

SEC. 26. That within sixty days from the approval of this Act the company shall deposit one thousand dollars with the collector of taxes of the District of Columbia to guarantee the construction of its railway within the prescribed time. If this sum is not so deposited this charter shall be void. If the sum is so deposited and the road is not in operation as herein prescribed, said one thousand dollars shall be forfeited to the District of Columbia and this charter shall be void.

Deposit to guarantee construction.

—penalty, etc.

SEC. 27. That failure or neglect to comply with any of the provisions of this Act, except as hereinbefore provided for, shall render the said corporation liable to a fine of twenty-five dollars for each and every day during which such failure or neglect shall continue, which penalty may be recovered in the name of the District of Columbia by the Commissioners of the said District in any court of competent jurisdiction: *Provided, however,* That unless the line of the said railway shall be completed, with cars running regularly thereon for the accommodation of passengers, within two years from the date of the passage of this Act, this charter shall be null and void.

Penalty for failure to comply with act

Proviso.
Completion of line.

SEC. 28. That Congress reserves the right to alter, amend, or repeal this Act.

Amendment.

Approved, June 18, 1898.

CHAP. 469.—An Act To amend an Act entitled "An Act to promote the administration of justice in the Army," approved October first, eighteen hundred and ninety, and for other purposes.

June 18, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled an "An Act to promote the administration of justice in the Army," approved October first, eighteen hundred and ninety, as supplemented and amended by subsequent legislation, be, and the same is hereby, amended so as to read as follows:

Army.
Summary courts for trial of offenses of enlisted men.
Vol. 26, p. 648.
Vol. 27, p. 278.

"That the commanding officer of each garrison, fort, or other place, regiment or corps, detached battalion, or company, or other detachment in the Army, shall have power to appoint for such place or command, or in his discretion for each battalion thereof, a summary court to consist of one officer to be designated by him, before whom enlisted men who are to be tried for offenses, such as were prior to the passage of the Act 'to promote the administration of justice in the Army,' approved October first, eighteen hundred and ninety, cognizable by garrison or regimental courts-martial, and offenses cognizable by field officers detailed to try offenders under the provisions of the eightieth and one hundred and tenth articles of war, shall be brought to trial within twenty-four hours of the time of the arrest, or as soon thereafter as practicable, except when the accused is to be tried by general court-martial; but such summary court may be appointed and the officer designated by superior authority when by him deemed desirable; and the officer holding the summary court shall have power to administer oaths and to hear and determine such cases, and when satisfied of the guilt of the accused adjudge the punishment to be inflicted, which said punishment shall not exceed confinement at hard labor for one month and forfeiture of one month's pay, and, in the case of a non-commissioned officer, reduction to the ranks in addition thereto; that there shall be a summary court record kept at each military post and in the field at the headquarters of the proper command, in which shall be entered a record of all cases heard and determined and the action had thereon; and no sentence adjudged by said summary court shall be executed until it shall have been approved by the officer appointing the court, or by the officer commanding for the time being: *Provided,* That when but one commissioned officer is present with a command he shall hear and finally determine such cases: *And provided further,* That no one while holding the privileges of a certificate of eligibility to promotion shall be brought before a summary court, and that non-

—appointment.

—what offenses cognizable.
Vol. 26, p. 648.

R. S., sec. 1342, pp. 238, 240.

—powers of court, etc.

—record.

—approval of sentence.

Proviso.
—but one officer present with command, etc.

Exemptions from trial by summary court, etc.

commissioned officers shall not, if they object thereto, be brought to trial before summary courts without the authority of the officer competent to order their trial by general court-martial; but shall in such cases be brought to trial before garrison, regimental, or general courts-martial, as the case may be."

Repeal.
R. S., sec. 1342, pp. 238, 240, amended.

SEC. 2. That articles eighty and one hundred and ten of the Rules and Articles for the Government of the Armies of the United States be, and the same are hereby, repealed.

Remission, etc., of sentence.

SEC. 3. That the commanding officers authorized to approve the sentences of summary courts and superior authority shall have power to remit or mitigate the same.

Monthly report of cases, etc.

SEC. 4. That post and other commanders shall, in time of peace, on the last day of each month, make a report to the department headquarters of the number of cases determined by summary court during the month, setting forth the offenses committed and the penalties awarded, which report shall be filed in the office of the judge-advocate of the department, and may be destroyed, when no longer of use.

Sentence of dishonorable discharge and confinement.

SEC. 5. That soldiers sentenced by court-martial to dishonorable discharge and confinement shall, until discharged from such confinement, remain subject to the Articles of War and other laws relating to the administration of military justice.

Deserters may be arrested by civil officers.

SEC. 6. That it shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, or District, to arrest offenders, to summarily arrest a deserter from the military service of the United States and deliver him into the custody of the military authority of the General Government.

To take effect, etc.

SEC. 7. That this Act shall take effect sixty days after its passage.
Approved, June 18, 1898.

June 21, 1898.

CHAP. 489.—An Act To make certain grants of land to the Territory of New Mexico, and for other purposes.

New Mexico.
Grant to, of lands for support of schools, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections numbered sixteen and thirty-six in every township of the Territory of New Mexico, and where such sections, or any parts thereof, are mineral or have been sold or otherwise disposed of by or under the authority of any Act of Congress, other non-mineral lands equivalent thereto, in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said Territory for the support of common schools, such indemnity lands to be selected within said Territory in such manner as is hereinafter provided: *Provided,* That the sixteenth, and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants of this Act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants of this Act; but such reservations shall be subject to the indemnity provisions of this Act.

Proviso.
Reservations from grant.

Grant of land for public buildings at the capital, etc.

SEC. 2. That fifty sections of the unappropriated non-mineral lands within said Territory, to be selected and located in legal subdivisions as hereinafter provided in this Act, shall be, and are hereby, granted to said Territory for the purpose of erecting public buildings at the capital of the State of New Mexico when said Territory shall become a State and be admitted into the Union, when said capital shall be permanently located by the people of New Mexico, for legislative, executive, and judicial purposes.

Lands for university and agricultural college.
Vol. 10. p. 309.

SEC. 3. That lands to the extent of two townships in quantity, authorized by the sixth section of the Act of July twenty-second, eighteen hundred and fifty-four, to be reserved for the establishment of a university in New Mexico, are hereby granted to the Territory of New Mexico for university purposes, to be held and used in accordance