

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

2-26-1885

Right of Way in Pennsylvania

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

S. Rep. No. 1440, 48th Cong., 2nd Sess. (1885)

This Senate Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 26, 1885.—Ordered to be printed.

Mr. HARRISON, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 2637.]

The Committee on Military Affairs, to whom was referred the bill (S. 2637) to authorize the Secretary of the Interior to release a right of way across lands of the United States at Carlisle, Pa., have considered the same, and respectfully report:

That in response to an inquiry addressed to the Secretary of the Interior on the subject we have received the following:

DEPARTMENT OF THE INTERIOR,
Washington, February 17, 1885.

SIR: I have the honor to acknowledge receipt of communication of the 14th instant from your committee, requesting my consideration of the bill (S. 2637) "to authorize the Secretary of the Interior to release a right of way across lands of the United States at Carlisle, Pa."

The matter having been referred to the Commissioner of Indian Affairs, I have the honor to inclose herewith for your information a copy of his report thereon, wherein he suggests an amendment to the bill, saying that as thus amended he sees no objection to its passage.

The land in question belongs to a military reservation which is held by this Department under the law of July 31, 1882 (22 Stat., 181), authorizing the use of unoccupied military barracks for Indian school purposes.

So far as this Department is concerned in the matter, I can see no objection to the passage of the bill, amended as proposed by the Commissioner of Indian Affairs.

Very respectfully,

H. M. TELLER,
Secretary.

THE CHAIRMAN COMMITTEE ON MILITARY AFFAIRS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 17, 1885.

SIR: I have the honor to acknowledge the receipt by Department, reference for report, of a letter dated the 14th instant, from the acting chairman of the Senate Committee on Military Affairs, inclosing Senate bill No. 2637, Forty-eighth Congress, second session, "To authorize the Secretary of the Interior to release a right of way across lands of the United States, at Carlisle, Pennsylvania," and asking for the views of the Department in reference thereto.

With the amendment noted below, I see no objection to the passage of the bill:

On line 7, after the words "right of way," insert the following words, viz: "On

such line as may be agreed upon by the railroad company, and Captain Pratt, superintendent of the Indian School at Carlisle."

Senator Harrison's letter, with its inclosure, is herewith returned, and a copy of this report is inclosed.

Very respectfully,

H. PRICE,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

That in response to an inquiry addressed to the Secretary of War, asking for his views upon the proposed legislation, we have been furnished with the following :

WAR DEPARTMENT,
Washington City, February 16, 1885.

SIR: In reply to your letter of the 14th instant, asking the views of this Department upon the inclosed bill, S. 2637, "To authorize the Secretary of the Interior to release a right of way across lands of the United States at Carlisle, Pennsylvania," I have the honor to state that as the power proposed to be given by the bill is to be exercised only in the discretion of the Secretary of the Interior, it is presumable that it would not be so exercised as in any way to interfere with the interests of the United States, and that while the property known as Carlisle Barracks has not been formally turned over to the Interior Department by the War Department, yet it is considered by this Department that the War Department will not probably again have need for the barracks, and that their use as an Indian school by the Interior Department is not likely to be interrupted, and therefore this Department has no objection to urge to the passage of the bill.

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,
Secretary of War.

Hon. BENJAMIN HARRISON,
Acting Chairman Committee on Military Affairs, United States Senate.

In view of the facts stated in the above communications your committee report the bill favorably, and recommend its passage with the following amendments :

Strike out the word "be" in line 3, and insert the word "is." After the word "such" in line 4, insert the word "terms." After the word "think" in line 5, insert the words "proper and." Strike out the word "release" in line 6, and insert the word "give." After the word "way" in line 7, insert the words "on such line as may be agreed upon." After the word "purpose," insert the words "Congress reserves the right to amend or repeal this act."

C