

consent of the Senate, appoint Andrew J. Smith, late colonel of the Seventh United States cavalry and a major-general of volunteers, a colonel of cavalry in the army of the United States, and thereupon to place him, the said Andrew J. Smith, upon the retired list of the army, with the rank and grade of colonel, without regard and in addition to the number now authorized by law of said retired list.

Approved, December 24, 1888.

CHAP. 18.—An act granting to Citrous Water Company right of way across Papago Indian Reservation in Maricopa County, Arizona.

January 1, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Citrous Water Company, a corporation organized under the laws of the State of California, and transacting business in the Territory of Arizona, is hereby granted the right of way, one hundred feet in width, across, through, and out of township south five, range west five, Gila and Salt River base and meridian, the said described land being a part of the Papago Indian Reservation in Maricopa County, Arizona, for the sole purpose of constructing a ditch or canal, to be used in conveying water across said reservation for use in irrigating lands and supplying water to owners of land below: *Provided*, That so long as said reservation shall continue for the use and occupation of said Indians, said Indians shall, free of cost, be supplied with water from said ditch or canal in such quantity and under such regulations as shall be prescribed by the Secretary of the Interior, and that reasonable compensation only, subject at all times to the control of Congress, shall be charged to those supplied with water for use upon land held under the United States: *Provided further*, That said right of way herein granted shall not be mortgaged, sold, transferred, or assigned except for the purposes of construction: *And provided further*, That unless said canal for which this right of way is granted be completed within two years after the approval of this act the provisions of this act shall be null and void.

Citrous Water Company may construct irrigating ditch through Papago Indian Reservation, Ariz.

Provisos.

Indians to receive water free.

Not to be sold, etc.

Commencement and completion.

Amendment.

SEC. 2. This act, and all rights acquired under the same, shall be subject at all times to modification, revocation, amendment, or repeal by Congress.

Approved, January 1, 1889.

CHAP. 19.—An act to regulate appointments in the Marine Hospital Service of the United States.

January 4, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That medical officers of the Marine Hospital Service of the United States shall hereafter be appointed by the President, by and with the advice and consent of the Senate; and no person shall be so appointed until after passing a satisfactory examination in the several branches of medicine, surgery, and hygiene before a board of medical officers of the said service. Said examination shall be conducted according to rules prepared by the Supervising Surgeon-General, and approved by the Secretary of the Treasury and the President.

Marine Hospital Service. Appointment of surgeons.

Original appointments.

SEC. 2. That original appointments in the service shall only be made to the rank of assistant surgeon; and no officer shall be promoted to the rank of passed assistant surgeon until after four years' service and a second examination as aforesaid; and no passed assistant surgeon shall be promoted to be surgeon until after due examination: *Provided*, That nothing in this act shall be so construed as to affect the

Proviso.