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company, and the civil jurisdiction of said courts is hereby extended within the limits of said Indian Territory without distinction as to citizenship of the parties, so far as may be necessary to carry out the provisions of this act.

Commencement and completion.

SEC. 9. That the said railway shall build at least one hundred miles of its railway in said Territory within three years after the passage of this act and complete main line of the same within one year thereafter, or the rights herein granted shall be forfeited as to that portion not built. That said railway company shall construct and maintain continually all fences, roads, and highways, crossings, and necessary bridges over said railway whenever said roads and highways do now or may hereafter cross said railway's right of way or may be by the proper authorities laid out across the same.

Crossings.

Condition of acceptance.

SEC. 10. That the said Pittsburgh, Columbus and Fort Smith Railway Company shall accept this right of way upon the express condition, binding upon itself, its successors, and assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing the present tenure of the Indians in their lands, and will not attempt to secure from the Indian nations any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That any violation of the conditions mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

Proviso.

Forfeiture.

Record of mortgages.

SEC. 11. That all mortgages executed by said railway company conveying any portion of its railway, with the franchises, that may be constructed in said Indian Territory shall be recorded in the Department of the Interior, and the record thereof shall be evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

Amendment, etc.

Rights not assignable except to aid construction.

SEC. 12. That Congress may at any time amend, alter, or repeal this act, and the right of way herein and hereby granted shall not be assigned or transferred in any form whatever except as to mortgage or other liens that may be given or secured thereon to aid in the construction thereof

Approved, June 30, 1890.

June 30, 1890.

CHAP. 639.—An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes.

Pensions appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes, namely:

Invalid, etc., pensions.

For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives; survivors and widows of the war of eighteen hundred and twelve and with Mexico, ninety-seven million ninety thousand seven hundred and sixty-one dollars: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately: *And provided further*, That hereafter a check or checks drawn by a pension agent in payment of pension due, and mailed by him to the address of the pensioner, shall constitute payment within the meaning of section forty-seven hundred and sixty-five, Revised Statutes, in the event of the death of a pensioner subsequent to the mailing and before the receipt of said check;

Provisos.
Navy pensions.

Accounts.

Mailing check to be payment in certain cases.

R. S., sec. 4765, p. 926.

Accrued pension on death of pensioner.

and the amount which may have accrued on the pension of any pensioner subsequent to the last quarterly payment on account thereof and prior to the death of such pensioner shall in the case of a husband be paid to his widow, or if there be no widow to his surviving minor children or the guardian thereof, and in the case of a widow to her minor children: *Provided further*, That hereafter whenever a

Death of pensioner, leaving no widow nor minor child.

pension certificate shall have been issued and the pensioner mentioned therein dies before payment shall have been made, leaving no widow and no surviving minor children, the accrued pension due on said certificate to the date of the death of said pensioner may, in the discretion of the Secretary of the Interior, be paid to the legal representatives of said pensioner: *And provided further*, That the

Commissioner of Pensions to report June 30, 1891, totals of late civil war pensions, fraudulent pensions, arrears, etc., paid, and of persons to whom paid.

Commissioner of Pensions, in his Report for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, shall show the total disbursements from July first, eighteen hundred and sixty-one to June thirtieth, eighteen hundred and ninety-one to pensioners of the late civil war; and, also, the number of pensions granted, between said dates, because of said war; and, also, the number of pensioners of said war, whose names have been stricken from the roll between and including said dates because of their having fraudulently or improperly obtained pensions, together with the amounts disbursed to them during the time their names were upon the roll; and, also, the number of persons to whom arrears will have been

Vol. 20, pp. 265, 469-470.

paid under the acts of January twenty-fifth and March third, eighteen hundred and seventy-nine, to the thirtieth day of June eighteen hundred and ninety-one, together with the sum total of the arrears so paid.

Examining surgeons' fees.

For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-one, one million dollars; and each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each

Proviso.

additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be

Examinations.

then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made.

Agents' salaries.

For the salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars. In case

In sickness or absence of agent, acting officer may discharge all his duties.

of the sickness or unavoidable absence of any pension agent from his office, he may, with the approval of the Secretary of the Interior, authorize the chief clerk, or some other clerk employed therein, to act in his place, to sign official checks, and to discharge all the other duties required by law of such pension agent; and, with like approval,

Official checks may be signed by authorized clerk.

any pension agent may designate and authorize a clerk to sign the name of the pension agent to official checks. The official bond given

Agent's bond to cover acts of acting officer.

by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases, and a

New bond required.

new bond shall be required from all pension agents now in office.

Acting officer subject to same penalties, etc., as agent.

Such acting officer shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct, in like cases, of the pension agent for whom he acts.

Clerk hire.

Proviso.

For clerk-hire, two hundred and fifty thousand dollars: *Provided*, That the amount of clerk-hire for each agency shall be apportioned

Apportionment.

as nearly as practicable in proportion to the number of pensioners paid at each agency.

Fuel.

For fuel, seven hundred and fifty dollars.

Lights.

For lights, seven hundred and fifty dollars.

Stationery, etc.

For stationery and other necessary expenses, to be approved by the Secretary of the Interior, twenty-five thousand dollars.

For rents, eighteen thousand two hundred dollars; and hereafter the Secretary of the Treasury, where practicable, shall cause suitable rooms to be set apart in the public buildings under his control in the cities where pension agencies are located, which shall be acceptable to the Secretary of the Interior, for the use and occupancy of the said agencies respectively. Rent. Rooms in public buildings.

Approved, June 30, 1890.

CHAP. 640.—An act making appropriations for the Naval service for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes. June 30, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes: Naval service appropriations.

PAY OF THE NAVY. Pay of the Navy.

For the pay of officers on sea duty; officers on shore and other duty; officers on waiting orders; officers on the retired list; admirals, secretary; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; inspections; receiving-ships and other vessels; extra pay to men re-enlisting under honorable discharge; pay of petty officers, seamen, landsmen, and boys, including men in the engineer's force and for the Coast Survey service and Fish Commission, seven thousand five hundred men and seven hundred and fifty boys at the pay prescribed by law; in all, seven million two hundred and fifty thousand dollars. Officers and seamen.

PAY, MISCELLANEOUS. Miscellaneous.

For commissions and interest; transportation of funds; exchange; mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders, and for traveling expenses of apothecaries, yeoman, and civilian employees, and for actual and necessary traveling expenses of naval cadets while proceeding from their homes to the Naval Academy for examination and appointment as cadets; for rent and furniture of buildings and offices not in navy-yards; expenses of courts-martial, prisoners and prisons and courts of inquiry, boards of investigation, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; stationery and recording; expenses of purchasing-paymasters' offices of the various cities, including clerks, furniture, fuel, stationery, and incidental expenses; newspapers and advertising; foreign postage; telegraphing, foreign and domestic; telephones; copying; care of library, including purchase of books, prints, manuscripts, and periodicals, ferriage, tolls, and express fees; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; canal tolls and pilotage; recovery of valuables from shipwrecks; quarantine expenses; reports, professional investigation; cost of special instruction, at home or abroad, in maintenance of students and attachés and information from abroad, and the collection and classification thereof, and other necessary incidental expenses; in all, two hundred and forty thousand dollars.

CONTINGENT, NAVY: For all emergencies and extraordinary expenses arising at home or abroad, but impossible to be anticipated Contingent.