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to the provisions of the Indian intercourse laws and such rules and regulations as may be established by the Secretary of the Interior in accordance with said intercourse laws.

Litigation.

SEC. 8. That the United States circuit and district Court for the western district of Arkansas, and such other Courts as may be authorized by Congress, shall have, without reference to the amount in controversy, concurrent jurisdiction over all controversies arising between said Kansas City, Pittsburg and Gulf Railroad Company and the nations and tribes through whose territory said railroad shall be constructed. Said Courts shall have like jurisdiction, without reference to the amount in controversy, in all controversies arising between the inhabitants of said nations or tribes and said railroad Company; and the civil jurisdiction of said courts is hereby extended within the limits of said Indian Territory, without distinction as to citizenship of the parties, so far as may be necessary to carry out the provisions of this act.

Jurisdiction.

Commencement and completion.

SEC. 9. That said railroad Company shall build at least fifty miles of its railroad in said Territory within three years after the passage of this act and complete main line of the same within one year thereafter, or the rights herein granted shall be forfeited as to that portion not built. That said railroad company shall construct and maintain continually all fence, road, and highway crossings, and necessary bridges over said railroad whenever said roads and highways do now or may hereafter cross said railroad's right of way or may be by the proper authorities laid out across the same.

Crossings, etc.

Condition of acceptance.

SEC. 10. That the said Kansas City, Pittsburg and Gulf 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 towards the changing or extinguishing the present tenure of the Indians in 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 the rights and privileges of said railroad company under this act.

Proviso.
Violation to forfeit.

Record of mortgages.

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

Amendment, etc.

SEC. 12. That Congress may at any time amend, 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 the road, except as to mortgage or other liens that may be given or secured thereon to aid in the construction thereof.

Assignment, etc.

Approved, February 27, 1893.

February 27, 1893.

CHAP. 170.—An act to amend the charter of the Brightwood Railway Company of the District of Columbia.

District of Columbia.
Brightwood Railway Company may construct, etc., a branch trolley line.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Brightwood Railway Company of the District of Columbia is hereby authorized to construct, equip, and operate, with the overhead trolley system of electric motive power, a branch line of road and to run its cars thereon through and along the following-named roads or streets in the District of Columbia:

Route.

Beginning at the intersection of the Rock Creek Church road and Richmond street, in the subdivision of Petworth, and running thence

westerly along said Richmond street to Brightwood avenue; thence Southerly along the present tracks of the said Brightwood Railway on said Brightwood avenue, to the intersection of Marshall street with said Brightwood avenue; thence westerly along and over said Marshall street to Kenyon avenue; thence along said Kenyon avenue westerly to Fourteenth street.

Commencement and completion.

SEC. 2. That work on said branch road shall be begun within six months and completed—with cars running thereon—within one year from the date of the approval of this act. And said branch road shall be supplied with new cars of the most approved pattern, which shall be run as the public convenience may require, and said branch road shall be maintained in first-class condition. And said Brightwood Railway Company shall charge not exceeding five cents fare for one continuous ride from any point on its line to the terminus of its main line or any of its branches.

Equipment, time-schedule, etc.

Fare.

Bonds.

SEC. 3. That for the purpose of constructing and equipping its said branch line, as provided for in this act, the said Brightwood Railway Company is hereby authorized and empowered to issue its bonds to aid in paying for such construction and equipment of its said branch line, and to secure the said bonds by mortgage or deed of trust of its right of way and all of its property of whatsoever kind, whether real, personal, or mixed, on said branch line: *Provided*, That the moneys raised on said bonds shall be used and expended only for the construction and equipment of said branch line: *And provided further*, That the amount of said bonds shall not exceed the actual cost of the right of way, construction, and equipment, motive power, and such land and buildings as may be necessary to the practical and complete operation of said branch line.

Provisos.

Use of proceeds.

Limit of bond issue.

Use of coinciding tracks.

SEC. 4. That, should any part of the branch line of said Brightwood Railroad herein provided for coincide with portions of any other duly incorporated street railway in the District of Columbia, but one set of tracts shall be used when, on account of the width of the street or for other sufficient reason, it shall be deemed necessary by the Commissioners of the District, and the relative conditions of use and of chartered rights may be adjusted upon terms to be mutually agreed upon between the companies, or, in case of disagreement, by the supreme court of the District of Columbia, on petition filed therein by either party and on such notice to the other party as the court may order.

Terms.

Land for roadway and buildings.

SEC. 5. That in the event that the company should not be able to come to an agreement with the owner or owners of any land through which the said branch line may be located to pass or upon which any necessary buildings may be required to be located, proceedings for the condemnation for the use of said company of so much of said land as may be required, not exceeding one hundred feet in width, for its roadway, and of so much as may be necessary for buildings, and so forth, may be instituted in the usual way in the supreme court of the District of Columbia, under such rules and regulations as said court may prescribe for such purposes.

Condemnation proceedings.

Limit of width, etc.

Charter amended.

Vol. 25, p. 560.

Ante, p. 270.

SEC. 6. That this act shall be considered as an amendment to the act approved October eighteenth, eighteen hundred and eighty eight, granting a charter to the Brightwood Railway Company, and shall be construed as being subject to all the powers, privileges, limitations, and conditions of said original act, except as specifically provided otherwise herein.

Amendment, etc.

SEC. 7. This act may be altered, amended or repealed by Congress at any time, at its discretion.

Approved, February 27, 1893.