

February 25, 1885. **CHAP. 146.**—An act authorizing the Secretary of War to adjust and settle the account for arms between the State of South Carolina and the Government of the United States.

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, and he is hereby, authorized and directed to adjust the account for arms between the State of South Carolina and the Government of the United States, and balance the same by so reducing the overcharge made against said State in anno Domini eighteen hundred and sixty-nine, under the act approved the twenty-third of April, anno Domini eighteen hundred and eight, and the several acts amendatory thereof, as that the amounts paid on said account by said State for the ten years last past be taken in full satisfaction of the same.

Secretary of War to adjust and settle accounts for arms with the State of South Carolina.
Reducing overcharge in settlements, 1869.

Vol. 4, ch. 159, p. 169.

Amount paid to be in full.

Approved, February 25th, 1885.

February 25, 1885. **CHAP. 147.**—An act for the erection of a public building at Chattanooga, Tennessee.

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, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the customs officers, United States courts, post-office, and other Government offices, at the city of Chattanooga, in the State of Tennessee. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of one hundred thousand dollars: *Provided,* That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Tennessee shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Chattanooga, Tenn.
Public building.
Site.

Plans, estimates, and cost.

Provided.

Title.

Approved, February 25th, 1885.

February 25, 1885. **CHAP. 148.**—An act for the erection of a public building at Keokuk, Iowa.

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, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the United States courts, post-office, and other Government offices, in the city of Keokuk, Iowa. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of one hundred thousand dollars. And it shall be the duty of the Secretary of the Treasury, after the site for said building shall have been purchased, to cause a plan and specifications of said building to be prepared, which said plan and specifications shall not involve an expenditure in the erection and completion of said building and the approaches thereto exceeding the portion of said one hundred thousand dollars remaining after the site of said building shall have been paid for; and no plan for said building shall be approved by the Secretary of the Treasury involving an ex-

Keokuk, Iowa.
Public building.
Site.

Plans, estimates.
Cost.

penditure exceeding the sum so remaining after paying for the site of said building: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Iowa shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the State and the service of the civil process therein.

Proviso.

Title.

Approved, February 25, 1885.

CHAP. 149.—An act to prevent unlawful occupancy of the public lands.

February 25, 1885.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all inclosures of any public lands in any State or Territory of the United States, heretofore or to be hereafter made, erected, or constructed by any person, party, association, or corporation, to any of which land included within the inclosure the person, party, association, or corporation making or controlling the inclosure had no claim or color of title made or acquired in good faith, or an asserted right thereto by or under claim, made in good faith with a view to entry thereof at the proper land-office under the general laws of the United States at the time any such inclosure was or shall be made, are hereby declared to be unlawful, and the maintenance, erection, construction, or control of any such inclosure is hereby forbidden and prohibited; and the assertion of a right to the exclusive use and occupancy of any part of the public lands of the United States in any State or any of the Territories of the United States, without claim, color of title, or asserted right as above specified as to inclosure, is likewise declared unlawful, and hereby prohibited.

Inclosure of public lands without title declared unlawful.

Maintenance of inclosure forbidden.

Assertion of right without title prohibited.

United States district attorneys on complaints made to institute civil suits.

SEC. 2. That it shall be the duty of the district attorney of the United States for the proper district, on affidavit filed with him by any citizen of the United States that section one of this act is being violated showing a description of the land inclosed with reasonable certainty, not necessarily by metes and bounds nor by Governmental sub-divisions of surveyed lands, but only so that the inclosure may be identified, and the persons guilty of the violation as nearly as may be, and by description, if the name cannot on reasonable inquiry be ascertained, to institute a civil suit in the proper United States district or circuit court, or territorial district court, in the name of the United States, and against the parties named or described who shall be in charge of or controlling the inclosure complained of as defendants; and jurisdiction is also hereby conferred on any United States district or circuit court or territorial district court having jurisdiction over the locality where the land inclosed, or any part thereof, shall be situated, to hear and determine proceedings in equity, by writ of injunction, to restrain violations of the provisions of this act; and it shall be sufficient to give the court jurisdiction if service of original process be had in any civil proceeding on any agent or employee having charge or control of the inclosure; and any suit brought under the provisions of this section shall have precedence for hearing and trial over other cases on the civil docket of the court, and shall be tried and determined at the earliest practicable day. In any case if the inclosure shall be found to be unlawful, the court shall make the proper order, judgment, or decree for the destruction of the inclosure, in a summary way, unless the inclosure shall be removed by the defendant within five days after the order of the court.

Jurisdiction of courts.

Such cases to have precedence.

Summary judgments.