

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.

Proviso.
Violation to forfeit.

Amendment.

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

Received by the President July 14, 1888.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

July 26, 1888.

CHAP. 718.—An act to grant to the Puyallup Valley Railway Company a right of way through the Puyallup Indian Reservation in Washington Territory, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Puyallup Valley Railway Company, a corporation created under and by virtue of the laws of the Territory of Washington, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway, telegraph, and telephone lines through the Puyallup Indian Reservation, or such parts thereof as may be hereinafter designated in this act, said line to begin on the northwestern boundary of the said Indian reservation, near the city of Tacoma, running thence by the most practicable route through said reservation to the southeastern boundary thereof; thence to the town of Sumner, in said Territory of Washington, with the right to construct, use, and maintain such tracks, turn-outs, sidings, and extensions hereinafter mentioned as such company may deem necessary and to their interest to construct along, upon, and in connection with the right of way hereby granted. Before work is begun the definite line and location of said railway is to be submitted to and approved by the Secretary of the Interior.

Puyallup Valley Railway Company granted right of way through Puyallup Indian Reservation.

Location.

Width.

Stations, etc.

Provisos.

For railroad uses only.

Consent of Indians.

Regulations.

Damages.

SEC. 2. That a right of way sixty-six feet in width through said Indian reservation, or the designated parts thereof, is hereby granted to the Puyallup Valley Railway Company, and a strip of land one hundred and thirty-three feet in width, with a length of two thousand feet, in addition to the right of way, is granted for such stations, sidings, or junctions as may be established by said railway company for the proper and convenient operating of said railroad, with the right to use such additional ground, where there are heavy cuts or fills, as may be necessary for the proper construction and maintenance of the road-bed; but ground taken or used for such purposes shall not exceed fifty feet in width on each side of the right of way, or only as much thereof as may be included in such cuts and fills: *Provided*, That no part or parts of land included in these grants shall be used for any other purposes than shall be necessary for the construction, maintenance, and convenient operation of said railroad, telegraph, and telephone lines: *Provided further*, That the consent of the Indians to said right of way upon the said Puyallup Indian Reservation shall be obtained in such manner as the President of the United States may prescribe, before any right under this act shall accrue to said company: *And provided further*, That the location, construction, and operation of said road through said reservation shall be subject to such regulations as the Secretary of the Interior may provide.

SEC. 3. 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 Washington Territory, enacted for the settlement of like controversies in such cases. The amount of damages resulting to the Puyallup tribe of Indians in their tribal capacity by reason of the construction of said railway through such lands of the reservation as are not occupied in severalty, shall be ascertained and determined in such manner as the Secretary of the Interior may direct, and to be subject to his final approval: *Provided further*, That 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 railroads, and including the points for station-buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, shall be filed with and approved by the Secretary of the Interior, which approval shall be made in writing, and be open for the inspection of any party interested therein, and until the compensation aforesaid has been fixed and paid: *Provided*, That the amount of compensation which may ultimately be awarded or adjudged against said railway company in respect of such last-mentioned lands, shall be paid to the Secretary of the Interior, to be by him expended on behalf of the tribe, for the benefit of their schools, or in such other manner as he shall deem best.

Compensation to Indians.

Secretary of the Interior to approve plats, etc.

Disposition of award.

Charges.

SEC. 4. That the maximum rate charged by the said railway company for the transportation of freight and passengers within the limits of the Indian reservation shall not exceed the rate charged for the same services in kind in the Territory of Washington; and Congress hereby reserves the right to regulate the charges for the freight and passengers on said railroad, and messages on said telegraph and telephone lines, until a State government or governments shall exist in the said Territory within the limits of which said railway, or a part thereof, shall be located: *Provided*, That the said railway company shall carry the United States mail at such price as Congress may by law provide, and until such rate is fixed by law the Postmaster-General may fix the rate of compensation: *And provided further*, That the passenger rates of fare shall not exceed three cents per mile where the distance is greater than five miles.

Provisos.

Mails.

Passenger rates.

SEC. 5. That said company shall, as soon as the definite route and line of said railroad is located through said reservation, cause a map to be made showing such line and location, a copy of which shall be filed in the office of the Secretary of the Interior, and a copy shall be also filed in the office of the principal chief or governor of said tribe through which said road may have been located; and after the filing of said map of location no claim for subsequent settlement and improvement upon the right of way or additional grounds for depots, stations, sidings, or switches shall be valid as against said railroad company.

Map of route.

SEC. 6. That the officers, employees, and servants of said company necessary for the construction, operation, and management of said road, telegraph, and telephone lines shall be allowed to reside while so engaged, upon the said right of way, but at the same time be subject to the provisions of the Indian intercourse laws and such rules and regulations as may be established by the Secretary of the Interior in accordance therewith.

Employees to reside on right of way.

SEC. 7. That the United States courts for the second judicial district of Washington Territory, and such other courts as may be authorized by Congress, shall have concurrent jurisdiction, without reference to the amount in controversy, over all cases arising between said railroad company and the tribe, as such, or individual members thereof, through whose territory said railway may be constructed; and the civil jurisdiction of said courts is extended within the limits of the

Litigation.

said Puyallup Indian Reservation, without distinction as to citizenship of parties interested, so far as it may be necessary to carry out the provisions of this act and give effect to all its enactments.

Crossings, etc.

SEC. 8. That said railway company shall construct and maintain continually all fences, road and highway crossings, and necessary bridges over said railway wherever such roads and highways do now or shall hereafter cross said right of way or may by proper authority be laid out across the same.

Recording mortgages.

SEC. 9. That all mortgages or conveyances executed and operating on any portion of this railway that may be constructed in the said Puyallup Indian Reservation shall be recorded in the Department of the Interior, and the record thereof shall be evidence and notice of the execution of the same, and shall convey all rights of property of said railroad company therein expressed. That said company shall not sell, assign, 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 within two years from the passage of this act, and it shall not be necessary in such case for a forfeiture to be declared by judicial process, or legislative enactment.

Assignment.

Proviso.

Mortgages.

Completion.

Amendment.

SEC. 10. That Congress may at any time amend, add to, alter, or repeal this act.

Received by the President July 14, 1888.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

July 31, 1888.

CHAP. 720.—An act making an appropriation for the erection of a light-house on the highland (main-land) to the westward of Crooked River, Florida.

Crooked River, Fla.
Appropriation for
light-house.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of forty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a light-house on the highland (main-land) to the westward of Crooked River, in Franklin County, Florida, said amount to be expended under the direction of the Secretary of the Treasury.

Approved, July 31, 1888.

August 1, 1888.

CHAP. 722.—An act to extend the leave of absence of employees in the Government Printing Office to thirty days per annum.

Government Print-
ing Office.
Employees to have
30 days' leave a year.
Vol. 24, p. 91.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act granting leave of absence to employees in the Government Printing Office," approved June thirtieth, eighteen hundred and eighty-six, be so amended as to extend the annual leave of absence therein described to thirty days in each fiscal year: *Provided*, That it shall be lawful to allow pro rata leave to those serving fractional parts of a year.

Proviso.

Pro rata leaves.

Approved, August 1, 1888.