

SEC. 10. That said Hutchinson and Southern Railroad Company shall accept this right of way upon the express condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking toward the extinguishing or changing the present tenure of the Indians to their lands, and will not attempt to secure from the Indian nations any further grant of land, or its occupancy, than is hereinbefore provided: *Provided*, That any violation of the conditions mentioned in this section shall operate as a forfeiture of all rights and privileges of said railroad under this act.

Conditions of acceptance.

Proviso.

Violation to forfeit.

SEC. 11. That all mortgages executed by said railroad company conveying any portion of its railroad, with its franchises, that may be constructed in said Indian Territory shall be recorded in the Department of the Interior, and the record thereof shall be prima facie evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

Record of mortgages.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this act, and the right of way herein and hereby granted shall not be assigned or transferred in any form whatever prior to the construction and completion of said road, except as to mortgage or other lien that may be given or secured thereon to aid in the construction thereof.

Amendment, etc.

Assignment, etc.

Approved, September 26, 1890.

CHAP. 948.—An act granting to the Rio Grande Southern Railroad Company the right of way through the Fort Lewis military reservation in La Plata County, in the State of Colorado.

September 26, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Rio Grande Southern Railway Company, a corporation created by the State of Colorado, be, and hereby is, permitted and authorized to locate, construct, equip, operate, and maintain a railway, telegraph, and telephone line through the United States military reservation in La Plata County of said State, known as the Fort Lewis military reservation, not exceeding one hundred feet in width, subject to such conditions and requirements as may be prescribed by the Secretary of War, and as soon as said company has selected such line and right of way, it shall present to and file with the Secretary of War a correct map or plat showing such located line for the consideration and approval or rejection and modification, as may be deemed necessary, by the Secretary of War; and no work of construction shall be commenced on or through said reservation until the selection of the route or line of such road shall be approved by the Secretary of War. Said company shall have the right, subject to the restrictions, limitations, and prohibitions deemed necessary by the Secretary of War, to take from any lands adjacent to said right of way such stone and earth as may be necessary for the construction and repair of said railway, but no timber; and the said company shall also have the right, for not exceeding one station for every ten miles of said road through said reservation, to use and occupy such additional ground adjacent to the right of way, for station buildings, depots, shops, side-tracks, turn-outs, and water-stations, as may be deemed necessary and be approved by the Secretary of War, not to exceed two hundred feet in width in addition to said right of way nor three thousand feet in length, for the station; and the sites for such depots, and so forth, shall be approved by the Secretary of War before any work shall be commenced.

Rio Grande Southern Railway Company may build railway, telegraph, and telephone line through Fort Lewis Reservation, Col.

Width of right of way.
Conditions, etc.

Map to be filed.

Secretary of War to approve route.

Earth, etc., for construction.

Stations, etc.

Limitation.

Approval of Secretary of War.

SEC. 2. That the right is expressly reserved to alter, amend, or repeal this act.

Amendment, etc.

Approved, September 26, 1890.