

SEC. 8. That the provision of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by executive order.

Lands excepted.

SEC. 9. That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act.

Appropriation for surveys.

SEC. 10. That nothing in this act contained shall be so construed as to affect the right and power of Congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or to condemn such lands to public uses, upon making just compensation.

Rights of way not affected.

SEC. 11. That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with the consent of a majority of the adult male members of said tribe.

Southern Utes may be removed to new reservation.

Approved, February 8, 1887.

CHAP. 120.—An act to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm title to certain lands, and for other purposes.

Feb. 8, 1887.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company by the act entitled "An act to incorporate the Texas Pacific Railroad Company and to aid in the construction of its road, and for other purposes," approved March third, eighteen hundred and seventy-one, are hereby declared to be forfeited to the United States of America in all that part of said grant which is situate on the east side of the Mississippi River, and also in all that part of said grant on the west of the Mississippi River which is opposite to and coterminous with the part of the New Orleans Pacific Railroad Company which was completed on the fifth day of January, eighteen hundred and eighty-one; and said lands are restored to the public domain of the United States.

Certain lands granted to New Orleans, Baton Rouge and Vicksburg R. Co. forfeited. Vol. 16, p. 579.

SEC. 2. That the title of the United States and of the original grantee to the lands granted by said act of Congress of March third, eighteen hundred and seventy-one, to said grantee, the New Orleans, Baton Rouge and Vicksburg Railroad Company, not herein declared forfeited, is relinquished, granted, conveyed, and confirmed to the New Orleans Pacific Railroad Company, as the assignee of the New Orleans, Baton Rouge and Vicksburg Railroad Company, said lands to be located in accordance with the map filed by said New Orleans Pacific Railway Company in the Department of the Interior October twenty-seventh, eighteen hundred and eighty-one and November seventeenth, eighteen hundred and eighty-two, which indicate the definite location of said road: *Provided*, That all said lands occupied by actual settlers at the date of the definite location of said road and still remaining in their possession or in possession of their heirs or assigns shall be held and deemed excepted from said grant and shall be subject to entry under the public land laws of the United States.

Certain lands confirmed to New Orleans Pacific R. Co., assignee of New Orleans, Baton Rouge and Vicksburg R. Co.

*Proviso.* Lands of actual settlers at the time excepted.

SEC. 3. That the relinquishment of the lands and the confirmation of the grant provided for in the second sections of this act are made and shall take effect whenever the Secretary of the Interior is notified that

When grant to be in effect.

said New Orleans Pacific Railroad Company, through the action of a majority of its stockholders, has accepted the provisions of this act, and is satisfied that said company has accepted and agreed to discharge all the duties and obligations imposed upon the New Orleans, Baton Rouge and Vicksburg Railroad Company by the act of March third, eighteen hundred and seventy-one, entitled "An act to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes."

Vol. 16, p. 573.

Secretary of Interior to make rules to enable actual occupants to secure titles.

SEC. 4. That it shall be the duty of the Secretary of the Interior, in issuing patents for the lands conveyed herein, to establish such rules and regulations as to enable all persons who on the first day of December, eighteen hundred and eighty-four, were in the actual occupancy of any of the lands to which the New Orleans Pacific Railroad Company is entitled under the provisions of this act, and who are of the description of persons entitled to make homestead or pre-emption entry on public lands under the general laws of the United States, to secure titles to the lands so held by them, not to exceed in quantity one quarter-section and not less than one-sixteenth of a section, on the payment to said company, in lawful money of the United States, at the rate of two dollars per acre, for the lands so occupied, at one-third cash, and balance in such equal annual installments as the Secretary of the Interior shall by regulations prescribe; it being the intention of this section to protect the settlers upon said lands, and to give binding force and effect to the Blanchard-Robinson agreement made with the New Orleans Pacific Company on the fourth day of January, eighteen hundred and eighty-two, and filed in the office of the Secretary of the Interior.

Regulations to be prescribed by Secretary of the Interior.

SEC. 5. That the Secretary of the Interior shall make all needful rules and regulations for carrying this act into effect, and shall have the authority to direct, if he shall think proper, and shall so declare in such regulations, that payments may be made for the lands held and occupied under the fourth section of this act in not exceeding four equal annual installments from the date of sale, with interest thereon not to exceed six per centum per annum.

Patents confirmed.

SEC. 6. That the patents for the lands conveyed herein that have already been issued to said company be, and the same are hereby, confirmed; but the Secretary of the Interior is hereby fully authorized and instructed to apply the provisions of the second, third, fourth, and fifth sections of this act to any of said lands that have been so patented, and to protect any and all settlers on said lands in all their rights under the said sections of this act.

Approved, February 8, 1887.

Feb. 9, 1887.

CHAP. 123.—An act to amend an act in relation to the immediate transportation of dutiable goods, and for other purposes, approved June tenth, eighteen hundred and eighty.

Bridgeport, Conn. Privileges of immediate transportation of dutiable goods extended to. Vol. 21, p. 174.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section seven of the general statutes of the United States, chapter one hundred and ninety, approved June tenth, eighteen hundred and eighty, being "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes" (Statutes at Large, volume twenty-one, page one hundred and seventy-four), be, and the same is hereby, amended by inserting in line four of said section seven, after the word "Middle-town", the word "Bridgeport;" so that the privileges of immediate transportation of dutiable goods extended by said act to certain cities therein named shall be also extended to said Bridgeport, Connecticut.

Approved, February 9, 1887.