

CHAP. 149.—An act to authorize the Secretary of the Treasury to consent to the use of a portion of the public grounds of the United States in the town of Abingdon, Virginia, for a public street.

July 6, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to consent, if in his judgment it be proper, to the use of so much of the public grounds belonging to the United States in the town of Abingdon, not exceeding thirty feet in width, on the west side of said public grounds, for a public street in the said town, upon such terms and conditions as he may deem proper for the protection of the rights of the United States.

Abingdon, Va.
Land granted for
public street.

Approved, July 6, 1892.

CHAP. 150.—An act to authorize the Marinette and Western Railroad Company to construct a railroad through the Menominee Reservation, in the State of Wisconsin.

July 6, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Marinette and Western Railway Company, a corporation created under and by virtue of the laws of the State of Wisconsin, be, and the same is hereby, invested and empowered with the right of locating, constructing, equipping, operating, using, and maintaining a railroad, telegraph, and telephone line, running in an easterly and westerly direction, in, on, upon, and through the Menominee Indian Reservation, comprised of township thirty, in ranges thirteen, fourteen, and fifteen, in Shawano County, and township thirty, in range sixteen, Oconto County, State of Wisconsin, with the right to construct, use, and maintain such tracks, turnouts, and sidings as said company may deem it to their interest to construct along and upon the right of way and depot grounds of said railroad herein provided for: *Provided*, That the company shall have the right to adopt the most feasible and practicable route in following the general direction hereinbefore specified: *Provided further*, That said route or right of way shall be located within one and one-half miles from the north line of townships hereinbefore mentioned.

Marinette and West-
ern Railway Company
granted right of way
through Menominee
Indian Reservation,
Wis.

Location.

Proviso.

Location.

Width.

Stations, etc.

Lands not to be
leased or sold.

Reversion.

Damages.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railroad, telegraph, and telephone line, and for no other purpose, a right of way one hundred feet in width through said Indian Reservation and to take and use a strip of land two hundred feet in width, with the length of three thousand feet, in addition to the right of way, for station purposes, not to exceed one station for every six miles of road, with the right to use such additional ground where there are heavy cuts or fills as may be necessary for the construction and maintenance of the roadbed, not exceeding one hundred feet on each side of said right of way, or so much thereof as may be included in said cut or fill; but no part of the lands herein authorized to be taken shall be leased or sold by the company, and they shall not be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said railroad, telegraph, and telephone lines; and when any portion thereof shall cease to be so used such portion shall revert to the nation or tribe of Indians from which the same was taken.

Appraisement.
Referees.

SEC. 3. That before said railroad shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of any of the Indian members of said Menominee tribe or tribes through which it may be constructed, full compensation shall be made to such occupants for all property to be taken or damage done by reason of the construction of said railroad. In case of failure to make amicable settlement with any occupant, such compensation shall be determined by the appraisement of three disinterested referees, a majority of whom shall be a quorum for the transaction of business, to be appointed, one by the President, one by the Menominee Indians in