

maps and approval thereof by the Secretary of the Interior no claim for a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: *Provided*, That when a map showing said railway company's located line is filed and approved, as herein provided for, said company shall commence grading said located line within six months thereafter, or such location shall be void.

*Proviso.*  
Grading to be  
on filing  
maps.

Sec. 6. That said railway company shall build at least ten miles of its railway in said Omaha and Winnebago Reservation within two years after the passage of this act, and complete the remainder thereof within three years thereafter, or the rights herein granted shall be forfeited as to that portion not built; that said railway company shall construct and maintain continually all fences, road and highway crossings, and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way or may be by the proper authorities laid out across the same.

Construction.  
—forfeiture of  
rights.  
Crossings.

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

Amendment.

Approved, February 28, 1899.

CHAP. 226. An act to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March twenty-eighth, eighteen hundred and ninety-eight, and to vest in The Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company.

February 28,  
1899.

Vol. 30, p. 914.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the rights of way, privileges and franchises granted, or which were sought to be granted, to the Denison, Bonham and New Orleans Railway Company by the act of Congress entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," be, and the same are hereby, fully vested in and granted to The Denison, Bonham and Gulf Railway Company, and said act is hereby so amended as to insert in lieu of the name of the Denison, Bonham and New Orleans Railway Company that of the said The Denison, Bonham and Gulf Railway Company wherever it occurs in the title or body of said act, and the same shall hereafter read and be construed in all respects as if the name of the said The Denison, Bonham and Gulf Railway company had been inserted in the original act in lieu of that of the Denison, Bonham and New Orleans Railway Company.

Right of way  
of Denison, Bon-  
ham and New  
Orleans Railway  
granted to Deni-  
son, Bonham and  
Gulf Railway.  
Laws, 2d sess.  
55th Cong., p. 341.

Approved, February 28, 1899.

CHAP. 316. An act Granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho.

March 1, 1899.

Vol. 30, p. 918.

*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 to the Clearwater Short Line Railway Company, a corporation organized and existing under the laws of the State of Montana, and its successors and assigns, for the construction and operation of its railroad and telegraph lines through the Nez Perces Indian Reservation in the State of Idaho, and also through lands formerly embraced within said reservation which have been allotted to the individual members of the Nez Perces tribe of Indians, beginning at a point on the western boundary of the said Nez Perces Indian Reservation, to the east boundary line of said Nez Perces Indian Reservation, together with a branch therefrom beginning at or near Spalding town site, in section twenty-two of township thirty-six north of range four west, Boise meridian, and extending to the south line of said Indian reservation.

Clearwater  
Short Line Rail-  
way granted  
right of way  
through Nez  
Perces Indian  
lands, Idaho.

Location.

Branch line.

Width.

Sec. 2. That the right of way hereby granted shall be fifty 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

Additional ground for stations, etc. 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, and machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 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 road.

Damages.

SEC. 3. That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants or owners according to any treaties or laws of the United States, compensation shall be made such occupant or owner or claimant for all property to be taken or damage done by reason of the construction of such railroad. In case of failure to make satisfactory settlement with any such claimant the district court of the State of Idaho for the county within which such land may be situated shall have jurisdiction, upon petition of either party, to determine such just compensation in accordance with the laws of the State of Idaho provided for determining the damage when property is taken for railroad purposes, and such compensation shall be determined as provided for by the laws of the State of Idaho; and the amount of damages resulting to the tribe of Indians pertaining to such reservation in their tribal capacity by reason of the construction of said railroad through such lands of the reservation as are not occupied in severalty, and the time and manner of making payment therefor, shall be ascertained and determined in such manner as the Secretary of the Interior may direct, and be subject to his final approval.

Tribal lands.

Maps to be filed.

SEC. 4. That said company shall cause maps showing the route of its line through said reservation and allotted lands, including the grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, to be filed in the office of the Secretary of the Interior before constructing any portion of said railroad.

Completion of construction.

SEC. 5. That the rights herein granted shall be forfeited by said company unless the road shall be constructed through the said reservation and allotted lands within three years after the passage of this act.

Railroad rights on public lands. Vol. 18, p. 482.

SEC. 6. That nothing herein contained shall restrict or impair the rights which said company may now have or hereafter acquire to the benefits and provisions of the act of Congress approved March third, eighteen hundred and seventy-five, entitled "An act granting to railroads the right of way through the public lands of the United States."

Approved, March 1, 1899.

March 1, 1899.

CHAP. 324. An Act Making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes.

Vol. 30, p. 924.

Indian Department appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and in full compensation for all offices the salaries for which are specially provided for herein, for the service of the fiscal year ending June thirtieth, nineteen hundred, and fulfilling treaty stipulations for the various Indian tribes, namely:*

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[Vol. 30, p. 929.] Investigation of alleged cutting of green timber, etc.

The Secretary of the Interior is hereby authorized and directed to cause an investigation by an Indian inspector and a special Indian agent of the alleged cutting of green timber under contracts for cutting "dead and down," on the Chippewa ceded and diminished reservations in the State of Minnesota, and also whether the present plan of estimating and examining timber on said lands and sale thereof is the best that can be devised for protection of the interests of said Indians; and also in his discretion to suspend the further estimating, appraising, examining, and cutting of timber, and the sale of the same, and also suspend the sale of the lands in said reservation.