

SEC. 6. That the said bridge shall be so kept and managed at all times as not to interfere with the passage of vessels, barges, or rafts, both by day and by night, and there shall be displayed on said bridge by the owners thereof, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe.

Lights, etc.

SEC. 7. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced in one year and completed within three years from the date hereof.

Time of construction.

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

Amendment.

Approved, June 30, 1902.

CHAP. 1322.—An Act To authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Central Railway or its successors.

June 30, 1902.

[Public, No. 199.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Tennessee Central Railway, a corporation created and organized under the laws of the State of Tennessee, and its successors be, and it and they are hereby, authorized to construct and maintain a bridge and approaches thereto over the Emory River, in the State of Tennessee, at such point at or near the city of Harriman as said company or its successors may deem suitable for the passage of its or their railroad over said river.

Emory River, Tenn. Tennessee Central Railway may bridge at Harriman.

SEC. 2. That said bridge shall be constructed for the passage of railway trains, and shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroads leading to the said bridge, and shall enjoy the rights and privileges of other post roads in the United States, and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraph and telephone purposes.

Lawful structure and post route.

Telegraph, etc., rights.

SEC. 3. That said bridge shall be built and located under and subject to such regulations for the security of navigation of such river as the Secretary of War shall prescribe; and to secure that object the company building the said bridge shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location thereof, and until the said plan and location are approved by the Secretary of War the said bridge shall not be commenced or built, and no changes shall be made in said bridge during the progress of construction, or after completion, unless approved by the Secretary of War; and the said company shall, at its own expense, make from time to time such changes in said bridge as the Secretary of War may order in the interests of navigation: *Provided*, That if said bridge shall be built as a drawbridge the draw shall be opened promptly upon reasonable signal for the passage of all water craft; and upon whatever kind of bridge is constructed the said company shall maintain, at its own expense, from sunset to sunrise, such lights or other signals as the Light-House Board may prescribe.

Secretary of War to approve plans, etc.

Map.

Changes.

Proviso. Opening draw.

Lights, etc.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges in the passage of railroad trains over the same and the approaches thereto upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies or any one 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 the use of said bridge, all matters at issue between them shall be

Use by other companies. Compensation.

Failure to agree.

decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Time of construction.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within two years from the date of the approval of this Act.

Amendment.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 30, 1902.

June 30, 1902.

[Public, No. 200.]

CHAP. 1323.—An Act To ratify and confirm a supplemental agreement with the Creek tribe of Indians, and for other purposes.

Commission to the Five Civilized Tribes. Supplemental agreement with Creeks ratified.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following supplemental agreement, submitted by certain commissioners of the Creek tribe of Indians, as herein amended, is hereby ratified and confirmed on the part of the United States, and the same shall be of full force and effect if ratified by the Creek tribal council on or before the first day of September, nineteen hundred and two, which said supplemental agreement is as follows:

United States commissioners.

This agreement by and between the United States, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Tams Bixby, Thomas B. Needles, and Clifton R. Breckenridge, duly appointed and authorized thereunto, and the Muskogee (or Creek) Tribe of Indians, in Indian Territory, entered into in behalf of the said tribe by Pleasant Porter, principal chief, Roley McIntosh, Thomas W. Perryman, Amos McIntosh, and David M. Hodge, commissioners duly appointed and authorized thereunto, witnesseth, that in consideration of the mutual undertakings herein contained it is agreed as follows:

Indian commissioners.

DEFINITIONS.

Definitions of terms.

The words "Creek" and "Muskogee" as used in this agreement shall be deemed synonymous, and the words "Nation" and "tribe" shall each be deemed to refer to the Muskogee Nation or Muskogee tribe of Indians in Indian Territory. The words "principal Chief" shall be deemed to refer to the principal chief of the Muskogee Nation. The words "citizen" or "citizens" shall be deemed to refer to a member or members of the Muskogee tribe or nation of Indians. The word "Commissioner" shall be deemed to refer to the United States Commission to the Five Civilized Tribes.

ALLOTMENT OF LANDS.

Allotment of lands. Vol. 31, p. 862.

2. Section 2 of the agreement ratified by act of Congress approved March, 1901 (31 Stat. L., 861), is amended and as so amended is reenacted to read as follows:

Limit of appraisal per acre.

All lands belonging to the Creek tribe of Indians in Indian Territory, except town sites and lands reserved for Creek schools and churches, railroads, and town cemeteries, in accordance with the provisions of the act of Congress approved March 1, 1901 (31 Stat. L., 861), shall be appraised at not to exceed \$6.50 per acre, excluding only lawful improvements on lands in actual cultivation.

Appraisements.

Such appraisement shall be made, under the direction and supervision of the Commission to the Five Civilized Tribes, by such number of committees with necessary assistance as may be deemed necessary to expedite the work, one member of each committee to be appointed