

## JAMESTOWN AND NORTHERN RAILROAD COMPANY.

JANUARY 18, 1887.—Committed to the Committee of the Whole House and ordered to be printed.

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

### REPORT:

[To accompany bill S. 1057.]

*The Committee on Indian Affairs, to whom was referred Senate bill 1057, make the following report:*

The second article of the treaty made with the Sisseton and Wahpeton bands of Dakota or Sioux Indians, concluded February 19, 1867, duly ratified and proclaimed (15 Stat., 506), provides as follows:

The said bands hereby cede to the United States the right to construct wagon roads, railroads, mail stations, telegraph lines, and such public improvements as the interest of the Government may require over and across the lands claimed by said bands, including their reservation.

It appears from the report of the Commissioner of Indian Affairs (see Ex. Doc. No. 16, Forty-ninth Congress) that the Jamestown and Northern Railroad Company filed maps showing the line of definite location for their road across a portion of this reservation in 1883, 200 feet in width, embracing 177.60 acres, and one station depot ground near the Indian agency, embracing 6.89 acres, making altogether 184.49 acres.

It appears that the Indians on this reservation have agreed in writing signed by about sixty of their chiefs and head men to surrender the lands embraced in the right of way and station grounds for the use of said railroad company upon the payment of \$10 per acre, amounting to \$1,845, into the Treasury of the United States, for their use and benefit.

It also appears that the Jamestown and Northern Railroad Company did on the 4th day of December, 1883, by a resolution of the board of directors of said company, accept the propositions made by the Indians to pay the \$10 per acre for the right of way and the depot grounds; they also appropriated the necessary amount of money, \$1,845, for that purpose, which it appears the president of said company is ready to pay into the Treasury of the United States for the benefit of these Indians as soon as the right of way is secured to said company.

It also appears that this railroad company are acting in good faith, and will, if the right of way is granted, construct the road at an early day.

It also appears that the construction of this road across the reservation is necessary for the commerce of the country.

We believe the amount agreed upon is a fair compensation to the Indians; we therefore recommend the passage of the bill.