

said road within said reservation for the transportation of passengers or freight than is charged for a like service outside of said reservation.

No assignment before completion.

Provisos. Construction mortgage. Completion.

SEC. 4. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said road shall be completed: *Provided*, That the company may mortgage said franchise, together with the rolling stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order across said reservation within two years from the passage of this act.

Condition of acceptance.

SEC. 5. That said railway company shall accept this right of way upon the expressed condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing the present tenure of the Indians in their land, and will not attempt to secure from the Indian tribes any further grant of land or its occupancy than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

Provisos. Forfeiture.

Amendment, etc.

SEC. 6. That Congress may at any time amend, add to, alter, or repeal this act.

Approved, October 1, 1890.

October 1, 1890.

CHAP. 1278.—An act to authorize the Secretary of the Interior to convey to the Rio Grande Junction Railway Company certain lands in the State of Colorado in lieu of certain other lands in said State conveyed by the said company to the United States.

Rio Grande Junction Railway Company.

Conveyance to, of lands in Colorado, for right of way, etc.

Location.

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 hereby is, authorized to convey in fee to the Rio Grande Junction Railway Company, for right of way and other necessary railroad purposes, a strip of land in Mesa County, State of Colorado, now held by the United States for school purposes in connection with Grand Junction Indian school, said land being described as follows: Beginning at a point on the Ute meridian one thousand seven hundred and sixty-nine and seven-tenths feet north of the southwest corner of section eighteen, township one south of range one east of the Ute meridian; thence running northward along the said Ute meridian to the northwest corner of the southwest quarter of said section eighteen; thence easterly along the north line of the said southwest quarter of section eighteen to the northeast corner of the said southwest quarter of section eighteen; thence in a southerly direction along the east line of the said southwest quarter of section eighteen forty feet; thence in a straight line and in a southwesterly direction to the place of beginning, not to exceed in the aggregate twenty-six and three-tenths acres: *Provided*, That the said railway company shall first convey or cause to be conveyed to the United States in fee, which conveyance shall be satisfactory to the Attorney-General of the United States, the following-described land, in lieu of the land to be conveyed to the said company as herein provided: Commencing at the southeast corner of the southwest quarter of section eighteen, township one south, of range one east, of the Ute meridian; thence running east along the south line of said section eighteen seventy rods; thence north eighty rods, more or less; to the north line of the southwest quarter of the southeast quarter of said section eighteen; thence west seventy rods to the east line of the southwest quarter of said section eighteen; thence south

Provisos.

Conveyance of lands in lieu, by the company.

Location.

eighty rods, more or less, to the place of beginning; being the west thirty-five acres of the south half of the southeast quarter of section eighteen, township one south, of range one east, of the Ute meridian, together with water rights appurtenant thereto, including twenty-two statute inches of water from the Mesa County ditch, for the irrigation of said land: *Provided further*, That the said railway company shall build and maintain a fence the line of railway next to the school lands: *And provided also*, That the United States reserves the unrestricted right of way for irrigation purposes over said land to be conveyed to said company as herein provided.

Water rights.

Fence.

Right of way for irrigation reserved.

Approved, October 1, 1890.