

Compensation.

SEC. 3. That before said canal or other structures shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of any of the Indian tribes through which the same may be constructed, full compensation shall be made to such occupants for all property taken or damage done by reason of the construction of such canal or other structures, the amount of such compensation to be ascertained and determined in such manner as the Secretary of the Interior may direct, and to be subject to his final approval.

Secretary of Interior to approve location, etc.

SEC. 4. That said company shall cause maps showing the route of its located line through said Indian reservation to be filed in the office of the Secretary of the Interior, and that said location shall be approved by the Secretary of the Interior before any grading or construction upon any section or part of said located line shall be begun: *Provided*, That said canal and other structures be located and constructed with a due regard for the rights of the Indians and especially so as not to interfere with their irrigating ditches.

Proviso.
Rights of Indians.

Employees may reside on right of way.

SEC. 5. That the officers, servants, and employees of said company necessary to the construction, maintenance, management, and operation of the structures hereby authorized shall be allowed to reside while so engaged upon the lands herein granted, but subject 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 the said intercourse laws.

Survey, etc.

SEC. 6. That said company shall have the right to survey and locate its canal immediately after the passage of this Act.

Telegraph and telephone line.

SEC. 7. That in connection with the said canal and its appurtenances said company shall have the right to erect, maintain, and use a telegraph or telephone line, or both, and other appliances reasonably necessary or convenient for the construction, maintenance, and operation of the said canal and its appurtenances, but only within and upon the limits of the right of way hereby granted.

Condition of acceptance.

SEC. 8. That the said Hudson Reservoir and Canal 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 changing or extinguishing the present tenure of the Indians in their lands, and will not attempt to secure from the Indian tribes any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That the rights herein granted are upon the express condition that the grantee thereof, its successors or assigns shall at all times during the continuance of the grant furnish the Indians located under its canal along said right of way with water sufficient for all domestic and agricultural purposes, and purposes of irrigation on such just and reasonable terms and under such rules and regulations as shall be prescribed by the Secretary of the Interior.

Proviso.
Water to Indians.

Amendment, etc.

SEC. 9. That Congress may at any time amend, alter, add to, or repeal this Act.

Approved, February 15, 1897.

February 15, 1897.

CHAP. 229.—An Act To amend so much of chapter one hundred and eighty-nine of the Statutes of the United States of America, passed at the third session of the Fifty-third Congress, and approved March second, eighteen hundred and ninety-five, as requires that the lower portion of the Rock Island Bridge shall not be occupied by any street railway company without paying a reasonable rent therefor.

Rock Island Arsenal, Ill.
Use of bridge.
Vol. 28, p. 942.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety six, and for other purposes," approved March second, eighteen hundred and ninety-five, being chapter one hundred and eighty-nine of the Statutes of the United States of America, passed at the third session of the Fifty-third Congress, and which proviso is in the appropriation for the

Rock Island Bridge, in the following words: "Provided further, That the Secretary of War shall not, under the Act 'to empower the Secretary of War to permit the establishment, under certain conditions, of a horse railway upon and over the island of Rock Island, and the bridges erected by the United States connecting the cities of Davenport and Rock Island therewith,' approved March third, eighteen hundred and eighty-five, permit the lower section of said bridge to be occupied by any street railway without paying a reasonable rent therefor," be, and the same is hereby, amended by adding after the final words, "paying a reasonable rent therefor," the following words: "unless said company, in lieu of such rent, shall furnish and deliver at the electric motor on the draw of the bridge the necessary and proper electric power for operating the draw, to the satisfaction of the Secretary of War, so long as said company occupies or uses said bridge for railway purposes."

Street railway company may use bridges if furnishing electric power for draw.

Approved, February 15, 1897.

CHAP. 230.—An Act To extend and amend an Act entitled "An Act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," approved December twenty-first, eighteen hundred and ninety-three.

February 15, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of an Act entitled "An Act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," approved December twenty-first, eighteen hundred and ninety-three, be, and the same are hereby, extended for a period of two years from and after December twenty-first, eighteen hundred and ninety-six, so that said Kansas, Oklahoma Central and Southwestern Railway Company shall have until December twenty-first, eighteen hundred and ninety-eight, to build the first one hundred miles of its said railway line in said Territories, and two years thereafter to complete the same.

Right of way granted Kansas, Oklahoma Central and Southwestern Railway through Indian and Oklahoma Territories extended.
Vol. 28, p. 22.

SEC. 2. That section one of said Act approved December twenty-first, eighteen hundred and ninety-three, be amended to read as follows: "That the Kansas, Oklahoma Central and Southwestern Railway Company, a corporation organized, created, and existing under and by virtue of the laws of the Territory of Oklahoma, and of the laws of the State of Kansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, equipping, operating, using, and maintaining a railway, telegraph, and telephone line through the Indian Territory and Oklahoma Territory, including lands that have been allotted to Indians in severalty or reserved for Indian purposes, beginning at any point to be selected by said railway company on the south line of the State of Kansas, in the county of Montgomery, on the south line of section numbered thirteen or section numbered fourteen, township numbered thirty-five, range numbered thirteen east of the sixth principal meridian, or on the south line of section numbered thirteen or section numbered fourteen, township numbered thirty-five, range sixteen east of the sixth principal meridian, and running thence by the most practicable route through the Indian Territory to the west line thereof; thence in a south or southwesterly direction by the most practicable route into and through Oklahoma Territory to a point on the Texas State line and on Red River between said State of Texas and the Comanche and Apache Indian reservations, in said Oklahoma Territory, by way of Bartlesville, Pawhuska, Pawnee, Stillwater, Guthrie, and El Reno, in Oklahoma Territory, and passing through the Osage, Pawnee, Wichita, Kiowa, Comanche, and Apache Indian reservations, and through the organized counties of Pawnee, Payne, Logan, Oklahoma, and Canadian, in said Oklahoma Territory, with the right to construct, use, and maintain such tracks, turn-outs, sidings, and extensions

Location changed.

Indian Territory.

Oklahoma Territory.