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March 30, 1898.

CHAP. 103.—An Act For the relief of the sufferers by the destruction of the United States steamer Maine, in the harbor of Havana, Cuba.

United States steamer "Maine."
Payment to sufferers by destruction of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to reimburse the survivors of the officers and crew of the United States steamer Maine, destroyed by an explosion in the harbor of Havana, Cuba, on the fifteenth day of February, eighteen hundred and ninety-eight, for losses incurred by them, respectively, in the destruction of said vessel, there shall be paid to each of said survivors, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the losses so sustained by them: *Provided*, That the accounting officers of the Treasury shall in all cases require a schedule and affidavit from each person making a claim under this Act, such schedule to be approved by the Secretary of the Navy; and reimbursement shall be made for such articles of clothing, outfit, and for such personal effects only as are of a character and value and in quantity suitable and appropriate to the rank or rating and duty of the person by whom the claim is made: *Provided further*, That in no case shall the aggregate sum allowed for such losses exceed the amount of twelve months' sea pay (without rations) of the grade or rating held by such person at the time the losses were incurred.

Provisos.
Schedules, etc.

Limit of payment.

Payment to relatives of lost officers and men.

SEC. 2. That the widow, child, or children, and in case there be not such, that the parent or parents, and if there be no parent, the brothers and sisters, of the officers, enlisted men, and others who were lost in the destruction of said vessel, or who have died or who may die within one year from date of the disaster in consequence of injuries received in the destruction of said vessel, shall be entitled to and shall receive, out of any money in the Treasury of the United States not otherwise appropriated, to wit: The relative, in the order named, of the persons heretofore referred to, a sum equal to twelve months' sea pay of the grade or rating of each person deceased as aforesaid: *Provided*, That the legal representatives of the deceased persons hereinbefore referred to shall also be paid from the Treasury of the United States any arrears of pay due the deceased at the time of their death: *Provided further*, That if any person who shall receive reimbursement under this Act, for losses incurred in said disaster, shall die within the year in consequence of injuries incurred in the destruction of said vessel, the amount so paid shall be deducted from the amount of twelve months' sea pay (without rations) allowed to such beneficiary by virtue of this Act of relief.

Provisos.
Arrears of pay due deceased, etc.

Deaths within a year of persons reimbursed for losses.

Continuance of allotments to relatives.

SEC. 3. That the accounting officers of the Treasury be, and they are hereby, authorized to continue for a period of three months any allotments which may have been made in favor of any relatives of the degrees hereinbefore enumerated by any of the officers and men attached to the United States ship Maine who lost their lives in or in consequence of the disaster to that vessel: *Provided*, That the amount of the allotments so continued shall be deducted from the amount of twelve months' sea pay allowed to such beneficiaries by virtue of this Act for their relief.

Proviso.
Deductions.

Payment to extinguish all claims.

SEC. 4. That the relief granted by the provisions of this Act shall be in full satisfaction of any and all claims whatever against the United States on account of losses or death by the destruction of the United States steamer Maine; and any claim against the United States which shall be presented and acted upon under the authority of this Act shall be held to be finally determined and shall not in any manner thereafter be reopened, reconsidered, supplemented nor be subject to appeal in any form; and the method of presenting and establishing said claims hereinbefore presented shall be followed in lieu of those prescribed by acts or parts of acts heretofore enacted relating to the presentation and allowance of similar claims: *Provided*, That nothing herein shall affect the right of any of the beneficiaries under this Act to any pension to which they may be entitled under existing law after the expiration of one year from said fifteenth day of February, eighteen hundred and ninety-eight.

Proviso.
Pensions.

SEC. 5. That no claims shall be allowed under the provisions of this Act which shall not be presented within two years after the date of its passage. Time for presentation of claims.

SEC. 6. That the Secretary of the Navy be, and he is hereby, authorized, whenever in his discretion it may be deemed practicable and expedient, to cause the remains of all or any of those who perished in consequence of said disaster to be removed to the United States cemetery at Arlington: *Provided*, That the relatives of any of such deceased officers and others mentioned in this Act who prefer that the remains of such be taken to their homes within the United States shall have such privilege extended to them, and the expense thereof shall be borne by the United States; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this section. Removal of remains to Arlington.

Proviso. Interment elsewhere.

Approved, March 30, 1898.

CHAP. 104.—An Act Authorizing the Nebraska, Kansas and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes. March 30, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Nebraska, Kansas and Gulf Railway Company, a corporation created under and by virtue of the laws of the State of Kansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway, telegraph, and telephone line through the Indian and Oklahoma Territories, beginning at a point to be selected by said railway company along the south line of the county of Harper, State of Kansas, and running thence in a south and southeasterly direction, by way of Kingfisher, over the most practicable route, through the Indian Territory and the Territory of Oklahoma, to a point at or near Denison, State of Texas, thence to the city of Galveston, said State, with the right to construct, use, and maintain such tracks, turn-outs, sidings, and extensions as said company may deem it to their interest to construct along and upon the right of way and depot grounds herein provided for. Nebraska, Kansas and Gulf Railway may build, etc., railway line through Indian and Oklahoma Territories.

Location.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway and telegraph and telephone line, and for no other purpose, a right of way one hundred feet in width through the said Territories for the said Nebraska, Kansas and Gulf Railway Company, the same to be fifty feet on either side of the track of said railway from the center thereof, and, in addition to the above right of way, to take and use a strip of land one hundred feet in width, with a length of two thousand feet, for stations at such points as the said railway company may deem to their interest to erect, with the right to use such additional grounds, where there are heavy cuts or fills, as may be necessary for the construction and maintenance of the roadbed and track, not exceeding fifty feet in width on each side of the said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no more than said addition of land shall be taken for any one station: *Provided further*, That no part of the lands herein authorized to be taken shall be leased or sold by the company, and they shall not be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said railroad, telegraph, and telephone lines; and when any portion thereof shall cease to be so used such portion shall revert to the nation or tribe of Indians, or individual Indians, from which the same shall have been taken. Right of way.

—width.

Land for stations.

—additional.

Proviso. Limit.

Lands not to be leased; restricted use, etc.

—reversion.

SEC. 3. That before said railway and telegraph and telephone line shall be constructed through any lands held by individual occupants, Damages.