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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of seventy-five thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this act; and the amount actually expended shall be charged against the Cherokee Nation, on account of its lands west of the Arkansas River, and shall be a lien on said lands, and which shall be deducted from any payment hereafter made on account of said lands. The said sum, or so much thereof as may be necessary, shall be by the Secretary of the Interior distributed per capita, first, among such freedmen and their descendants as are mentioned in the ninth article of the treaty of July nineteenth, eighteen hundred and sixty-six, between the United States and the Cherokee Nation of Indians; second, among the Delaware tribe of Indians incorporated into the Cherokee Nation by the terms of a certain agreement entered into between said Cherokee Nation and Delaware Indians, under the provisions of the fifteenth article of the aforesaid treaty, on the eighth day of April, eighteen hundred and sixty-seven, and approved, respectively, by the President of the United States and the Secretary of the Interior on the eleventh day of April, eighteen hundred and sixty-seven; and, third, among the Shawnee tribe of Indians incorporated into the Cherokee Nation by the terms of a certain agreement entered into between the said Cherokee Nation and Shawnee Indians, under the provisions of the aforesaid article and treaty, on the seventh day of June, eighteen hundred and sixty-nine, and approved, respectively, by the President of the United States and the Secretary of the Interior on the ninth day of June, eighteen hundred and sixty-nine, in such manner and in such amount or amounts as will equalize the per capita payment made to Cherokees by blood in accordance with the act of the Cherokee legislature aforesaid, out of the sum of three hundred thousand dollars appropriated by the act of March third, eighteen hundred and eighty-three, aforesaid.

Appropriation for freedmen and others in Cherokee Nation.

Distribution.

Freedmen, etc.

Delawares.

Shawnees.

Vol. 22, p. 624.

Approved, October 19, 1888.

CHAP. 1212.—An act granting the right of way for the construction of a railroad through the Hot Springs Reservation, State of Arkansas.

October 19, 1888.

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 to the Mountain View Railway Company, of Hot Springs, Arkansas, incorporated under the laws of the State of Arkansas, beginning at such point east of the line of the bath-houses, between the Army and Navy Hospital and the Arlington Hotel as the Secretary of the Interior may approve, thence by the most eligible route to the east line of Hot Springs Mountain, thence westerly down North Mountain and West Mountain to the west line of reservation.

Mountain View Railway Company granted right of way through Hot Springs Reservation, Ark.

SEC. 2. That the right of way hereby granted shall not exceed thirty feet in width, and no part of the right of way herein granted shall in any way interfere with or obstruct the full flow of the hot waters, or be so located as to cause the United States Government, or any citizen thereof, any expense of any kind or character, save and except the projectors of said road, its heirs and assigns.

Width.
Flow of water not to be obstructed.

SEC. 3. That it shall be the duty of the United States Government's superintendent of the Hot Springs Reservation to see that said railway, to be constructed under this act, shall not obstruct or in any manner interfere with the springs, hot-water pipes, roads or paths now existing or contemplated to be located upon said reservation, but

Not to interfere with pipes, etc.

it shall be made safe and secure for the pleasure, comfort, and edification of the patrons of the same, and used for the conveyance of passengers only.

Municipal rights unaffected.

SEC. 4. That nothing in this act shall be so construed as to abridge the right of the city government of Hot Springs to control and regulate the privileges of the Mountain View Railway where the same may cross Central avenue in said city.

Observatories.

SEC. 5. That the Mountain View Railway Company shall have the right to construct observatories at different eligible locations in the vicinity of the right of way hereby granted, at such points as the Secretary of the Interior may approve.

Construction.

SEC. 6. That said observatories shall not exceed thirty feet square at foundation, and to be built in good and safe manner, and that no timber shall be cut upon the mountain, or earth or rock blasted or removed, or the surface of the ground in any way defaced, except upon the actual roadbed of the said way, and no blasting shall be done on Hot Springs Mountain except as authorized by the Secretary of the Interior; and that the right of way hereby granted shall be used for the purposes herein mentioned and none other: *Provided*, That this grant shall not be construed to abridge the authority of the Secretary of the Interior over the portion of the reservation included in the right of way.

Proviso.
Authority of Government not abridged.

Map to be filed with Secretary of the Interior.

SEC. 7. That said company shall cause a map showing the proposed route of its line through the reservation to be filed in the office of the Secretary of the Interior, and said location shall be approved by the Secretary of the Interior before any grading or construction on any part of the line shall be begun, and the right of way shall be lost and forfeited unless the road is completed and in running order within three years after the passage of this act: *Provided*, That this condition as to construction within three years shall be construed as a condition precedent to the grant herein made and in case of failure to so complete said road as provided, such failure shall, of itself work a forfeiture of all rights hereunder.

Completion.

Proviso.

Forfeiture.

Taxes.

SEC. 8. That the company or its assignees to whom this right of way is granted, shall annually pay to the Government of the United States for the improvement of the permanent reservation at Hot Springs, Arkansas, three per centum of its gross earnings. And Congress hereby reserves the right to at any time amend, add to, alter, or repeal this act.

Amendment.

Approved, October 19, 1888.

October 19, 1888.

CHAP. 1213.—An act to fix the number of unbound and bound Journals of the Senate and House of Representatives, and to provide for their distribution.

Journals.
Senate and House.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be printed of the Journals of the Senate, one thousand and fifty-five copies, and of the Journals of the House of Representatives, one thousand one hundred and seventy-four copies.

Distribution of bound copies.
Senate Journal.

Of the Senate Journals there shall be bound one thousand and twenty-five copies, which shall be distributed as follows: To the office of the Secretary of the Senate, seventy-eight copies; to the Senate library, thirty-six copies; to the Senate document-room, twenty-five copies; to the Senate folding-room, forty-three copies; to the House document-room, three hundred and thirty-seven copies; to the Department of State, ten copies; to the Department of the Interior, four hundred and thirty-five copies; to the Library of Congress, fifty-two copies; to the Court of Claims, two copies, and to the library of the House of Representatives, seven copies. Of the Journals of the

House Journal.