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filed to the decision of the commissioners as herein provided for, and the judgment of the court is for a greater sum than the amount awarded by the commissioners, then the said company shall pay all costs; but if the amount awarded by said commissioners as damages, or if the judgment of the court shall be for the same or less amount of damages than the amount offered by the company before proceedings were commenced, then the cost shall be paid by the other company.

Trains to stop at all intersections, etc.

SEC. 10. That every railroad company operating a railroad in the Indian Territory shall cause all passenger and freight trains running on its road to stop at all points on its road where another railroad crosses, joins, unites, or intersects, and take and receive on said trains all passengers and all freights and mail offered at that point, and shall carry the same, and shall also discharge at said point all passengers desiring to stop there and all freight and mails consigned to said point, and no railroad company shall in any wise discriminate against passengers or freight transported or conveyed by any intersecting railroad company.

Discriminations forbidden.

Penalty for violations.

SEC. 11. That any railroad company violating any of the provisions of the preceding section shall forfeit and pay to the company or individual injured thereby double the amount of damages which said company or individual may have sustained, to be recovered in any court of competent jurisdiction.

Approved, October 1, 1890.

CHAP. 1269.—An act for the relief of certain settlers on the public lands of the United States and to authorize the taking and filing of final proofs in certain cases.

October 1, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in cases now before any of the land offices of the United States in which there has been or is now a vacancy in either of the offices of register or receiver, where the day set for hearing final proofs came during the vacancy in said office, and there is no contest or protest against said claims, and where the remaining officer has taken said proofs and reduced the same to writing, the same may now be passed upon by the register and receiver as if the same had been taken when there was no vacancy.

Public lands.
Completion of entries where office of register or receiver is vacant.

In vacancy in office of register or receiver, remaining officer may take final proofs.

SEC. 2. That hereafter, when a vacancy shall occur in any of the land offices of the United States by reason of the death, resignation, or removal of either the register or receiver, and the time set for taking final proofs falls within the vacancy thus caused, the remaining officer may proceed to take said final proofs, in the absence of any contest or protest, reduce the same to writing, and place it on file in the office to be considered and passed upon when the vacancy is filled.

Approved, October 1, 1890.

CHAP. 1270.—An act to authorize the appointment of Assistant Surgeons Thomas Owens and William Martin, United States Navy, not in the line of promotion, to the position of Surgeons, United States Navy, not in the line of promotion, and for other purposes.

October 1, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to appoint Assistant Surgeons Thomas Owens and William Martin, United States Navy, not in the line of promotion, to the rank of surgeons, United States Navy, not in the line

Navy.
Thomas Owens and William Martin may be appointed surgeons not in line of promotion.