

those contained in sections one and seven, shall, for every such offense, upon conviction before a court of competent jurisdiction, pay a fine of not more than one hundred dollars, for the use of the District of Columbia.

Repeal. SEC 14. That all acts and parts of acts inconsistent herewith be, and the same are hereby, repealed.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 414.—An act to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State.

Forfeiture of un-
earned lands granted
to railroads in Michi-
gan.

Vol. 11, p. 21.

Restored to public
domain.

Provisos.

Rights of way, etc.

Settlers' rights not
limited.

Vol. 24, p. 556.

Lands earned by con-
struction not forfeit-
ed.

Provisos.
Location.

Rights of legal or
equitable relief not
impaired.

Confirmation of cer-
tain lands disposed of.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby forfeited to the United States, and the United States hereby resumes the title thereto all lands heretofore granted to the State of Michigan by virtue of an act entitled "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State and for other purposes," which took effect June third, eighteen hundred and fifty-six, which are opposite to and coterminous with the uncompleted portion of any railroad, to aid in the construction of which said lands were granted or applied, and all such lands are hereby declared to be a part of the public domain: *Provided,* That this act shall not be construed as forfeiting the right of way or depot grounds of any railroad company heretofore granted: *And provided further,* That nothing in this act contained shall be construed as limiting the rights granted to purchasers or settlers by "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads and for the forfeiture of unearned lands, and for other purposes," approved March third, eighteen hundred and eighty-seven, or as repealing, altering, or amending said act, nor as in any manner affecting any cause of action existing in favor of any purchaser against his grantor for breach of any covenants of title.

SEC. 2. That nothing in this act shall be construed as forfeiting any lands that have been heretofore earned by the location and construction of any portion of any railroad hereinbefore mentioned under any act of Congress making a grant of public lands in the State of Michigan, *Provided:* That such lands lie opposite such constructed road, or if indemnity lands are provided in such grants the same shall be selected from the public lands within such indemnity limits lying nearest to such constructed road: *And provided further,* That this act shall not be construed to prejudice any right of the Portage Lake Canal Company, or the Ontonagon and Brule River Railroad Company, or any person claiming under them, to apply hereafter to the courts or to Congress for any legal or equitable relief to which they may now be entitled, nor to prejudice any right of forfeiture, as hereby declared, or recovery of the United States in respect of any of the lands claimed by said companies, nor to the prejudice of the right of any person claiming adversely to said companies or their assigns, under the laws of the United States.

SEC. 3. That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States or under State selections in Michigan confirmed by the Secretary of the Interior, under color of the public-land laws, where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however,*

That where the original cash purchasers are the present owners this act shall be operative to confirm the title only of such said cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States. That nothing herein contained shall be construed to confirm any sales or entries of lands, or any tract in any such State selection, upon which there were bona fide preemption or homestead claims on the first day of May, eighteen hundred and eighty-eight, arising or asserted by actual occupation of the land under color of the laws of the United States, and all such preemption and homestead claims are hereby confirmed.

Cash purchasers.

Pre-emption and homestead claims.

SEC. 4. That no lands declared forfeited to the United States by this act shall inure to the benefit of any State or corporation to which lands may have been granted by Congress except as herein otherwise provided; nor shall this act be construed to enlarge the area of land originally covered by any such grant, or to waive or release in any way any right of the United States now existing to have any other lands granted by them, as recited in the first section, forfeited for any failure, past or future, to comply with the conditions of the grant. Nor shall the moiety of the lands granted to any railroad company on account of a main and a branch line appertaining to uncompleted road, and hereby forfeited, within the conflicting limits of the grants for such main and branch lines, when but one of such lines has been completed, inure, by virtue of the forfeiture hereby declared, to the benefit of the completed line.

Disposition of forfeited lands.

SEC. 5. That all persons who may have settled upon and are now in possession of any of the lands hereby forfeited, and who may desire to enter the same under the homestead law, shall be allowed, when making final proof, for the time they have already resided upon and cultivated the same.

Present settlers allowed to make entry for time of residence.

Approved, March 2, 1889.

CHAP. 415.—An act to provide for the protection of the salmon fisheries of Alaska

March 2, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the erection of dams, barricades, or other obstructions in any of the rivers of Alaska, with the purpose or result of preventing or impeding the ascent of salmon or other anadromous species to their spawning grounds, is hereby declared to be unlawful, and the Secretary of the Treasury is hereby authorized and directed to establish such regulations and surveillance as may be necessary to insure that this prohibition is strictly enforced and to otherwise protect the salmon fisheries of Alaska; and every person who shall be found guilty of a violation of the provisions of this section shall be fined not less than two hundred and fifty dollars for each day of the continuance of such obstruction.

Salmon fisheries, Alaska. Erection of dams, etc., in rivers unlawful.

Punishment.

SEC 2. That the Commissioner of Fish and Fisheries is hereby empowered and directed to institute an investigation into the habits, abundance, and distribution of the salmon of Alaska, as well as the present conditions and methods of the fisheries, with a view of recommending to Congress such additional legislation as may be necessary to prevent the impairment or exhaustion of these valuable fisheries, and placing them under regular and permanent conditions of production.

Investigation into habits, etc., of salmon.

SEC 3. That section nineteen hundred and fifty-six of the Revised Statutes of the United States is hereby declared to include and apply to all the dominion of the United States in the waters of Behring Sea; and it shall be the duty of the President, at a timely season in each year, to issue his proclamation and cause the same to be published

Behring Sea. Killing of fu-bearing animals in the dominion of the United States in, prohibited. R. S., sec. 1956, p. 343. Proclamation.