

the line of duty, leaving a widow, or a child or children under sixteen years of age, or a dependent mother, such widow and child or children and dependent mother shall be entitled to receive, in equal portions, during a period of two years, under such regulations as the Secretary of the Treasury may prescribe, the same amount, payable quarterly as far as practicable, that the husband or father or son would be entitled to receive as pay if he were alive and continued in the Service: *Provided*, That if the widow shall remarry at any time during the said two years her portion of said amount shall cease to be paid to her from the date of her remarriage, but shall be added to the amount to be paid to the remaining beneficiaries under the provisions of this section, if there be any; and if any child shall arrive at the age of sixteen years during the said two years, the portion of such child shall cease to be paid to such child from the date on which such age shall be attained, but shall be added to the amount to be paid to the remaining beneficiaries, if there be any."

Vol. 22, p. 57, amended.

Quarterly payments.

Proviso.
Remarriage of widow, etc.

SEC. 4. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Repeal.

Approved, March 26, 1908.

CHAP. 100.—An Act Authorizing and empowering the Secretary of War to locate a right of way for and granting the same and a right to operate and maintain a line of railroad through the Three Tree Point Military Reservation, in the State of Washington, to the Grays Harbor and Columbia River Railway Company, its successors and assigns.

March 26, 1908.
[S. 625.]

[Public, No. 64.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War may authorize the Grays Harbor and Columbia River Railway Company to build a railroad and telegraph line through the Three Tree Point Military Reservation on Columbia River, and to that end may set aside for occupancy by said Grays Harbor and Columbia River Railway Company such ground, and no more, as is actually required for the necessary track, embankments or trestles: *Provided*, That the ground so occupied shall remain the property of the United States under such police and other military control as the military authorities may deem it necessary to exercise: *Provided further*, That the said railway company shall compensate the United States for all timber that may be cut and shall pay such reasonable annual rental for such right of way as may be fixed by the Secretary of War: *Provided further*, That the location and grade of said railroad and other details of construction within the limits of the reservation, also all matters pertaining to the operation and maintenance of said railroad, shall be under such regulations as the Secretary of War may deem it advisable to establish in the interest of the military service and as a safeguard against fire to Government timber lands: *Provided further*, That nothing in this Act shall be construed as authorizing the use of any portion of the reservation as a borrow pit for fills and embankments, unless specially authorized so to do by the Secretary of War, and upon the payment of such compensation as may be fixed by him.

Three Tree Point Military Reservation, Wash.
Grays Harbor and Columbia Railway Company granted right of way through.

Provisos.
United States property rights reserved.

Compensation, and rent.

Location, etc.

Restriction.

SEC. 2. That this Act shall be null and void if actual construction of the road be not commenced within two years from date of approval hereof.

Time of construction.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this Act.

Amendment.

Approved, March 26, 1908.

March 26, 1908.
[H. R. 14434.]

[Public, No. 65.]

Public lands.
Certain entries in
Colorado validated.

CHAP. 101.—An Act To validate certain entries of public lands in the State of Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no entries or filings for lands in township five and one-half south, of ranges forty-two, forty-three, forty-four, forty-five, and forty-six west, in the State of Colorado, shall be canceled or held invalid because they were not allowed, made, or perfected in the proper land district.

Approved, March 26, 1908.

March 26, 1908.
[H. R. 15660.]

[Public, No. 66.]

Public lands.
Repayment of purchase moneys, etc., in rejected entries, etc.

Restriction.

Reimbursement for excessive payments.

Amounts to be certified by Secretary of Interior, etc.

CHAP. 102.—An Act To provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where purchase moneys and commissions paid under any public land law have been or shall hereafter be covered into the Treasury of the United States under any application to make any filing, location, selection, entry, or proof, such purchase moneys and commissions shall be repaid to the person who made such application, entry, or proof, or to his legal representatives, in all cases where such application, entry, or proof has been or shall hereafter be rejected, and neither such applicant nor his legal representatives shall have been guilty of any fraud or attempted fraud in connection with such application.

SEC. 2. That in all cases where it shall appear to the satisfaction of the Secretary of the Interior that any person has heretofore or shall hereafter make any payments to the United States under the public land laws in excess of the amount he was lawfully required to pay under such laws, such excess shall be repaid to such person or to his legal representatives.

SEC. 3. That when the Commissioner of the General Land Office shall ascertain the amount of any excess moneys, purchase moneys, or commissions in any case where repayment is authorized by this statute, the Secretary of the Interior shall at once certify such amounts to the Secretary of the Treasury, who is hereby authorized and directed to make repayment of all amounts so certified out of any moneys not otherwise appropriated and issue his warrant in settlement thereof.

Approved, March 26, 1908.

March 26, 1908.
[H. R. 16078.]

[Public, No. 67.]

Public lands.
Forfeited desert-land entries.
Renewals allowed.

Proviso.
Restriction.

CHAP. 103.—An Act Providing for second desert-land entries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who prior to the passage of this Act has made entry under the desert-land laws, but from any cause has lost, forfeited, or abandoned the same, shall be entitled to the benefits of the desert-land law as though such former entry had not been made, and any person applying for a second desert-land entry under this Act shall furnish the description and date of his former entry: *Provided,* That the provisions of this Act shall not apply to any person whose former entry was assigned in whole or in part or canceled for fraud, or who relinquished the former entry for a valuable consideration.

Approved, March 26, 1908.