desiring to use said bridge shall have and be entitled to