

for one month in at least one newspaper if any such there be published at each United States port of entry on the Pacific coast, warning all persons against entering said waters for the purpose of violating the provisions of said section; and he shall also cause one or more vessels of the United States to diligently cruise said waters and arrest all persons, and seize all vessels found to be, or to have been, engaged in any violation of the laws of the United States therein.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 416.—An act granting to the Duluth and Winnipeg Railway Company the right of way through the Leech Lake 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 Railway Company, a corporation organized and existing under the laws of the State of Minnesota, and its assigns, the right of way for the extension of its railroad through the Leech Lake and White Earth Indian Reservations in said State: Commencing at Duluth and running by the most practicable route to some point on the international boundary-line between the Lake of the Woods and the Red River of the North. 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 right of way for station buildings, depots, machine-shops, side-tracks, turn-outs, and water-stations, not to exceed in amount three hundred feet in width and three thousand feet in length for each station, and to an extent not exceeding one station for each six miles of road within the limits of said reservations.

SEC. 2. That before said railway 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 railway. In case of failure to make satisfactory settlement with any such claimant, the just compensation shall be determined as provided for by the laws of Minnesota, enacted for the settlement of like controversies in such cases. 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 railway 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; but no right of any kind shall vest in said railway 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 the 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 the compensation aforesaid shall have been fixed and paid, and the consent of the Indians on said reservations to the provisions of this act shall have been first obtained in a manner satisfactory to the President of the United States. Said company is hereby authorized to enter upon such reservations for the purpose of surveying and locating its line of railroad: *Provided,* That said railroad shall be located, constructed, and operated with due regard to the rights of the Indians and under such rules and regulations as the Secretary of the Interior shall prescribe.

Arrest of violators.

Duluth and Winnipeg Railway Company granted right of way through Leech Lake and White Earth Indian Reservations, Minn.

Location.

Width.

Stations, etc.

Compensation for damages, etc.

Litigation.

Payment to Indians.

Secretary of Interior to approve location, etc.

Survey.
Proviso.

Regulations.

SEC. 3. That the right herein granted shall be forfeited by said company unless the road is constructed through said reservations within three years. Completion.

SEC. 4. That Congress may at any time amend, add to, alter, or repeal this act. Amendment.

Approved, March 2, 1889.

· **CHAP. 417.**—An act granting right of way and other privileges to the Hampton and Old Point Railway Company. March 2, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Hampton and Old Point Railway Company, a corporation chartered by the general assembly of Virginia by act approved February twenty-fourth, eighteen hundred and eighty-eight, and thereby empowered in constructing a railroad from the town of Hampton to Old Point Comfort, to build and operate the same, by and with the consent of the Congress of the United States, over any lands heretofore ceded by the State of Virginia to the United States, be, and it is hereby, authorized to construct and operate a street railway over and through the land ceded by Virginia to the United States at or near Fortress Monroe, from Old Point Comfort to the National Home for Disabled Volunteer Soldiers, and to Hampton Institute, Virginia, and right of way for said purpose is hereby granted to the said corporation, subject to the following provisions:

Hampton and Old Point Railway Company granted right of way through Government lands, Fortress Monroe, Va.

First. Said railroad shall cross Mill Creek upon a bridge distinct from the existing bridge owned by the United States or upon such bridge additional to and united to the existing bridge as may be approved by the Secretary of War. It shall follow the water line of Hampton Roads along the western side of the land ceded to the United States by Virginia, terminating at some point north of the Quartermaster's Pier, or near to and on the west of the highway nearly opposite the main entrance to Fortress Monroe. Location.
Bridge.

Second. So much of said road as may be upon said lands ceded as aforesaid shall be constructed upon such plans and dimensions as may be approved by the Secretary of War. Approval of Secretary of War.

Third. The manner and times of running cars of said road shall be subject to such special orders or general regulations as the Secretary of War may deem necessary to the good order and the military uses of the military post and ceded lands. Rules for running cars, etc.

Fourth. Charges for the transportation of any inmate, officer, or employee of the Soldiers' Home or Hampton Institute, or any enlisted man or civilian employee of the military force at Fortress Monroe over the entire line of said road shall not exceed ten cents. Charges.

Fifth. The privileges hereby granted may at any time be rescinded or suspended by order of the Secretary of War, and said corporation shall at any time, when so ordered by the Secretary of War, remove its rails and all other fixtures and appurtenances at its own expense and cost and without any claim of any kind whatever for any loss, damage, or compensation of any kind from the United States. Revocable.

Sixth. The grants and privileges mentioned in this act shall be determined and become void unless the said road shall be completed and put in operation within said ceded lands within two years from the passage of this act. Commencement and completion.

SEC. 2. That this act shall be subject to alteration, amendment, or repeal at any time at the pleasure of Congress. Amendment, etc.

Approved, March 2, 1889.