

RIGHT OF WAY TO THE CHEROKEE CENTRAL RAILWAY
COMPANY THROUGH INDIAN TERRITORY.

JANUARY 29, 1889.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill H. R. 12314.]

The Committee on Indian Affairs, to whom was referred the bill to "grant the right of way to the Cherokee Central Railway Company through the Indian Territory, and for other purposes," having had the same under consideration, beg leave to report the same back to the House with the recommendation that it do pass. The railroad contemplated by this bill leads from a point on the south line of the State of Kansas, in the county of Cherokee, running thence by the most practical route through the Indian Territory, by way of Tallequah, to a point on the Arkansas River, near Fort Smith, Ark. The railroad company is incorporated under the laws of the State of Kansas. The company is responsible, and your committee have every assurance that the road will be built.

The committee have endeavored to guard in the best way possible the interests of all parties in the Indian Territory likely to be affected by the construction of this railway. The bill provides in case of failure to make amicable settlement with any occupant of lands through which the road may pass, that the amount of damage shall be determined by three disinterested referees, to be appointed, one (who shall act as chairman) by the President of the United States; one by the chief of the nation to which said occupant belongs, and one by the railway company, with the right of an appeal to the United States district court of the western district of Arkansas, or to the district court of Kansas.

In the judgment of the committee the rights of the Indians and the public are as well guarded as it is possible to protect them by enactment, and the bill contains a provision that Congress may at any time amend, add to, alter, or repeal the provisions of the bill itself.