

first section of this act, be subject to occupancy and control by the board and control the land. of trustees of said city of Cheyenne, and their successors in office: *Provided*, That if at any time the said board of trustees shall occupy, or permit to be occupied, said land for any purpose not contemplated by this act, or shall fail for the period of two years to commence the use of it for said purpose, or shall abandon the same, the said land shall revert to the United States: *Provided further*, That nothing in this act contained shall be construed or have the effect to impair the rights of any person in or to any portion of said lands, acquired under any law of the United States.

Land to revert to the United States if, &c.

Private rights not affected.

APPROVED, May 23, 1872.

CHAP. CCV. — *An Act relating to certain Lands in the State of Alabama.*

May 23, 1872.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the lands heretofore certified to the State of Alabama by the commissioner of the general land office for the benefit of the railroad from Selma to Gadsden, then known as the Alabama and Tennessee River railroad, under act of Congress, entitled "An act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads," approved June third, eighteen hundred and fifty-six, be, and the same are hereby, confirmed to the said State of Alabama for the sole use and benefit of the Selma, Rome, and Dalton Railroad Company, the successors of the said Alabama and Tennessee Railroad Company.

Certain lands confirmed to the State of Alabama for the use of the Selma, &c., R. Co. 1856, ch. 41. Vol. xi. p. 17.

SEC 2. That the right of way and use of a strip of land one hundred feet in width from the centre and on each side of the said railroad, as the same is now located and constructed, upon and over any lands of the United States in the State of Alabama, be, and the same is hereby, granted to the said Selma, Rome, and Dalton Railroad Company.

Right of way to said road over any public lands in Alabama.

APPROVED, May 23, 1872.

CHAP. CCVI. — *An Act to provide Homes for the Pottawatomie and Absentee Shawnee Indians in the Indian Territory.*

May 23, 1872.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue certificates by which allotments of land lying within the thirty-mile square tract heretofore selected for the Pottawatomie Indians, and lying next west of the Seminole reservation in the Indian Territory, shall be made to each member of the Pottawatomie band, known as the Pottawatomie citizen band, as follows, viz.: To each head of a family, and to each other member twenty-one years of age, not more than one-quarter section, and to each minor of the tribe not more than eighty acres; and such allotments shall be made to include, as far as may be practicable for each family, the improvements which they may have made. Certificates of such allotments shall be made in severalty, specifying the names of individuals to whom they have been assigned, and that said tracts are set apart for the exclusive and perpetual use and benefit of such assignees and their heirs. Until otherwise provided by law such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee, or leased or otherwise disposed of only to the United States, or to persons of Indian blood, lawfully residing within said Territory with permission of the President and under such regulations as the Secretary of the Interior shall prescribe: *Provided*, That such allotments shall be made to such of the above-described persons as have resided or shall hereafter reside three years continuously on such reservation, and that the cost of such lands to the United States shall be paid from any fund now held, or which may be hereafter held by the United States for the benefit of such Indians, and charged as a part of their distributive share, or shall be paid for by said Indians

Allotments of land to be made to each member of the Pottawatomie citizen band;

quantity to each.

Certificates of allotments, how made, and to state what.

Lands to be exempt, &c., and alienable, &c.

Residence.

Cost, and how paid.

Indians to acquire no more rights than, &c.;

may enforce usages;

entitled to representation.

Allotments of land to the Absentee Shawnee Indians;

to whom and how made, &c.

before such certificates are issued: *Provided*, Said Pottawatomie Indians shall neither acquire nor exercise under the laws of the United States any rights or privileges in said Indian territory, other than those enjoyed by the members of the Indian tribes lawfully residing therein. And for the protection of the rights of persons and property among themselves, they may enforce the laws and usages heretofore enforced among them as an Indian tribe, not inconsistent with the Constitution and laws of the United States, and shall be entitled to equitable representation in the general territorial council, and subject to the general laws which it may legally enact.

SEC. 2. When it shall be shown to the satisfaction of the Secretary of the Interior that any Indian of pure or mixed blood of the Absentee Shawnees, being a head of a family, or a person over twenty-one years of age, has resided, continuously, for the term of three years within the thirty-mile square tract lying west of the Seminole reservation in the Indian territory, and has made substantial improvements thereon, it shall be the duty of the Secretary of the Interior to issue to said Indian a certificate of allotment for eighty acres of land, to include, so far as may be practicable, his or her improvements, together with an addition of twenty acres for each child under twenty-one years of age belonging to the family of said Indian, which certificate shall include the same provisions as are included in the certificates of allotments of lands to be issued under the provisions of the first section of this act.

APPROVED, May 23, 1872.

May 23, 1872.

CHAP. CCVII. — *An Act to authorize the Chicago and Northwestern Railway Company to change their projected Line of Railway in the State of Michigan.*

Chicago and Northwestern Railway company may change part of its line of road.

Former grants of lands not affected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Chicago and Northwestern Railway Company are hereby authorized to change and relocate that part of their projected line of railway "from the city of Fond du Lac, in the State of Wisconsin, northerly to Esconaba, in the State of Michigan," which lies in said State of Michigan, so as to run said line from "at or near the mouth of the Menomonee river to Esconaba," on such line within the limits of the land grant reserved for the use of said company, now on file in the office of the commissioner of the general land office, as they may deem most advantageous, and shall cause a plat of their line, as relocated, to be filed in said office within six months of the passage of this act: *Provided*, That the grant of lands heretofore made to aid in the construction of said railroad shall not be increased or changed in any respect whatever by the change of line hereby authorized.

APPROVED, May 23, 1872.

May 25, 1872.

See 1872, ch. 281. Post, p 215.

Bridge may be built across the Mississippi river at Fort Madison, Iowa. Railway tracks.

Navigation not to be interfered with.

Litigation in courts of the United States.

CHAP. CCXIII. — *An Act to authorize the Construction of a Bridge, and to establish the same as a Post-road.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for any person or persons, company or corporation, having authority from the States of Iowa and Illinois, to build a bridge across the Mississippi river at Fort Madison, Iowa, and to lay on or over said bridge railway-tracks, for the more perfect connection of any railroads that are or shall be constructed to the said river at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.