

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.

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.

Trains to stop at all intersections, etc.

Discriminations forbidden.

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.

Penalty for violations.

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.

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.

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

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.

of promotion, and that for this purpose there be, and is hereby, authorized two additional surgeons in the Navy, to be known and designated as surgeons not in the line of promotion, but in all other respects to be entitled to the rank, pay, emoluments, and privileges of surgeons in the Navy of the United States.

Approved, October 1, 1890.

October 1, 1890.

**CHAP. 1271.**—An act to provide for the reduction of the Round Valley Indian Reservation, in the State of California, and for other purposes.

Round Valley Indian  
Reservation, Cal.

*Post*, p. 1006.

Agricultural lands  
to be allotted in sever-  
alty to Indians.  
Vol. 24, p. 388.

*Provisos.*

Quantities to be al-  
lotted.

Reservation for  
agency, school, and  
mission.

Grazing and timber  
lands.

Commission to se-  
lect.

Appraisalment of ag-  
ricultural lands.

Vol. 17, p. 634.

Report.

Payment.

Title to vest in the  
United States.

Removal of occu-  
pants.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized and directed to cause the agricultural lands in the Round Valley Indian Reservation, in the State of California, to be surveyed into ten-acre tracts, and to allot the same in severalty to the Indians belonging thereon, under the provisions of the act of Congress approved February eighth, eighteen hundred and eighty-seven, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reser- vations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes:" *Provi- ded,* That he may cause said agricultural lands to be allotted in such quantities and to such classes as he may deem expedient and for the best interests of said Indians: *And provided further,* That a sufficient quantity of said agricultural lands shall be reserved for agency, school, and mission purposes. In addition to the allotments of agri- cultural lands to said Indians in severalty, there shall be reserved a reasonable amount of grazing and timber lands for their use, to be used by said Indians in common, or the President may at any time, in his discretion, cause the same to be allotted in severalty under the provisions of said act of February eighth, eighteen hundred and eighty-seven, in such quantities and to such classes as he may deem expedient. Said grazing and timber lands shall be selected by a com- mission of three disinterested persons to be selected by the President.

**SEC. 2.** That said commission shall appraise the value of any and all tracts of agricultural lands within the Round Valley Indian Res- ervation, with the improvements thereon, which have become the property of individuals by purchase from the State of California or from persons deriving title from said State, and shall also appraise the value of all improvements made by private persons or firms, before the third day of March, eighteen hundred and seventy-three, upon any of the lands included in the reservation as established under the act of Congress approved March third, eighteen hundred and seventy- three, other than those actually disposed of by said State of Califor- nia, and within the lands selected and retained for the Indians, un- der the provisions of this act, and shall report the same to the Sec- retary of the Interior, who shall cause payment to be made for such appraised lands and the improvements thereon, and also for such improvements as may be located upon the lands selected for the In- dians in common, or upon any of the unappraised agricultural lands within the reservation, as hereby established, to the proper owners thereof, out of the money hereinafter appropriated. Upon payment of the appraised value of such appraised lands and improvements, or upon tender of payment, the title to said lands shall become vested in the United States, and all persons to whom such payment or ten- der of payment shall be made, and all persons claiming through or under them, shall immediately remove from the reservation as herein established, and upon failure to remove within a period of sixty days after said payment or tender of payment, the military forces of the United States, if necessary, may be employed to effect their removal.