

the election is closed shall count the votes and declare who have been elected; and if at any time it shall happen that an election of directors shall not be made at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold and make such election of directors on any day within three months thereafter by giving at least ten days' previous notice of the time and place of holding said election in the manner aforesaid, and the directors of the preceding year shall in that case continue in office, and be invested with all powers belonging to them as such until others are elected in their stead. In case of the death or resignation of a director, or a failure to elect in case of a tie vote, the vacancy may be filled by the board of directors. At all general meetings or elections by the stockholders, each share of stock shall entitle the holder thereof to one vote, and each ballot shall have indorsed thereon the number of shares represented; but no share or shares transferred within sixty days next preceding any election or general meeting of the stockholders shall entitle the holder or holders thereof to vote at any such election or general meeting, nor shall any proxy be received or entitle the holder to vote unless the same shall bear date and have been duly executed within the three months next preceding such election or general meeting.

Vacancies.

Votes of shareholders.

Amendment, etc.

SEC. 8. That Congress may at any time amend, alter, or repeal this Act.

Approved, August 24, 1894.

August 27, 1894.

CHAP. 341.—An Act To amend an Act entitled "An Act to create a new division of the northern judicial district of Georgia," approved March third, eighteen hundred and ninety-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the circuit and district courts for the western division of the northern judicial district of Georgia, held at Columbus, shall convene on the first Monday in May and the first Monday in December, instead of the first Monday in June and the first Monday in January, as now provided by law. And each of said terms shall continue as long as the presiding judge may deem necessary.

SEC. 2. That all laws and parts of laws conflicting with this Act are hereby repealed.

Approved, August 27, 1894.

August 27, 1894.

CHAP. 342.—An Act Granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian reservations in the State of Minnesota.

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 Winnipeg Railroad Company, a corporation organized and existing under the laws of the State of Minnesota, and to its assigns, the right of way for the extension of its railroad, and for a telegraph and telephone line, through the Chippewa and White Earth Indian reservations in said State, commencing at some point on its already constructed line in said State and running in a general westerly or north-westerly direction, by such route as shall be deemed advisable, to some point on the western boundary line of the said State, or to some point on the northern boundary line thereof, between the Red River of the North and the Lake of the Woods, or to both such points. Such right of way shall be fifty feet in width on each side of the central line of said railroad, and said company shall also have the right to take from the lands adjacent to the line of said road material, stone, and earth necessary for the construction of said railroad; also grounds adjacent to such

Georgia northern
judicial district.
Terms of court.
Columbus.

Vol. 26, p. 1110.

Duluth and Winni-
peg Railway Company
granted right of way,
Chippewa and White
Earth reservations,
Minn.

Location.

Width, etc.

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, and to an extent not exceeding one station for each ten miles of road within the limits of said reservations: *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 and convenient operation of said railroad line, and when any portion thereof shall cease to be used, such portion shall revert to the nation or tribe of Indians from which the same shall be taken.

Stations, etc.

Proviso.
Reversion for non-user.

SEC. 2. That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants according to any 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 said railroad. In case of failure to make satisfactory settlement with any such claimant, the United States district court at Saint Paul or Duluth, 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; and the amount of damages resulting to the tribe or tribes of Indians pertaining to said reservations in their tribal capacity, by reason of the construction of said railroad through such lands of the reservations 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: *Provided, however*, That said railroad company may file with the Secretary of the Interior a bond, in such amount and with such sureties as the Secretary shall approve, conditioned for the payment of just compensation for said right of way to said individual occupants and to said tribe or tribes, as hereinfore provided, and said company may thereupon proceed to construct and operate its railroad across said reservations.

Damages to individuals.

Litigation.

Proviso.
Work may begin on filing bond.

SEC. 3. That said company shall cause maps, showing the route of its line through said reservations, and including the grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, to be filed in the office of the Secretary of the Interior before constructing any portion of said railroad.

Maps, etc., to be filed.

SEC. 4. That said company is hereby authorized to enter upon said reservations for the purpose of surveying and locating its line of railroad: *Provided*, That said railroad shall be located and constructed with due regard to the rights of the Indians, and under such rules and regulations as the Secretary of the Interior shall prescribe.

Surveys.

Proviso.
Regulations.

SEC. 5. That the right herein granted shall be forfeited by said company, unless the road shall be constructed through the said reservations within three years after the passage of this act.

Construction.

Approved, August 27, 1894.

CHAP. 343.—An Act To amend an Act entitled "An Act to amend an Act entitled 'An Act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory.'"

August 27, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section two of the Act entitled "An Act to amend 'An Act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory,'" approved February third, eighteen hundred and ninety-two, be, and the same hereby are, extended for a further period of three years.

Hutchison and Southern Railroad Company.
Time for right of way extended.
Vol. 28, p. 488; Vol. 27, p. 2.

Approved, August 27, 1894.