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June 29, 1906.
[S. 6395.]
[Public, No. 346.]

CHAP. 3600.—An Act For the exchange of certain lands situated in the Fort Douglas Military Reservation, in the State of Utah, and other considerations, for lands adjacent thereto, between Le Grand Young and the Government of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, for and on behalf of the United States, is hereby authorized to grant and convey by deed to Le Grand Young, his heirs and assigns forever, that portion of the lands comprised within the Fort Douglas Military Reservation, adjoining Salt Lake City, Utah, described as follows, to wit: Commencing at the west boundary line of the Fort Douglas Military Reservation at a point where it is intersected by the south line of First South street, in Salt Lake City, Salt Lake County, State of Utah, and running thence north on said west boundary line of said military reservation a distance of one thousand five hundred and ninety feet, more or less, to the southwest corner of what is known as "Popperton place," in Salt Lake City; thence east on a line between the said military reservation and the said Popperton place, a distance of one thousand one hundred and fifty-nine feet; thence south on a line running parallel to the said west boundary line of the military reservation a distance of one thousand five hundred and ninety feet, more or less, to the northeast corner of the land granted to the University of Utah by Act of Congress approved July twenty-third, eighteen hundred and ninety-four; thence west along the north line of said university lands a distance of one thousand one hundred and fifty-nine feet, to the place of beginning, containing forty-two and three-tenths acres of land, reserving, however, for the use of the military and the public a right of way in and over the present macadamized road leading from the post of Fort Douglas through said premises to Salt Lake City: *Provided*, That there is hereby granted and reserved to the University of Utah and to Salt Lake City, a municipality organized and existing under the laws of the State of Utah, in the State of Utah, a perpetual easement for the construction, maintenance, and repair of a pipe line or lines over the following-described portion of said lands: Beginning at the intersection of the north line of First South street with the west line of the said military reservation, and running thence north along the west line of the said reservation fifty feet; thence east one thousand one hundred and fifty-nine feet; thence south fifty feet; thence west one thousand one hundred and fifty-nine feet, to the place of beginning: *And provided further*, That there is hereby granted and reserved to Salt Lake City, a municipality organized and existing under the laws of the State of Utah, in the State of Utah, a perpetual easement for the construction, maintenance, and repair of the tank-house belonging to the said Salt Lake City, as at present situated on the foregoing described land. The Secretary of War is further authorized to convey to the said Le Grand Young, his heirs and assigns, a right of way one hundred feet wide, for a railroad and wagon road, along the south side of the said military reservation, within metes and bounds as follows: Commencing at the southeast corner of the said military reservation, and running thence west six hundred and forty rods to the southwest corner; thence north one hundred feet; thence east six hundred and forty rods; thence south one hundred feet to the place of beginning: *Provided*, That said roadway shall be subject to use by the public for highway purposes.

Fort Douglas Military Reservation, Utah.
Le Grand Young granted land in.
Description.
Vol. 28, p. 117.
Provisos.
Perpetual easement for pipe-line construction, etc., reserved.
Description.
Tank house.
Right of way for roadway, etc.
Description.
Use of highways.

SEC. 2. That the deed provided for in section one of this Act shall not be delivered to the said Le Grand Young until said Le Grand Young shall have first conveyed to the United States a title in fee simple, free and clear of all incumbrances, subject to the approval of the Attorney-General of the United States, to all of the following-

Conveyance of certain lands to the United States.

described lands, easements, and ways, to wit: All of lots four, five, and six, of section two, township one south, range one east, and all of section thirty-six, township one north, range one east, Salt Lake meridian; also, a release of all rights reserved by deed from Le Grand Young, trustee, dated April twenty-third, eighteen hundred and eighty-eight, under Act of Congress approved March third, eighteen hundred and eighty-seven, entitled "An Act granting a right of way through certain public lands of the United States in the Territory of Utah, and for other purposes;" and of all rights granted by said Act to the Salt Lake Rock Company, its successors or assigns, in and over the following-described land, to wit: Sections twenty-four, twenty-five, and thirty-five, and east half of section twenty-six, township one north, range one east; section nineteen, the south half of section eighteen, the west half of section twenty, and the north half of section thirty, township one north, range two east; including all rights of way on said lands, and also all rights of way on the Fort Douglas Military Reservation appurtenant to said lands, or used in connection therewith.

Description.

Vol. 24, p. 478.

Salt Lake Rock Company's grant.

Description.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon the approval of the conveyances provided for in section two of this Act, to pay to the said Le Grand Young, his heirs or assigns, in further consideration therefor, the sum of five thousand dollars; and there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of six thousand dollars, or so much thereof as may be necessary, to make said payment and cover the expenses of the execution of this Act.

Payment.

Appropriation.

Approved, June 29, 1906.

CHAP. 3601.—An Act To authorize the Wichita Mountain and Orient Railway Company to construct and operate a railway through the Fort Sill Military Reservation, and for other purposes.

June 29, 1906.
[S. 6444.]
[Public, No. 347.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wichita Mountain and Orient Railway Company, a corporation created under and by virtue of the laws of the Territory of Oklahoma, be, and the same is hereby, empowered to survey, locate, construct, and maintain a railway, telegraph, and telephone line through Fort Sill Military Reservation, in the Territory of Oklahoma, upon such a line as may be determined and approved by the Secretary of War.

Fort Sill Military Reservation, Okla.
Wichita Mountain and Orient Railway Company granted right of way through.
Railway, telegraph, and telephone.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, telegraph, and telephone line, and for no other purpose, a right of way one hundred feet in width through said Fort Sill Military Reservation, and a right to take and use a strip of land in said reservation two hundred feet in width, with a length of three thousand feet, in addition to such right of way, for station, with the right to use such additional ground when cuts and fills may be necessary for the construction and maintenance of the roadbed, not exceeding one hundred feet in width on each side of the right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no part of the lands herein authorized to be taken shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation of such railway, telegraph, and telephone lines; and when any portion thereof shall cease to be used such portion shall revert to the United States, from which the same shall be taken: *Provided further*, That before the said Wichita Mountain and Orient Railway Company shall be permitted to enter upon any part of said military reservation, a description by metes and bounds of the land herein authorized to be taken shall be approved by

Description.

Provisos.
Restriction.

Reversion.

Secretary of War to approve metes and bounds.