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CHAP. 56.—An Act Granting to Farwell, Ozmun, Kirk and Company license to make excavations and place footings in the soil of certain land belonging to the United States at Saint Paul, Minnesota.

January 23, 1905.
[H.R. 16160.]
[Public, No. 22.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Farwell, Ozmun, Kirk and Company, a corporation organized and existing under the laws of the State of Minnesota, and engaged in business at Saint Paul, Minnesota, be, and is hereby, granted a license:

Farwell, Ozmun, Kirk & Co.
Granted license to make temporary excavation on public land, Saint Paul, Minn.

First. To make a sufficient temporary excavation on the land of the United States adjacent to the property of said Farwell, Ozmun, Kirk and Company, to wit: On lot numbered three, in block numbered thirty-one, of Saint Paul proper, according to the plat thereof on file and of record in the office of the register of deeds in and for the county of Ramsey and State of Minnesota, to enable said Farwell, Ozmun, Kirk and Company to properly point the foundation walls of the warehouse and mercantile building, now in the process of construction, belonging to said Farwell, Ozmun, Kirk and Company, and situate upon lot numbered eight of auditor's subdivision, numbered thirty-five, of Saint Paul, Ramsey County, Minnesota.

Location.

Second. To place in the soil of the land of the United States in said lot numbered three, block numbered thirty-one, of Saint Paul proper, at a depth of about twenty feet, immediately adjoining the boundary line of the two properties of the United States and of said Farwell, Ozmun, Kirk and Company, sufficient stone, concrete, and rock to complete a suitable footing for the westerly wall of said Farwell, Ozmun, Kirk and Company's warehouse and mercantile building now in the course of construction.

Construction of warehouse, etc., foundation permitted.

SEC. 2. That this license is given subject to the following provisions and conditions:

Conditions.

First. That all stone, concrete, and rock or other substance placed by said licensee in the soil of the United States shall be and remain the property of the United States.

Second. That said licensee shall indemnify and save harmless the United States from any cost or expense or damage which may in any way accrue to the United States by reason of any of the excavations aforesaid or by reason of the placing of any of the aforesaid footings in the property of the United States in such manner as shall be designated by the Secretary of War.

Third. That said licensee shall refill the excavations, pack the earth firmly therein, and restore the surface of all ground excavated, and leave the same in as good condition as it was at the commencement of any excavation made by said licensee.

Fourth. That the work required or permitted by this license shall not in any way interfere with any building of the United States or the use thereof, and shall be done under the supervision and subject to the approval of the officer of the United States Army commanding the Department of Dakota, in charge of said army building.

Fifth. That in the event of the revocation or relinquishment of this license, any sum which may have to be expended in putting any premises or property authorized to be occupied or used by said licensee in as good condition for use by the United States as it was on the fifth day of October, nineteen hundred and four, shall be repaid by said licensee on demand.

Approved, January 23, 1905.