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the floor of the sluices of the reservoir dam built by the Government at Pokegama Falls on the Mississippi River, in section thirteen, township fifty-five, range twenty-six west of the fourth principal meridian, Minnesota: *Provided further*, That said dam shall be so constructed as to provide for the free passage of saw logs without tolls or charges; and the said company shall construct and maintain, at its own expense, suitable fishways, to be approved by the United States Fish Commissioner; and the said company, its successors and assigns, shall make such change and modification in said dam, canal, and works incident thereto, and said bridge, as the Secretary of War may from time to time deem necessary in the interests of navigation, at its own cost and expense: *Provided further*, That in case any litigation arises from the obstruction of the channel by said dam, canal, and works incident thereto, or such bridge, the case may be tried in the proper court of the United States in the district in which said works are situated.

Passage of saw logs

Fishways.

Changes.

Litigation.

SEC. 2. That the right to amend, alter, or repeal this Act is hereby expressly reserved.

Amendment.

SEC. 3. That this Act shall be null and void unless said dam herein authorized be commenced within one year and completed within three years from the date hereof.

Commencement and completion.

Approved, February 27, 1899.

CHAP. 212.—An Act Granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama.

February 27, 1899.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pensacola and Northwestern Railroad Company, a railroad corporation organized under the laws of the States of Florida and Alabama, be, and is hereby, authorized and empowered to construct, maintain, and operate one bridge across each of the following-named rivers, all in the State of Alabama: The Alabama River, at a point in Monroe and Clarke counties, or in Wilcox County, Alabama; the Warrior River, at a point in Hale and Greene counties, Alabama, or at a point in Marengo and Greene counties, Alabama; the Tennessee River, at a point in the counties of Colbert and Lauderdale, Alabama; the Sipsey River, at a point in Pickens or Tuscaloosa County, Alabama; and to lay railroad tracks on the said bridges to run trains on same.

Pensacola and Northwestern Railroad may bridge Alabama, etc., rivers, Alabama.

Railroad tracks.

SEC. 2. That any bridges built under this Act and subject to its limitations shall be lawful structures, and shall be recognized and known as post routes; and they shall enjoy the same rights and privileges as other post-roads in the United States; and equal privileges in the use of said bridges shall be granted to all telegraph and telephone companies; and the United States shall have the right of way across said bridges and their approaches for postal telegraph purposes.

To be lawful structures and post routes.

Telegraph, etc., companies.

SEC. 3. That all railroad companies desiring the use of said bridges shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and over the approaches thereto, upon the payment of a reasonable compensation for such use; and in case the owner or owners of said bridges and the several railroad companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridges, all matters at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

Right of railroads to use.

—disagreement with owner of bridge.

SEC. 4. That all bridges authorized to be constructed under this Act shall be built under and subject to such regulations for the security of the navigation of said rivers as the Secretary of War shall prescribe, and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, maps of

Secretary of War to approve plans, etc.

location and designs and drawings of each of the bridges; and until the said plans and locations are approved by the Secretary of War the bridges shall not be commenced or built; and should any changes be made in the plans of said bridges, or any one of them, during the progress of construction or after completion, such changes shall be subject to the approval of the Secretary of War, and all changes in said bridges, or any one of them, required by the Secretary of War, at any time, or their entire removal, shall be made promptly by the corporations or persons owning or operating said bridges, at their own expense.

—changes.

Amendment.

SEC. 5. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Commencement and completion.

SEC. 6. That this Act shall be null and void if actual construction of the bridges herein authorized is not commenced within one year and completed within three years from the date thereof.

Approved, February 27, 1899.

February 28, 1899.

CHAP. 218.—An Act Relative to the payment of claims for material and labor furnished for District of Columbia buildings.

District of Columbia. Bonds of contractors to secure material, men, and employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter any person or persons entering into a formal contract with the District of Columbia for the construction of any public building, or the prosecution and completion of any public work, or for repairs upon any public building or public work, shall be required, before commencing such work, to execute the usual penal bond, with good and sufficient sureties, with the additional obligations that such contractor or contractors shall promptly make payments to all persons supplying him or them labor and materials in the prosecution of the work provided for in such contract; and any person or persons making application therefor and furnishing affidavit to the department under the direction of which said work is being or has been prosecuted that labor or materials for the prosecution of such work has been supplied by him or them, and payment for which has not been made, shall be furnished with a certified copy of said contract and bond, upon which said person or persons supplying such labor and materials shall have a right of action, and shall be authorized to bring suit in the name of the District of Columbia or the United States for his or their use and benefit against said contractor and sureties and to prosecute the same to final judgment and execution: *Provided*, That such action and its prosecution shall not involve the District of Columbia or the United States in any expense: *Provided*, That in such case the court in which such action is brought is authorized to require proper security for costs in case judgment is for the defendant.

—copy of bond to be furnished, etc.

—suit on.

Provisos.
—no expense to the District, etc.
—security against adverse judgment.

Approved, February 28, 1899.

February 28, 1899.

CHAP. 219.—An Act Granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian lands in Idaho.

Clearwater Valley Railroad granted right of way through Nez Perces lands, 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 Clearwater Valley Railroad Company, a corporation organized and existing under the laws of the State of Oregon, and its successors and assigns, for the construction and operation of its railroad and telegraph line 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 in section twenty-five, township thirty-six north, range five west

Location.