

Grading; when to commence.

filed as herein provided for, said company shall commence grading said located line within six months thereafter or such location shall be void as to any occupant thereof.

Right of employees to reside on lands, etc.

SEC. 7. The officers, servants and employees of said company, necessary to the construction, operation and management of said road and telegraph and telephone lines shall be allowed to reside, while so engaged upon said right of way, 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 said intercourse laws.

What courts to have concurrent jurisdiction, etc.

SEC. 8. That the United States circuit and district courts for the northern district of Texas, the western district of Arkansas, the district of Kansas, 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 Gulf, Colorado and Santa Fe Railway Company, and the nations and tribes through whose territory said railway shall be constructed. Said courts shall have like jurisdiction, without reference to the amount in controversy, over all controversies arising between the inhabitants of said nations or tribes and said railway 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.

Lands forfeited, etc., for failure to build road.

SEC. 9. That said railway company shall build at least one hundred miles of its railway in said Territory within three years after the passage of this act, or this grant shall be forfeited as to that portion not built, that said railroad company shall construct and maintain continually all road and highway crossings, and necessary bridges, over said railway wherever said roads and highways do now or may hereafter cross said railways right of way, or may be by the proper authorities laid out across the same.

Bridges and road and highway crossings.

Conditions of acceptance of grant; proviso.

SEC. 10. That the said Gulf, Colorado and Santa Fe Railway Company shall accept this right of way upon express condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking toward 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 condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

Mortgages, etc., to be recorded in Department of Interior.

SECTION 11. All mortgages executed by said Railway Company conveying any portion of its railroad, with its 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.

SEC. 12. Congress may, at any time amend, add to alter or repeal this act.

Approved, July 4, 1884.

July 4, 1884.

CHAP. 178.—An act to amend an act approved July fifteenth, eighteen hundred and eighty-two, entitled "An act to increase the water supply of the city of Washington and for other purposes."

Act to increase the water supply of city of Washington amended.

22 Stat., 168.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of an act approved July fifteenth, eighteen hundred and eighty-two, entitled "An act to increase the water supply of the city of Washington, and for other purposes" be, and the same is hereby amended as follows: Added to said section the following words: "And provided further, That*

the Secretary of War and the Attorney General of the United States shall proceed to acquire to and for the United States the outstanding title, if necessary to such land and water rights as may be required for the erection of said fish-ways, in the manner and by the procedure prescribed in section one of this act for obtaining title to the right of way for the extension of the aqueduct; and so much of the sum of fifty thousand dollars hereinabove appropriated as may be necessary for this purpose shall be available for the same".

Approved, July 4, 1884.

**CHAP. 179.**—An act to grant the right of way through the Indian Territory to the Southern Kansas Railway Company and for other purposes.

July 4, 1884.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Southern Kansas Railway Company, a corporation created under and by virtue of the laws of the State of Kansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway and telegraph and telephone line through the Indian Territory, beginning at a point on the northern line of said Territory where an extension of the Southern Kansas Railway from Winfield in a southerly direction would strike said line, running thence south in the direction of Dennison, in the State of Texas, on the most practicable route, to a point at or near where the Washita River empties into the Red River, with a branch constructed from a point at or near where said main line crosses the northern line of said Territory, westwardly along or near the northern line of said Territory, to a point at or near where Medicine Lodge Creek crosses the northern line of said Territory, and from that point in a southwesterly direction, crossing Beaver Creek at or near Camp Supply, and reaching the west line of said Indian Territory at or near where Wolf Creek crosses the same, with the right to construct, use, and maintain such tracks, turnouts and sidings as said company may deem it to their interest to construct along and upon the right of way and depot grounds hereby granted.

Right of way for railway, telegraph, and telephone lines to Southern Kansas Railway Co. through Indian Territory.  
Route.

**SEC. 2.** That a right of way one hundred feet in width through said Indian Territory is hereby granted for said main line and branch to the Southern Kansas Railway Company, and a strip of land two hundred feet in width with a length of three thousand feet in addition to right of way is granted for stations for every ten miles of road, no portion of which shall be sold or leased by the company with the right to use such additional ground where there are heavy cuts or fills as may be necessary for the construction and maintenance of the road-bed not exceeding one hundred 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.

Land grant for stations, etc.

*Proviso.*

Reversion of land, when.

**SEC. 3.** That before said railway shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of any of the Indian nations or tribes through which it may be constructed, full compensation shall be made to such occupants for all property to be taken or damage done by reason of the construction of such railway. In case of failure to make amicable settlement with any occupant, such compensation shall be determined by the appraisement of three disinterested referees, to be appointed by the President, who,

Compensation to individual occupants.

Referees in cases of disagreement.