

RIGHT OF WAY TO WYOMING MIDLAND RAILWAY COMPANY.

JULY 6, 1888.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. PEEL, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 10028.]

The Committee on Indian Affairs, having had under consideration the bill (H. R. 10028) granting right of way to the Wyoming Midland Railway Company, a corporation organized under the laws of the Territory of Wyoming, through the Wind River or Shoshone Indian Reservation, situate in said Territory, submit the following report:

This proposed line of road follows the river, Big Horn, from the northern boundary of said Indian reservation, and thence following said river and the middle fork of said river to Lander, with a branch from a point where the Wind River empties into said Big Horn River, thence following said Wind River in a northwesterly direction across said reservation to its source in the valley of the Wind River and Shoshone range of mountains.

This bill grants nothing but the usual right of way and depot and station grounds, the compensation to the Indians to be ascertained and fixed by the Secretary of the Interior. Also for personal damages to individual members of the tribe; also provides that the President may require the consent of the Indians to this right of way. The bill prohibits said company from selling or assigning said right of way, except for money to construct said road, until after same is completed. It also provides that unless road is completed within three years from the passage of the act all rights and privileges therein granted to be forfeited and to become null and void without further action upon the part of the Government, either legislative, executive, or judicial.

This bill was by your committee referred to the honorable Secretary of the Interior for examination and report, which report is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 18, 1888.

SIR: I have the honor to acknowledge the receipt of your letter of 14th instant inclosing H. R. 10028, entitled "A bill granting to the Wyoming Midland Railway Company the right of way through the Wind River or Shoshone Indian Reservation," with request for examination and report by Monday next, if possible.

In reply I transmit copy of communication of 15th instant from the Commissioner of Indian Affairs, received this date, to whom the matter was referred, who states he sees no objections to the passage of the bill.

This Department is not in possession at this time of any other information relative to the matter, and is not able without time for further inquiry and investigation to express an opinion whether or not the construction of this railroad will be for the interest and welfare of the Indians.

H. R. 10028 is herewith returned.

Very respectfully,

WM. S. VILAS,
Secretary.

CHAIRMAN COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 15, 1888.

SIR: I am in receipt, by Department reference for report, of a letter from the chairman of the House Committee on Indian Affairs, dated the 14th instant, inclosing for examination House bill No. 10028, Fiftieth Congress, first session, granting to the Wyoming Midland Railway Company the right of way through the Wind River or Shoshone Indian Reservation.

This bill provides for a right of way to the Wyoming Midland Railway Company, a corporation of the Territory of Wyoming, for the extension of its railroad through the Wind River or Shoshone Indian Reservation, "said railroad following the line of the Big Horn River from the northern boundary of the Wind River or Shoshone Indian Reservation, and thence following said river and the middle fork of said river to Lander, with a branch from a point where the Wind River empties into said Big Horn River, and thence following said Wind River in a northwesterly direction across said reservation to its source in the valley of the Wind River and Shoshone range of mountains."

The bill follows the form which has generally been adopted and approved in the more recent laws granting rights of way through Indian reservations, and contains the usual provisions in regard to compensation to the Indians, and for obtaining their consent to the right of way granted.

This office sees no objection to the passage of the bill, which, with the letter of transmittal, is herewith returned.

Very respectfully, your obedient servant,

A. B. UPSHAW,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

Your committee recommend that the bill pass, with the following amendments: In line 8, section 4, after the word "within," strike out "five" and insert "three," and after the word "act," in said line, insert "and if not so constructed within three years as aforesaid, all rights and privileges herein granted shall become absolutely null and void without further action upon the part of the Government, either executive, legislative, or judicial."