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prescribed by the Act entitled "An Act to regulate and improve the civil service," approved January sixteenth, eighteen hundred and eighty-three, provided they are otherwise competent.

Appropriations not available for incapacitated employees.

SEC. 4. That the appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons permanently incapacitated for performing such service.

State papers, etc., late Confederate States, compilation, etc., of.

SEC. 5. That permission is hereby granted to J. D. Richardson, to compile, edit, and publish, without expense to the Government, the state papers and diplomatic correspondence of the late Confederate States, and access to said papers and correspondence shall be given him for that purpose, by the heads of the Executive Departments having such papers in charge under such regulations as may be respectively prescribed by them.

Repeal.

SEC. 6. That all laws or parts of laws inconsistent with this Act are repealed.

Approved, April 17, 1900.

April 17, 1900.

CHAP. 193.—An Act Granting the right of way to the Minnesota and Manitoba Railroad Company across the ceded portion of the Chippewa (Red Lake) Indian Reservation in Minnesota.

Minnesota and Manitoba Railroad granted right of way through Chippewa (Red Lake) Indian Reservation, 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 Minnesota and Manitoba Railroad Company, a corporation organized and existing under the laws of the State of Minnesota, and its successors and assigns, the right of way of said railroad, with necessary side tracks and switch tracks, and for telegraph and telephone lines, through the ceded lands of what was formerly the Red Lake Indian Reservation, which railroad commenced at a point at or near the terminus of the Manitoba and Southeastern Railway, on the boundary line between the State of Minnesota and the province of Manitoba; thence in a southeasterly direction through townships one hundred and sixty-four, one hundred and sixty-three, one hundred and sixty-two, one hundred and sixty-one, one hundred and sixty to a point on Rainy River, forming the northeastern boundary of the State of Minnesota, at or near the mouth of the Baudette River, in the State of Minnesota,

—width.

which right of way shall be fifty feet in width on each side of the central line of said railroad.

Materials.

And said company shall also have the right to take from lands, to which there is no prior valid claim and which have not been appraised for sale as pine lands, lying adjacent to the line of said railroad, material, stone, earth, and timber necessary for the

Additional ground for stations, etc.

construction of said railroad; also ground adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, turntables, water stations, and such other structures at such points as the said railroad company may deem to their interest to erect, not to exceed three hundred feet in width and three thousand feet in length for each station, to the extent of one station for each ten miles of road, except at the crossing of said Rainy River, at which point said railroad company may take not exceeding forty acres in addition to the grounds allowed for station purposes for the corresponding section of ten miles:

Proviso. —use restricted.

Provided, That no part of such lands herein granted shall be used except in such manner and for such purposes only as are necessary for the construction, maintenance, and convenient operation of said railroad.

Damages.

SEC. 2. That before said railroad shall be constructed through any land, claim, or improvements held by individual occupants according to any custom of the tribes, treaties, or laws of the United States, compensation shall be made such occupant or claimant for all property

to be taken or damage done by reason of the construction of such railroad. In case of failure to make satisfactory settlement with any such claimant, the United States district court at Minneapolis, Minnesota, shall have jurisdiction, upon petition of either party, to determine such just compensation in accordance with the laws of Minnesota provided for determining the damage when property is taken for railroad purposes. The amount of damages resulting to the tribes of Indians, in their tribal capacity, by reason of the construction of said railroad through such ceded lands of the former Red Lake Reservation as are not occupied in severalty, shall 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 herein provided for until plats thereof, made upon actual survey for the definite location of such railroad, and including grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, shall have been approved by the Secretary of the Interior, and until compensation aforesaid shall have been fixed and paid: *Provided*, That said railroad shall be located, constructed, and operated with due regard to the rights of the Indians.

—jurisdiction.

Plats.

Proviso.
Rights of Indians to be preserved.

SEC. 3. That said company shall file maps showing the definite location of the line of road and station grounds in the local land office for the district in which the land lies, and upon approval thereof by the Secretary of the Interior the grant of right of way shown thereon shall relate back to the date of such filing. Upon the completion of the road the company shall file an affidavit of its engineer and a certificate of its president as evidence thereof.

Maps.

SEC. 4. That said company is hereby authorized to enter upon said ceded lands for the purpose of surveying and locating its line of railroad.

Surveys.

SEC. 5. That the right herein granted shall be forfeited by said company unless the road shall be constructed through the said ceded lands within two years after the passage of this Act.

Completion.

SEC. 6. That nothing herein contained shall restrict or impair the rights which said company may now have or hereafter acquire to the benefits and provisions of the Act of Congress approved March third, eighteen hundred and seventy-five, entitled "An Act granting to railroads the right of way through the public lands of the United States."

Railroad rights.

Vol. 18, p. 482.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this Act, or any part thereof.

Amendment.

Approved, April 17, 1900.

CHAP. 243.—An Act To set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office.

April 18, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby transferred and given to the Secretary of Agriculture and his successors in office over so much of the Government land in Alexandria County, Virginia, known as the Arlington estate, as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Virginia, otherwise called the Georgetown and Alexandria road, and between said road and the Potomac River, containing about four hundred acres, with the exception, however, of a strip of land as follows, commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side, thence along said road six hundred and twenty-

Experimental agriculture on Arlington estate.

Jurisdiction given Secretary of Agriculture of lands.

—location.