

Proviso.
Construction.

a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: *Provided*, That a map showing the entire line of the road in the Indian Territory shall be filed with and approved by the Secretary of the Interior before the construction of the same shall be commenced.

Employees may re-
side on right of way.

SEC. 9. That the officers, servants, and employees of said company necessary to the construction and management of said railroad shall be allowed to reside, while so engaged, upon such right of way, but subject to the provisions of the Indian intercourse laws and such rules and regulations as may be established by the Secretary of the Interior in accordance with said intercourse laws.

Construction.

SEC. 10. That said railway company shall build at least seventy-five miles of its railway in said nation within three years after the passage of this Act, or the rights herein granted shall be forfeited as to that portion not built; that said railway company shall construct and maintain continually all roads and highway crossings and necessary bridges over said railway wherever 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.

Condition of accept-
ance.

SEC. 11. That the said Arkansas and Choctaw 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 any effort looking toward the changing or extinguishing the present tenure of the Choctaw Indians in their land, and will not attempt to secure from the Choctaw Nation any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this Act.

Proviso.
Violation to forfeit.

Record of mort-
gages.

SEC. 12. That all mortgages, deeds of trust, and other conveyances executed by said railway company, conveying any portion of its railroad, telegraph and telephone lines, with its franchises, that may be constructed in said Choctaw Nation 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.

SEC. 13. That Congress may at any time amend, add to, alter, or repeal this Act.

Not assignable prior
to construction.

SEC. 14. That the right of way herein and hereby granted shall not be assigned or transferred in any form whatever prior to the construction and completion of the road except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

Received by the President, February 12, 1896.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

February 26, 1896.

CHAP. 31.—An Act Granting leave of absence for one year to homestead settlers upon the Yankton Indian Reservation, in the State of South Dakota, and for other purposes.

Yankton Reserva-
tion, S. Dak.
Homestead settlers
granted leave of ab-
sence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all settlers who made settlement under the homestead laws upon lands in the Yankton Indian Reservation, in the State of South Dakota, during the year eighteen hundred and ninety-five are hereby granted leave of absence from such homestead for one year from and after the date of this Act, and that by such absence such homestead settler shall not lose nor forfeit any right whatever: *Provided*, That the settler shall not receive credit upon the period of actual residence required by law for the time he is absent hereunder.

Proviso.
No credit for time
lost.

SEC. 2. That any such homestead settler may avail himself of the benefits of this Act by filing a notice with the local land office describing his land and date of settlement thereon, which notice shall be signed by the settler and attested by the register of the land office.

Notice.

SEC. 3. That the time for making final proof and payment for all lands located under the homestead laws of the United States upon any lands of any former Indian reservation in the State of South Dakota, be, and the same is hereby, extended for the period of one year from the time proof and payment would become due under existing laws.

Time for final proof, etc., in South Dakota extended one year.

Approved, February 26, 1896.

CHAP. 32.—An Act To amend an Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota."

February 26, 1896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth section of the Act of Congress passed January fourteenth, eighteen hundred and eighty-nine, providing for the relief and civilization of the Chippewa Indians in the State of Minnesota, be, and the same is, amended so far as the same relates to the White Earth and Red Lake reservations, and as to the other reservations mentioned in said Act whenever all the allotments of land in severalty shall have been made to the Indians of each reservation, respectively, therein provided, so as to read as follows:

Chippewa Indians of Minnesota.
Sale of pine lands.
Vol. 25, p. 644.

"SEC. 5. That whenever, and as often as the survey, examination, and appraisal of one hundred thousand acres of said pine lands, or of a less quantity, in the discretion of the Secretary of the Interior, have been made, the portion so surveyed, examined, and appraised shall be proclaimed as in market and offered for sale in the following manner: The Commissioner of the General Land Office, under the direction of the Secretary of the Interior, shall cause notices to be inserted once in each week, for four consecutive weeks, in one newspaper of general circulation published in Minneapolis, Saint Paul, Duluth, Stillwater, Taylors Falls, Fosston, Saint Cloud, Brainerd, Crookston, and Thief River Falls, Minnesota; Chicago, Illinois; Milwaukee, Wisconsin; Detroit, Michigan; Philadelphia, Pennsylvania; and Boston, Massachusetts, of the sale of said land at public auction to the highest bidder for cash at the local land office of the district within which said lands are located, said notice to state the time and place and terms of such sale. At such sale said lands shall be offered in forty-acre parcels, except in case of fractions containing either more or less than forty acres, which shall be sold entire. In no event shall any parcel be sold for a less sum than its appraised value. The residue of such lands remaining unsold after such public offering shall thereafter be subject to private sale for cash at the appraised value of the same, upon application at the local land office: *Provided*, That sections numbered sixteen and thirty-six in each township so surveyed shall not be sold until the claim of the State of Minnesota to the ownership of said sections as part of the school lands of said State, shall have been determined."

Sales of lands surveyed.

Advertisement.

Auction sale.

Private sale.

Proviso.
School sections.

Approved, February 26, 1896.

CHAP. 33.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for prior years, and for other purposes.

February 26, 1896.

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

Urgent deficiencies appropriations.