

Entries to be made, how.

SEC. 4. That such entries shall be according to legal subdivisions, so as to include the improvements of such occupants; and where two or more parties shall have improvements on the same smallest legal subdivision, they may make a joint entry thereof: *Provided*, That in case entry and payment are not made within one year from the date of such approval by the Secretary of the Interior, then all possessory rights named in article three of the treaty of June fifteenth, eighteen hundred and forty-six, shall be considered forfeited, and the lands shall thereafter be deemed and treated as a part of the public domain, to be disposed of as other lands.

Forfeiture of possessory rights.

Regulations.

SEC. 5. That it shall be the duty of the Secretary of the Interior to make all needful regulations to give effect to the provisions of this act.

Approved, June 20, 1874.

June 20, 1874.

CHAP. 347.—An act directing the Secretary of the Treasury to report upon the necessity for a public building at Brooklyn, New York, and the cost of the same.

Secretary of the Treasury to report upon the necessity of a public building at Brooklyn, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to report to Congress at the beginning of its next session whether the present needs of the Government require the erection of a public building at at Brooklyn, New York, and the estimated cost of the same, including the site.

Approved, June 20, 1874.

June 20, 1874.

CHAP. 348.—An act granting to the Nevada County Narrow Gauge Railroad Company a right of way through the public lands for a railroad.

Right of way through public lands to Nevada County Narrow Gauge Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way through the public lands be, and the same is hereby, granted to the Nevada County Narrow Gauge Railroad Company, a corporation organized under the laws of the State of California and having its principal place of business in Grass Valley, Nevada County, State of California, its successor and assigns, for a railroad from Colfax to Nevada City, by the most direct, practicable route, being a distance of about twenty miles. Said right of way is granted to said railroad to the extent of fifty feet in width on each side of said railroad where it may pass through the public domain, including the right to take, from the public lands adjacent, materials of earth, stone, and timber necessary for the construction thereof; also including grounds for station-buildings, workshops, depots, machine shops, switches, side tracks, turn tables, and water stations, to an amount not exceeding ten acres not mineral lands for each station, which stations shall not occur oftener than one in ten miles: *Provided*, That the grant hereby made shall not take effect on any lands to which any bona fide pre-emption or homestead claim has attached before the definite location of the line of road, and the designation of the lands to be appropriated under this law: *Provided further*, That within six months from the passage of this act the Nevada County Narrow Gauge Railroad Company shall file with the Secretary of the Interior a map to be approved by him, exhibiting the line of the railroad of said company, as the same has been located and the ground to be occupied at the several stations; *And provided further*, That the said railroad shall be completed within four years from the passage of this act.

Width of grant.

What to include.

Priority of pre-emption and homestead claims.

Map to be filed within six months.

Time for completion of road.

Use of track, &c., in certain cases by other roads.

Reference of disputes to the Secretary of the Interior.

SEC. 2. That in case the right of way granted by this act extends through any canyon, pass, or defile, any other railroad corporation shall not be excluded from a passage through the same or over and upon the track of the constructed road upon equitable terms; and in case of disagreement, upon application of either of the parties, the same shall be adjusted by the Secretary of the Interior, after hearing, upon reasona-

ble notice to the parties, whose decision may be enforced by a court of competent jurisdiction; *Provided*, That this act shall not prevent other railroads from crossing the same at grade, *and provided further* that the right of Congress at any time to amend, alter or repeal this act is hereby reserved.

Approved, June 20, 1874.

Enforcement of this decisions.
Right of other roads to cross at grade.
Act may be amended, altered, or repealed.

CHAP. 349.—An act amending the charter of the Freedman's Savings and Trust Company, and for other purposes. June 20, 1874.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress approved March third, eighteen hundred and sixty-five, entitled "An act to incorporate the Freedman's Savings and Trust Company," be, and the same is hereby, so amended that hereafter it shall be the duty of the trustees and officers of said company to make loans, to the extent of one half the deposits by them received, upon bonds or notes secured by first mortgages or deeds of trust upon unencumbered real estate, situate in the vicinity of the agency or branch of said company from which such deposits are received, worth, upon cash appraisalment, at least double the amount of money loaned thereon. And the borrower shall at his own expense, or the bank shall at the expense of the borrower, keep the buildings upon said property insured in some good and solvent company, to the amount of one half of their cash value for the benefit of the Freedman's Savings and Trust Company. The other half they shall invest in United States bonds, or keep on deposit in some national bank such sums as may be necessary to meet current payments.

Amendment of 1865, ch. 92, vol xiii, pp. 510, 513.

One-half of deposits in Freedman's Savings-Bank to be loaned upon real-estate in vicinity, &c.
Regulation of loans.

Insurance of buildings.
Investment of other half of deposits in United States bonds.

SEC. 2. That it shall be the duty of said trustees and officers of said company to collect, as speedily as may be done without prejudice to the interests of the depositors, all sums of money by them loaned upon real estate outside of the States from which received; and when collected, and as the same may be collected, they shall loan such funds as directed in the first section of this act.

Collection of certain loans.

When collected, how to be reloaned.

SEC. 3. That when it shall appear that the interests of the depositors may require it, it shall be lawful for the trustees of the corporation, by and with the advice and consent of the Secretary of the Treasury, at any time to close any of the agencies or branches of the corporation paying to the depositors of such agencies or branches a pro rata amount of the principal and interest which may be due them, and also a ratable proportion of any surplus which may have accumulated under the provisions of section eight of this act. And whenever it may be deemed advisable, or when so ordered by Congress, the general business and affairs of the corporation shall, in like manner, be closed up by the trustees of the corporation, as provided for in section seven herein.

Agencies or branches may be closed.

Payment to depositors at agencies or branches.

General business may be closed.

SEC. 4. That said trustees and officers of said company shall not loan to any person or company at any one time more than ten thousand dollars of the funds of said trust company.

Limit upon loans to individuals and companies.

SEC. 5. That every officer, clerk, or agent of the company who shall embezzle, abstract, or wilfully misapply any of the money, funds, or credits of the company, or shall, without authority of the trustees or proper officers of the company, issue or put forth any pass book, certificate of deposit, or other evidence of indebtedness, draw any order, bill of exchange, mortgage, or confess any judgment or decree whereby said company may be charged with any liability, or be deprived of any of its assets, or shall make any false entry in any book, report, or statement of the company, or wilfully deceive any officer of the company, or any agent appointed to examine the affairs or condition of the company, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment for a period not exceeding five years.

Misapplication &c., of moneys, &c., penalty.