AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Consent of Indians.

a forfeiture of all the rights and privileges of said railway company under this act. *And provided further*, That the consent of the Indians through whose land said road shall be located shall be obtained to the location of the same and the compensation therefor in manner satisfactory to the President before this act shall take effect.

Amendment, etc.

SEC. 11. That Congress may at any time amend, add to, alter or repeal this act.

SEC. 12. That this act shall be in force from its passage.

Approved, May 8, 1890.

May 8, 1890.

CHAP. 199.—An act granting to the Palouse and Spokane Railway a right of way through the Nez Percé Indian Reservation in Idaho.

Palouse and Spokane Railway granted right of way through Nez Percé Indian Reservation, Idaho.

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 Spokane and Palouse Railway Company, a corporation organized and existing under the laws of the State of Washington, for the extension of its railroad through the Nez Percé Indian Reservation, from a point on the northern boundary of said reservation on the Potlatch Creek, in section sixteen, township thirty seven north, range three west of the Boise meridian, in Nez Percé County, in the Territory of Idaho; thence extending in a southerly and southwesterly direction, following the valley of said Potlatch Creek to the Clear Water River; thence following the valley of said Clear Water River in a southwesterly direction to the western boundary of said reservation.

Location.

Width.

SEC. 2. That the right of way hereby granted to said company 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 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 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.

Construction material.

Stations, etc.

Compensation for property taken, etc.

SEC. 3. 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 provide the time and manner for the payment thereof, and also to ascertain and fix the amount of compensation to be made 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 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 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 for the inspection of any party interested therein, and until the compensation aforesaid has been fixed and paid; and the surveys, construction, and operation of such railroad, including 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 under this act shall accrue to said company.

Damages.

Secretary of Interior to approve location, etc.

Rights of Indians.

Regulations.

Proviso. Consent of Indians.

Right not assignable.

SEC. 4. 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

Provisos.

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 across said reservation within two years from the passage of this act. Mortgages. Completion.

SEC. 5. That said railway company shall accept this right of way upon the expressed condition, binding upon itself, its successors or assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing 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: *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. Condition of acceptance. *Proviso.* Forfeiture.

SEC. 6. That Congress may at any time amend, add to, alter, or repeal this act. Amendment, etc.

Approved, May 8, 1890.

CHAP. 200.—An act providing for the classification of worsted cloths as woolens. May 9, 1890.

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 hereby is, authorized and directed to classify as woolen cloths all imports of worsted cloth, whether known under the name of worsted cloth or under the names of worsteds, or diagonals, or otherwise. Imports of worsted cloth to be classified as woolen cloths. Treasury classification. Vol. 22, p. 509.

Approved, May 9, 1890.

CHAP. 201.—An act for improving Aransas Pass. May 12, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Aransas Pass Harbor Company, a corporation duly chartered under the laws of the State of Texas, and their associates, assigns, successors, and representatives be, and they are hereby, authorized on the conditions hereinafter mentioned, to construct, own, and operate such permanent and sufficient jetties and breakwaters and such auxiliary works as are necessary to create and permanently maintain, as hereinafter set forth, a navigable channel across the outer bar, which obstructs the entrance to Aransas Pass Harbor, on the coast of the Gulf of Mexico, in the State of Texas, and so far into the bays and navigable waters as may be necessary to reach a place that will afford ample dockage and protection from storms, swells, cyclones, and tidal waves for the purpose of furnishing the vessels and boats adapted to the purpose, facilities for navigation in and along the entire length of said channel, and for that purpose they may construct in the Gulf of Mexico and in and across the bays and navigable waters adjacent thereto such walls, jetties, dikes, levees, and other structures, and employ such boats, rafts, bridges, and appliances, as they may in the prosecution of said work deem necessary: *Provided*, That no such structure or means employed shall hinder, delay, or interfere with the free navigation in said channel, harbor, bays, or navigable waters; and to protect their said works they may build and maintain such levees, embankments, walls, or riprap as may be necessary to secure their permanency along the banks or shores of Mustang, Saint Joseph, and Harbor Islands as the United States is authorized to grant, and to utilize such works as the Government has already constructed, and will hold the United States harmless from any damage that may accrue to any person or persons by the construction of

Aransas Pass Harbor Company may jetty, etc., Aransas Pass, Texas. Jetties, breakwaters, and auxiliary works. Navigable channel on outer bar, Aransas Pass Harbor, etc. Aids to navigation. Structures, appliances, etc. *Provisos.* Unobstructed navigation, etc. Protection of works, etc. Mustang, Saint Joseph, and Harbor Islands. Use of Government works. Damage.