AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

line; thence running east seventy and eighty-one one-hundred-and-thirty-sixths rods; thence south parallel with said west boundary line one hundred and thirty-six rods, more or less, to a point due east of the point of beginning; thence running west seventy and eighty-six one-hundred-and-thirty-sixths rods, to the point of beginning, containing sixty acres, for a site and campus for the University of Utah, and upon the condition that such tract shall be occupied by the said university within five years after the passage of this Act, and perpetually thereafter; and in case it is not so occupied and used it shall revert to the United States.

Condition.

Approved, July 23, 1894.

July 23, 1894.

CHAP. 152.—An Act Granting to the Columbia Irrigation Company a right of way through the Yakima Indian Reservation, in Washington.

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 is hereinafter set forth, to the Columbia Irrigation Company, a corporation organized and existing under the laws of the State of Washington, for the construction of an irrigation canal through the Yakima Indian Reservation, from a point about one-half mile below where the Atahnam Creek empties into the Yakima River, on said reservation, in Yakima County, in the State of Washington; thence extending in a southerly direction, to a point where said canal crosses the Toppenish Creek; thence in a southeasterly direction, by the most practical route, to a point on the east boundary of said reservation, at or near section nineteen (19), township eight (8) north, range twenty-three (23) east of the Willamette meridian.

Columbia Irrigation Company granted right of way, Yakima Indian Reservation, Wash.

Location.

Use of water.

SEC. 2. That the said irrigation company shall have the right to appropriate and use any and all water necessary for their use from the Yakima River, not otherwise appropriated and in actual use at the time of the passage of this Act, or that may not be necessary for the domestic and irrigating purposes of any Indian to whom an allotment has been made, or shall hereafter be made, upon or along said Yakima River.

Storage reservoirs.

SEC. 3. That the said irrigation company is hereby granted sufficient land on said reservation for reservoirs for the storage of water to be used during the dry season, and for right of way connecting said storage reservoirs with said irrigation canal, and shall have the right to locate, construct, and maintain the same under the same terms and restrictions provided herein for the right of way of said canal.

Width.

SEC. 4. That the right of way hereby granted to said company shall be seventy-five (75) feet in width on each side of the central line of said canal as aforesaid; and said company shall also have the right to take from said lands adjacent to the line of said canal material, stone, earth, and timber necessary for the construction of said canal.

Material.

Damages to individuals.

SEC. 5. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid individual members of the tribe for damages sustained by them by reason of the construction of said canal, and to provide the time and manner for the payment thereof; but no right of any kind shall vest in said irrigation 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 canal 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 the survey, construction, and operation of such canal 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.

Secretary of the Interior to approve location, etc.

Not assignable.

SEC. 6. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said canal shall be

completed: *Provided*, That the company may mortgage said franchise for money to construct and complete said canal: *And provided further*, That the right herein granted shall be lost and forfeited by said company to any portion of said canal not completed within five years from the passage of this Act: *Provided further*, That one-fourth of said canal shall be completed in two years.

Provisos. Mortgages.

Completion.

Construction.

SEC. 7. That said irrigation company shall accept this right of way upon the express condition, binding upon itself, its successors, or assigns that they will not attempt to secure from the Indian tribe any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That any violation of the conditions mentioned in this section shall operate as a forfeiture of all the rights and privileges of said irrigation company under this Act: *Provided further*, That the rights herein granted are upon the express condition that the grantee or grantees thereof shall at all times during the continuance thereof furnish the Indian allottees along said right of way with water sufficient for all domestic and agricultural purposes and purposes of irrigation, on such terms and under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further*, That Indians who have or may have allotments along said right of way shall have water for irrigation and domestic purposes free.

Condition.

Provisos. Forfeiture.

Water to Indian allottees.

To be free.

SEC. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment, etc.

Approved, July 23, 1894.

CHAP. 153.—An Act To authorize the construction of a bridge across the Mississippi River from a point within the limits of the city of Dubuque, in the State of Iowa, known as Eagle Point, to the opposite bank of said river in the county of Grant and State of Wisconsin.

July 23, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Dubuque and Wisconsin Bridge Company, a corporation duly organized and incorporated under the laws of the State of Iowa, its successors and assigns, be, and is hereby, authorized to construct and maintain, at a point suitable to the interests of navigation, a bridge for the passage of vehicles of all kinds, animals, and foot passengers across the Mississippi River from a point at or near Eagle Point, in the city of Dubuque, in the State of Iowa, to the opposite shore of said river in the county of Grant, in the State of Wisconsin. That said bridge shall not be built within two miles of any other bridge on said river, following the course of the main channel. That the location and plan, or manner of constructing said bridge, shall be subject to the approval of the Secretary of War, and until decided by him to be such as will not materially affect the interests of navigation, the said bridge shall not be built. And there shall be submitted to the Secretary of War, for his examination and approval, a design and drawing of the proposed bridge and a map of the location, giving, for the space of a mile above and below the proposed location, the topography of the banks of the river, the shore line 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 all other information required, and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War; and the said structure shall at all times be so kept and managed, and provided with such guard fences, sheer booms, and other structures, as to offer reasonable and proper means for the passage of vessels and other floating craft through or under said structure; and for the safety of vessels passing at night there shall be displayed on said bridge, from the hours of sunset to sunrise, such lights as may be prescribed by the Light-House Board;

Dubuque and Wisconsin Bridge Company may bridge Mississippi River, Dubuque, Iowa.

Wagon and foot bridge.

Location.

Secretary of War to approve plans, etc.

Aids to navigation.

Lights, etc.