

proviso.

Conditions.

Territory of Dakota lying south of the forty-third parallel of north latitude and east of the Keyapaha River and west of the main channel of the Missouri River; and when the Indian title to the lands thus described shall be extinguished, the jurisdiction over said lands shall be, and hereby is, ceded to the State of Nebraska, and subject to all the conditions and limitations provided in the act of Congress admitting Nebraska into the Union, and the northern boundary of the State shall be extended to said forty-third parallel as fully and effectually as if said lands had been included in the boundaries of said State at the time of its admission to the Union; reserving to the United States the original right of soil in said lands and of disposing of the same: *Provided*, That this act, so far as jurisdiction is concerned, shall not take effect until the President shall, by proclamation, declare that the Indian title to said lands has been extinguished, nor shall it take effect until the State of Nebraska shall have assented to the provisions of this act; and if the State of Nebraska shall not by an act of its legislature consent to the provisions of this act within two years next after the passage hereof, this act shall cease and be of no effect

Approved, March 28, 1882.

Mar. 28, 1882.

CHAP. 53.—An act to authorize the Secretary of War to release a right of way across lands of the United States at Plattsburgh, New York.

Right of way through United States lands in Plattsburgh, N. Y., granted to Chateaugay Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized and empowered, in his discretion, and on such conditions and restrictions as he may think necessary to protect the interests of the United States, to release to the Chateaugay Railroad Company, for railroad purposes only, a right of way not exceeding four rods in width over and along the northerly side of the lands of the United States in Plattsburgh, Clinton County, New York, and extending from the Saranac River to the depot grounds of said company, a distance of about one hundred and thirty rods, or so much thereof as said company may require for said purpose.

Approved, March 28, 1882.

Mar. 31, 1882.

CHAP. 55.—An act to confirm certain instructions given by the Department of the Interior to the Indian agent at Green Bay Agency, in the State of Wisconsin, and to legalize the acts done and permitted by said Indian agent pursuant thereto.

Preamble.

Whereas on the twenty-eighth day of November, eighteen hundred and eighty-one, the Commissioner of Indian Affairs addressed to the Indian agent at the Green Bay Agency, in the State of Wisconsin, a letter of instructions as follows, namely:

“DEPARTMENT OF THE INTERIOR,
“OFFICE OF INDIAN AFFAIRS,
“Washington, November 28, 1881.

“E. STEPHENS, United States Indian Agent

“Green Bay Agency, Wisconsin:

“SIR: I notice in your annual report a statement that the Indians of your agency complain that they are not allowed to dispose of the dead and down timber going to waste on their reserve.

“You are hereby informed that the sale of such timber is allowed by this office; but great care must be taken by you to see that the Indians dispose of only surplus dead or down wood which without such disposition would soon become worthless, and that they do not take advantage of this permission to cut other timber, in violation of section two hundred and sixty-two, ‘Instructions to Indian Agents’.

“Personal oversight should be exercised by you of the bargains and sales made by Indians under this authority, and that they should understand that a failure to observe the restrictions of this permission will result in a forfeiture of the permit

“Yours respectfully

“H. PRICE,
“Commissioner”; and

Whereas, under the authority supposed to be conferred by the said letter of instructions, said Indian agent permitted the Indians upon the reservations under the charge of the said agency to proceed to cut into logs a considerable quantity of timber of the kind designated in said letter of instructions, in which work they are now engaged; and

Whereas the authority of said Commissioner to authorize such sale, disposal, cutting, or removal of such timber has been called in question: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the instructions of the said Commissioner of Indian Affairs contained in the above recited letter to the said Indian agent at the Green Bay Agency, in the State of Wisconsin, be, and the same are hereby, ratified and confirmed, and all acts done or permitted by said agent in pursuance thereof are hereby legalized and declared valid; and the disposal of all timber cut or prepared for market, or which may be cut or prepared for market during the logging season of the present year, is hereby authorized in conformity with said instructions; and the logs or timber so cut shall be subject to all remedies which are provided by the laws of the State of Wisconsin to enforce liens upon logs or timber.

Indian agent, Green Bay Agency, Wisconsin, instructions to, by Commissioner of Indian Affairs, legalized.

Rights of the State preserved.

Approved, March 31, 1882.

CHAP. 58.—An act for the relief of Captain William D. Whiting.

Apr. 1, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain William D. Whiting, United States Navy, having been promoted for faithful and efficient war service, and having served in the Navy faithfully for forty years and upwards, and having been appointed Chief of the Bureau of Navigation of the Navy Department, with the relative rank of Commodore, and holding the said position on the date of his retirement, in pursuance of law, on account of physical incapacity, such incapacity having been contracted on duty or being incident thereto, the name of the said William D. Whiting is hereby authorized to be placed on the retired list of the United States Navy with the rank and retired pay of a Commodore, as though he had been promoted to the said grade prior to his retirement.

William D. Whiting.

Placed on the retired list of the Navy, with the rank and pay of commodore.

Approved, April 1, 1882.

CHAP. 59.—An act to amend an act entitled “An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and eighty-two, and for other purposes” approved March third, eighteen hundred and eighty-one.

Apr. 1, 1882.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of the act entitled “An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and eighty-two, and for other purposes” approved March third, eighteen hundred and eighty one, be amended by adding the words “and convey” after the word “sell” in line two, so as to make it read “sell and convey”; After the words “four

Sale of property of District of Columbia. 21 Stat., sec. 3, 467, amended.