

to be applied in the inspection of said boiler, steam-pipes, and appurtenances will be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes, save the fact that said boiler, steam-pipes, and appurtenances not being constructed pursuant to the requirements of the laws of the United States, and are of unstamped iron, shall not be an obstacle to the granting of the usual certificate if said boiler, steam-pipes, and appurtenances are found to be of sufficient strength and safety.

Approved, June 11, 1890.

June 11, 1890.

**CHAP. 415.**—An act for the relief of Horatio Phillips Van Cleve.

Horatio Phillips Van Cleve.

President may appoint second-lieutenant on retired list of the Army.

Proviso.

Pension.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the laws regulating appointments in the Army be, and they are hereby, suspended, and suspended only for the purposes of this act; and the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint Horatio Phillips Van Cleve, late a major-general of volunteers in the Army of the United States, a second lieutenant, and thereupon to place him, the said Horatio Phillips Van Cleve, upon the retired list of the Army, with the rank and grade of second lieutenant, without regard and in addition to the number now authorized by law of said retired list: *Provided,* That from and after such nomination and appointment no pension shall be paid to the said Horatio Phillips Van Cleve, but this proviso shall be no bar to any claim for pension that the widow or children or heirs of the said Horatio Phillips Van Cleve may have after his decease.

Approved, June 11, 1890.

June 12, 1890.

**CHAP. 418.**—An act to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians, in the State of Wisconsin.

Sale of timber from Menomonee Indian Reservation, Wis.  
Agent to employ Indian loggers.  
Compensation.

Sale, etc., of logs.

Indian employment.

Appointment of superintendent.  
Compensation.  
Appointment of assistant superintendent.  
Compensation.

Proviso.

Limitation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby empowered to authorize the agent of the Menomonee tribe of Indians in Wisconsin to employ at a reasonable compensation said Indians to cut all or any portion of the timber on the lands reserved for the use of said Indians in that State into logs and haul the same to the banks of the rivers; and said logs shall be scaled and advertised, and after due notice all or any part thereof sold to the highest bidder or bidders for cash, in such manner and at such time and place as the Secretary of the Interior may direct; no sale to be valid until approved by said Secretary. In case said logs can not be sold where landed on the river at what the Secretary of the Interior considers a reasonable price, he shall cause said logs to be run down the river to market, to be sold in the manner he deems for the best interest of the Indians, employing Indians at all times when in his opinion practicable and for the benefit of the Indians in doing such work; and the Secretary of the Interior may appoint a competent man to superintend these Indians while logging, and fixing the rate of his compensation. The Secretary shall appoint an assistant superintendent, who shall be a practical logger and shall have full charge and direction of such logging operations under the superintendent, and who shall receive such compensation as the Secretary of the Interior shall determine: *Provided,* That not exceeding twenty millions of feet of timber shall be logged and sold in any one year.

SEC. 2. That the sum of seventy-five thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of the expense of cutting, banking, scaling, running, advertising, and sale thereof; also, pay of superintendent and assistant superintendent; which expenses and pay shall be re-imbursed to the Treasury of the United States from the first proceeds of the sale of timber as hereinbefore provided: *And provided*, That after the first year's logging, and annually thereafter, the Secretary of the Treasury is authorized to advance a like amount as provided for in this bill, on the order of the Secretary of the Interior, out of any money in the Treasury belonging to said Indians for the purpose of enabling them to carry on logging as provided in this act.

Appropriation.

Expenses of cutting, sale, etc.

Re-imburement from first proceeds of sale.

Proviso.

Future annual advances for logging, authorized.

SEC. 3. That from the net proceeds of sales of said Menomonee logs shall be deducted one-fifth part, which shall be deposited in the Treasury of the United States to the credit of the Menomonee Indians in Wisconsin, to be used under the direction of the Secretary of the Interior for the benefit of said Indians, and the residue of said proceeds shall be funded in the United States Treasury, interest on which shall be allowed said tribe annually at the rate of five per centum per annum, to be paid to the tribe per capita, or expended for their benefit under the direction of the Secretary of the Interior.

Disposal and use of net proceeds of sales, etc., for benefit of Menomonees.

SEC. 4. That this act shall be and remain inoperative until full and satisfactory evidence shall have been placed on the files of the office of the Commissioner of Indian Affairs that the sales of timber and the manner of disposing of the proceeds of same herein authorized have the sanction of the tribe, evidenced by orders of agreement taken in full council; and if the provisions of this act shall not be accepted as aforesaid no further cutting of timber shall be permitted by said Indians upon said reservation until otherwise provided.

Tribal sanction to be first evidenced.

Otherwise, further Indian logging prohibited.

Approved, June 12, 1890.

CHAP. 419.—An act to amend section one and section nine of an act entitled, "An act to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," approved July first, eighteen hundred and eighty-six.

June 12, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled "An act to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," approved July first, eighteen hundred and eighty-six, be, and the same is hereby, amended as follows:

Denison and Washita Valley Railroad Company may continue main line to Fort Smith, Ark., and construct branch line through Indian Territory and Oklahoma to Kansas.

That said railway company is hereby authorized in the manner, and with the limitations, restrictions, and requirements in said act contained, to continue the railway in said act, authorized from the terminus therein specified, namely: 'A point of intersection with the projected line of the Saint Louis and San Francisco Railway in the Indian Territory from Fort Smith to Paris, in the State of Texas' in a northeasterly direction to Fort Smith, Arkansas, and also to construct, with the same limitations, restrictions, and requirements, a branch line of railway from a point on said main line not exceeding fifty miles from Red River, to be selected by said company, and running thence in a northwesterly direction through the Indian Territory and the country known as Oklahoma to a point on the southern line of the State of Kansas at or about where the same is crossed by the one hundredth meridian, by the most practicable route thereto.

Vol. 24, p. 117, amended.

Continuation of main line towards Fort Smith, Ark.

Branch line.

Location.

SEC. 2. That said railway company shall build at least fifty miles of its railway on its main line, and fifty miles of its railway on its branch line within three years from the passage of this act, and shall

Vol. 24, p. 130, amended. Minimum construction in three years.