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Perry County attached to.
R. S., sec. 547, p. 92.
Vol. 18, p. 480.

of the Supplement of the Revised Statutes of the United States, be, and the same is hereby, in all things, repealed, and that the county of Perry, in the middle judicial district of the United States in the State of Tennessee be, and the same is hereby, set to, and shall hereafter compose a part of, the western judicial district of the United States in said State; and all cases now commenced or depending in said middle district, affected by this Act, shall be heard, tried, and determined in the same manner as if this Act had not been passed; and the prosecution of all crimes heretofore committed in said middle district shall be prosecuted and punished in the same manner as if this Act had not been passed.

Pending actions.

Approved, April 14, 1896.

April 14, 1896.

CHAP. 100.—An Act Granting to the Duluth and North Dakota Railroad Company right of way through certain Indian reservations in the State of Minnesota.

Duluth and North Dakota Railroad Company granted right of way, Winnibagoshish, Chippewa, White Oak Point, and Red Lake reservations, Minn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the Duluth and North Dakota Railroad Company, a corporation organized and existing under the laws of the State of North Dakota, and its successors and assigns, the right of way for the extension of its railroad through the Winnibagoshish, Chippewa, White Oak Point, and Red Lake Indian reservations, in the State of Minnesota, such right of way to be fifty feet in width on each side of the center line of said railroad, and said company may also take land adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount two hundred feet in width and three thousand feet in length for each station, to the extent of one station for every ten miles of road constructed within the limits of said reservations.

Width.

Stations, etc.

Payment to individuals.

SEC. 2. That before said railroad shall be constructed through any land, claim, or improvement held by an individual occupant according to any agreement, treaty, or law of the United States, full compensation shall be paid such occupant or claimant for all property taken and damage done by reason of the construction of said railroad. And it shall be the duty of the Secretary of the Interior to fix, in such manner as he shall designate, the amount of compensation to be paid individual occupants and claimants; and the amount of damage resulting to the tribe or tribes of Indians, in their tribal capacity, pertaining to said reservations, by reason of the construction of the road through such lands of the reservations as are not occupied in severalty, shall also be ascertained and determined in such manner as the Secretary of the Interior may direct, and be subject to his final approval. But no right of any kind shall vest in said railroad company in or to any part of the right of way and station grounds herein provided for until plats thereof made upon actual survey for the definite location of the road, including the grounds for station houses, machine shops, side tracks, turn-outs and water stations, shall have been filed with and approved by the Secretary of the Interior, and until the compensation aforesaid shall be fixed and paid. And said railroad company is hereby authorized, immediately after the passage of this Act, to enter upon said reservations for the purpose of surveying and locating its line of road: *Provided*, That said line of railroad shall be located, constructed, and operated with due regard to the rights of the Indians, and under such rules and regulations as the Secretary of the Interior shall prescribe.

Compensation to tribes.

Secretary of the Interior to approve plats, etc.

Surveys.

Proviso.
Regulations, etc.

Completion.

SEC. 3. That the rights herein granted shall be forfeited by said company unless said road is constructed through said reservations within three years from the passage and approval of this Act.

Consent of Red Lake Indians.

SEC. 4. That the provisions of this Act shall not apply to the Red Lake Reservation until the consent of the Red Lake Indians shall be obtained thereto in such manner as the Secretary of the Interior may direct.

SEC. 5. That Congress may at any time amend, add to, alter, or repeal this Act. Amendment.

Received by the President, April 2, 1896.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. 101.—An Act To amend an Act to authorize the Interoceanic Railway Company to construct and operate railway, telegraph, and telephone lines through the Indian Territory. April 14, 1896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section nine of the Act entitled "An Act to grant to the Interoceanic Railway Company a right of way through Indian Territory," approved March third, eighteen hundred and ninety-three, be, and the same hereby are, extended for a further period of three years. Indian Territory. Time extended for right of way to Interoceanic Railway. Vol. 27, p. 750.

SEC. 2. That section one of said Act be so amended as to make the city of Fort Smith the terminus of said road on the western border of the State of Arkansas. Terminus changed. Vol. 27, p. 747.

SEC. 3. That section two of said Act be amended to read as follows:

"SEC. 2. That a right of way of one hundred feet in width through said Indian Territory is hereby granted to the Interoceanic Railway Company, and a strip of land one hundred feet in width, with a length of two thousand feet, in addition to the right of way is granted for such stations as may be established, but such grant shall be allowed but once for every ten miles of the road, no portion of which shall be sold or leased by the company, with the right to use such additional grounds where there are heavy cuts or fills as may be necessary for the construction and maintenance of the roadbed, not exceeding fifty feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no more than said addition of land shall be taken for any one station: *Provided further*, That no part of the lands herein granted shall be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said railroad, telegraph, and telephone lines, and when any portion thereof shall cease to be so used such portion shall revert to the nation or tribe of Indians from which the same shall have been taken." Width. Vol. 27, p. 748. Stations, etc. *Provisos.* Limit for stations. Reversion for nonuser.

SEC. 4. That section six of said Act be amended by striking out all after the word "Provided" and inserting the following: "That a map of defined location, showing the entire route of said road through the Indian Territory, shall be filed and approved by the Secretary of the Interior before any part of the said road shall be constructed." Approval of map, etc. Vol. 27, p. 750.

Received by the President, April 2, 1896.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]