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February 9, 1899.

CHAP. 129.—An Act To authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma.

Missouri and Kansas Telephone Company may construct lines, etc., in Ponca, etc., Reservations, Okla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Missouri and Kansas Telephone Company is hereby authorized and empowered to construct and maintain telephone lines and offices for general telephone business in the Ponca, Otoe, and Missouria Reservation in the Territory of Oklahoma, subject to the approval of the Secretary of the Interior and upon the terms and conditions hereinafter prescribed.

Annual rental.

SEC. 2. That said company shall pay to the nation or tribe through which it extends its telephone lines, in whole or in part, annually, five dollars for each ten miles of said line so constructed and maintained.

Consent to construction on improvements.

SEC. 3. That before said telephone line shall be constructed under the provisions of this Act consent shall be obtained from all persons in the lawful possession of improvements authorizing said construction upon such improvements; and if the right to construct any such line can not be obtained by agreement, then the amount of damages shall be determined by arbitration, one arbitrator to be selected by the company and one by the owner of the improvements, and if they fail to agree they shall select a third person, and the award so made shall be binding upon the parties thereto: *Provided*, That either party dissatisfied with such award may appeal therefrom, within twenty days, to the United States court exercising jurisdiction over the tribe or nation in which such improvements are situated by filing an original petition in said court exhibiting the findings of said board, and upon the final hearing of said petition the court or jury trying the same shall assess the actual damage caused by the construction of said line. The company shall not begin the construction of said telephone line upon the improvements of another without his consent, or until the board of arbitrators herein provided for shall have made an award of the damages and the company shall have paid or tendered in payment the amount of such award.

Damages.

Proviso.
Appeal, etc.

Taxes.

SEC. 4. That nothing herein shall be construed as exempting said telephone company from the payment of any tax which may be lawfully assessed against such company; and Congress hereby expressly reserves the right to regulate the tolls or charges of any lines constructed under the provisions of this Act.

Tolls.

Approved, February 9, 1899.

February 10, 1899.

CHAP. 150.—An Act To extend Rhode Island avenue.

District of Columbia.
Extension of Rhode Island avenue.
Condemnation proceedings.
R. S. D. C., secs. 257-267, pp. 257, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and directed to commence suit for the condemnation of the land required for the extension of Rhode Island avenue from Florida avenue to Le Droit avenue within thirty days from the passage of this Act, and the proceedings for such condemnation shall be under and according to the provisions of sections two hundred and fifty-seven to two hundred and sixty-seven of the Revised Statutes of the United States relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways.

Payment out of District revenues.

SEC. 2. That payment of the sum or sums of money adjudged to be due and payable for lands taken under the provisions of this Act shall be made by the Treasurer of the United States, ex officio commissioner of the sinking fund of the District of Columbia, upon the warrant of the said Commissioners, out of the revenues of the District of Columbia; and a sufficient sum to pay such judgments and awards is hereby appropriated out of the revenues of the District.