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surveyed by an extension of the public surveys over the unsurveyed portions thereof.

Section granted for State camp and parade ground.

SEC. 3. That there is hereby granted to the State of South Dakota one section of land of the Fort Sisseton military reservation, upon which the buildings used in connection with said fort are situated, to be used by said State as a permanent camp and parade ground, and for such other purposes in connection with the training and education the militia of the State as the legislature may direct. Said section of land shall be selected by said State so as to conform as near as possible to the public survey: *Provided, however,* That whenever the State of South Dakota shall cease to use said lands for the purpose herein named said lands shall revert to and become the property of the United States.

Proviso.

Reversion.

Remainder granted to State.

SEC. 4. That the remaining portion of the Fort Sisseton military reservation may be selected at any time within one year after the approval of the survey of said reservation by the State of South Dakota as a part of the lands granted to said State under the provision of "An act to provide for the admission of the State of South Dakota into the Union," approved February twenty-second, eighteen hundred and eighty-nine. And when said lands are selected as herein provided the Secretary of the Interior shall cause patents for the same to be issued to the State of South Dakota: *Provided,* That no existing lawful rights under any of the land laws of the United States providing for the disposition of the public lands shall be invalidated by this act.

Vol. 25, p. 676.

Patents.

Proviso.

Existing rights reserved.

Approved, October 1, 1890.

CHAP. 1258.—An act for the relief of settlers on Northern Pacific Railroad indemnity lands.

October 1, 1890.

Northern Pacific Railroad indemnity lands.

Settlers on, may transfer entries to other vacant lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those persons who, after the fifteenth day of August, in the year of our Lord eighteen hundred and eighty-seven, and before the first day of January, in the year eighteen hundred and eighty-nine, settled upon, improved, and made final proof on lands in the so-called second indemnity belt of the Northern Pacific Railroad Company's grant under the homestead and pre-emption laws of the United States, or their heirs, may transfer their said entries from said tracts to such other vacant surveyed Government land in compact form and in legal subdivisions, subject to entry under the homestead and pre-emption laws, as they may select, and receive final certificates and receipts therefor, in lieu of the tracts proved up on in said belt by the respective claimants: *Provided,* That such transfer of entry shall be made and completed within twelve months from the date of the passage of this act, and be so made in person by the claimant, or in case of death by his legal representative, and without the intervention of agent or attorney.

Proviso.

Transfer to be made by claimant, etc., only, within a year.

Actual settlers failing to make proof, may transfer entries to unoccupied land.

SEC. 2. That all persons possessing the requisite qualifications under the pre-emption or homestead laws, who in good faith settled upon and improved land in said second indemnity belt, having made filing or entry of the same, and for any reason, other than voluntary abandonment, failed to make proof thereon, may, in lieu thereof within one year after the passage of this act transfer their claims to any vacant surveyed Government land subject to entry under the homestead or pre-emption laws, and make proof therefor as in other cases provided; and in making such proof credit shall be given for the period of their bona fide residence and amount of their improvements upon their respective claims in the said indemnity belt, the same as if made upon the tract to which the transfer is made: *Provided.* That no final entry shall be permitted, except upon proof of

Credit for residence, etc.

Proviso.

Residence, etc., on new selection.

continuous residence upon the land, the subject of such new entry, for a period of not less than three months prior thereto. Payment for said final selection shall be made as under existing laws. The provisions of this act shall be carried into effect under such rules and regulations as may be prescribed by the Secretary of the Interior.

Regulations.

Approved, October 1, 1890.

October 1, 1890.

CHAP. 1259.—An act to promote the administration of justice in the Army.

Army.

Summary court for trial of offenses of enlisted men in time of peace.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter in time of peace all enlisted men charged with offenses now cognizable by a garrison or regimental court-martial shall, within twenty-four hours from the time of their arrest, be brought before a summary court, which shall consist of the line officers second in rank at the post or station or of the command of the alleged offender, and at stations where only officers of the staff are on duty the officers second in rank shall constitute such court, who shall have power to administer oaths and to hear and determine the case, and when satisfied of the guilt of the accused party adjudge the punishment to be inflicted. There shall be a summary court record-book or docket kept at each military post, and in the field at the headquarters of the command, in which shall be entered a record of all cases heard and determined and the action had thereon, and no sentence adjudged by said summary court shall be executed until it shall have been approved by the post or other commander: *Provided,* That when but one commissioned officer is present with a command he shall hear and finally determine such cases as require summary action: *Provided further,* That the President be, and he hereby is, authorized to prescribe specific penalties for such minor offenses as are now brought before garrison and regimental courts-martial: *Provided, further,* That any enlisted man charged with an offense and brought before such summary court may, if he so desires, object to a hearing and determination of his case by such court and request a trial by court-martial, which request shall be granted as of right, and when the court is the accuser the case shall be heard and determined by the post-commander, or by regimental or garrison court-martial: *And provided further,* That post and other commanders shall, on the last day of each month, make a report to the department headquarters of the number of cases determined by summary court during the month, setting forth the offenses committed and the penalties awarded, which reports shall be filed in the office of the judge-advocate of the department.

Composition.

Dockets.

Approval of sentence.

Provisos.

Trials by one officer.

Specific penalties for minor offenses.

Requests for court-martial.

Report of cases tried, etc.

Arrest, etc., of deserters by civil officers.

SEC. 2. That it shall be lawful for any civil officer having authority under the laws of the United States or of any State, Territory, or District, to arrest offenders, to summarily arrest a deserter from the military service of the United States and deliver him into the custody of the military authority of the General Government.

Approved, October 1, 1890.

October 1, 1890.

CHAP. 1260.—An act granting leaves of absence to clerks and employees in first and second class post-offices, and to employees of the Post-Office Department employed in the mail-bag repair shops connected with said Department.

Postal service.

Leave of absence for fifteen days to employees in first and second class post-offices, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after July first, eighteen hundred and ninety, the clerks and employees attached to first and second class post-offices and the employees of the mail-bag repair shops connected with the Post-Office