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Approval of plats, etc.

direct, and until plats thereof, made upon actual survey, for the definite location of said railway, and including the points for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, shall be filed with and approved by the Secretary of the Interior, and until the compensation provided for has been fixed and paid: *And provided further*, That when any public road or highway is interfered with by said railway said company shall repair the same or construct a new road where such interference may occur in such manner as not to obstruct the public use of such road or highway.

Highways.

Compensation.

SEC. 2. That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants according to any treaties or laws of the United States compensation shall be made such occupant or claimant for all property to be taken or damage done by reason of the construction of said railroad. In case of failure to make satisfactory settlement with any such claimant the United States district court at Arizona shall have jurisdiction, upon petition of either party, to determine such just compensation in accordance with the laws of Arizona provided for determining the damage when property is taken for railroad purposes; and the amount of damages resulting to the tribe or tribes of Indians pertaining to said reservation in their tribal capacity, by reason of the construction of said railroad through such lands of the reservation as are not occupied in severalty, shall be ascertained and determined in such manner as the Secretary of the Interior may direct, and be subject to his final approval: *Provided, however*, That said railroad company file with the Secretary of the Interior a bond, in such amount and with such sureties as the Secretary shall approve, conditioned for the payment of just compensation for said right of way to said individual occupants and to said tribe or tribes, as hereinbefore provided, and said company may thereupon proceed to construct and operate its railroad across said reservation.

Proviso. Construction to begin on filing bond.

Maps.

SEC. 3. That said company shall cause maps showing the route of its line through said reservation, and including the grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, to be filed in the office of the Secretary of the Interior before constructing any portion of said railroad.

Surveying.

SEC. 4. That said company is hereby authorized to enter upon said reservation for the purpose of surveying and locating its line of railroad: *Provided*, That said railroad shall be located and constructed with due regard to the rights of the Indians and under such rules and regulations as the Secretary of the Interior shall prescribe.

Proviso. Regulations.

Completion.

SEC. 5. That the right herein granted shall be forfeited by said company unless the road shall be constructed through the said reservation within three years after the passage of this Act.

Amendment, etc.

SEC. 6. That Congress shall have at all times power to alter, amend, or repeal this Act and revoke all rights hereunder.

Approved, February 18, 1895.

February 18, 1895.

CHAP. 96.—An Act To amend the Act entitled "An Act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March third, eighteen hundred and ninety-one.

Circuit courts of appeals. Vol. 26, p. 828.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventh section of the Act of Congress entitled "An Act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March third, eighteen hundred and ninety-one, be, and the same is hereby, amended to read as follows:

Equity appeals. Extended to all injunction proceedings.

"That where, upon a hearing in equity in a district court or a circuit court, an injunction shall be granted, continued, refused, or dissolved by

an interlocutory order or decree or an application to dissolve an injunction shall be refused in a case in which an appeal from a final decree may be taken under the provisions of this Act to the circuit court of appeals, an appeal may be taken from such interlocutory order or decree granting, continuing, refusing, dissolving, or refusing to dissolve an injunction to the circuit court of appeals: *Provided*, That the appeal must be taken within thirty days from the entry of such order or decree, and it shall take precedence in the appellate court; and the proceedings in other respects in the court below shall not be stayed unless otherwise ordered by that court during the pendency of such appeal: *And provided further*, That the court below may in its discretion require as a condition of the appeal, an additional injunction bond."

Provisos.
To be taken in thirty days.

Bond.

Approved, February 18, 1895.

CHAP. 97.—An Act To amend an Act entitled "An Act to amend the laws relative to shipping commissioners," approved August nineteenth, eighteen hundred and ninety, and for other purposes.

February 18, 1895.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter eight hundred and one of the Public Laws of the Fifty-first Congress, entitled "An Act to amend the Act relative to shipping commissioners," approved August nineteenth, eighteen hundred and ninety, is hereby amended so as to read as follows:

Shipment of merchant seamen.

Vol. 26, p. 320.

"When a crew is shipped by a shipping commissioner for any American vessel in the coastwise trade, or the trade between the United States and the Dominion of Canada, or New Foundland, or the West Indies, or Mexico, as authorized by section two of an Act approved June nineteenth, eighteen hundred and eighty-six, entitled "An Act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," an agreement shall be made with each seaman engaged as one of such crew in the same manner as is provided by Sections four thousand five hundred and eleven and four thousand five hundred and twelve of the Revised Statutes, not however including the sixth, seventh and eighth items of Section four thousand five hundred and eleven; and such agreement shall be posted as provided in Section four thousand five hundred and nineteen, and such seamen shall be discharged and receive their wages as provided by the first clause of Section four thousand five hundred and twenty-nine and also by Sections four thousand five hundred and twenty-six, four thousand five hundred and twenty-seven, four thousand five hundred and twenty-eight, four thousand five hundred and thirty, four thousand five hundred and thirty-five, four thousand five hundred and thirty-six, four thousand five hundred and forty-two, four thousand five hundred and forty-three, four thousand five hundred and forty-four, four thousand five hundred and forty-five, four thousand five hundred and forty-six, four thousand five hundred and forty-seven, four thousand five hundred and forty-nine, four thousand five hundred and fifty, four thousand five hundred and fifty-one, four thousand five hundred and fifty-two, four thousand five hundred and fifty-three and four thousand five hundred and fifty-four of the Revised Statutes; but in all other respects such shipment of seamen and such shipping agreement shall be regarded as if both shipment and agreement had been entered into between the master of a vessel and a seaman without going before a shipping commissioner: *Provided*, That the clothing of any seaman shall be exempt from attachment, and that any person who shall detain such clothing when demanded by the owner shall be liable to a penalty of not exceeding one hundred dollars."

Shipping crews for vessels in coastwise, etc., trade by shipping commissioner.

Vol. 24, p. 80.

Contents of articles, etc.

R. S., secs. 4511, 4512, p. 872.

Omissions.

Posting agreement.

R. S., sec. 4519, p. 873.

Wages, etc.

R. S., secs. 4526–4530, pp. 875, 876.

R. S., secs. 4535–4536, p. 876.

R. S., secs. 4542–4547, pp. 878, 879.

R. S., secs. 4549–4554, pp. 880, 881.

Limitation.

Proviso.
Clothing exempt from attachment.

Approved, February 18, 1895.