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Brainerd and Northern Minnesota Railway Company.

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BRAINERD AND NORTHERN MINNESOTA RAILWAY COMPANY.

JUNE 21, 1894.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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

REPORT:

[To accompany S. 2000.]

The Committee on Indian Affairs, to which was referred the bills (H. R. 7167 and S. 2000), granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota, having had said bills under consideration, report the same back to the House with the recommendation that S. 2000 do pass and that H. R. 7167 be laid upon the table.

The two bills are identical in terms and substantially conform to many recent acts of Congress granting a right of way for railway purposes through Indian reservations.

The letters from the Secretary of the Interior and Acting Commissioner of Indian Affairs relative to these bills are hereto attached as a part hereof.

DEPARTMENT OF THE INTERIOR,
Washington, May 15, 1894.

SIR: I have the honor to acknowledge the receipt, by reference from your committee, for the opinion of this Department thereon, of S. 2000, "A bill granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota."

In response thereto I transmit herewith copy of a communication from the Commissioner of Indian Affairs, dated the 14th instant, to whom the matter was referred.

The Commissioner states that the bill conforms substantially to the many recent acts of Congress granting railway companies rights of way through Indian reservations outside of the Indian Territory, and that his office sees no objection to the passage of the bill, unless objection exists by reason of the company being granted the right to load logs on the railroad at the points in said reservation where the same may run adjacent or contiguous to the waters of Leech Lake. This is not regarded as a very serious obstacle, however, inasmuch as, according to the bill, the road would probably touch the lake at but one point.

I concur in the views of the Commissioner and see no objection to the passage of the bill.

Very respectfully,

HOKE SMITH,
Secretary.

THE CHAIRMAN COMMITTEE ON INDIAN AFFAIRS.
U. S. Senate.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., May 14, 1894.

SIR: I am in receipt, by Department reference of May 10, 1894, for report, of Senate bill 2000, "A bill granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota." It appears that said bill was referred to you by Hon. James K. Jones, chairman Committee on Indian Affairs, U. S. Senate, for the opinion of the Department.

Section 1 of the bill grants the company the right of way for the extension of its road, with necessary side tracks and switches, and for a telegraph and telephone line through the Leech Lake Indian Reservation, in said State, commencing at a point in the south line of the reservation and extending northwesterly through sections 13, 12, 1, and 2 of township 141, range 31, to a point in the west line of said reservation in said section 2, with the right to load logs on said railroad at the points in said reservation where the same may run adjacent or contiguous to the waters of Leech Lake.

The bill further provides that the right of way shall be 50 feet in width on each side of the central line of the road, and that the company shall also have the right to take from the lands adjacent to the line of said road material, stone, and earth necessary for the construction of said railroad; also grounds adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 200 feet in width and 3,000 feet in length for each station, to an extent not exceeding one station within the limits of the reservation.

In reporting on the bill, I have the honor to inform you that it substantially conforms to the many recent acts of Congress granting railway companies rights of way through Indian reservations outside of the Indian Territory; and this office sees no objection to its passage unless objection exists by reason of the company being granted the right to load logs on said railroad at the points on said reservation where the same may run adjacent or contiguous to the waters of Leech Lake. This office, however, does not regard this as a very serious objection, in view of the fact that the road, according to the bill, would cross the lower point of the lake in said section 2, and would probably touch it only at the one point. In case the Department does not regard this as an obstacle, this office sees no objection to the passage of the bill.

Attention is invited to the fact that the bill grants the company right of way only through sections 13, 12, 1, and 2 of township 141, range 31.

The bill is herewith returned.

Very respectfully, your obedient servant,

FRANK C. ARMSTRONG,
Acting Commissioner.

THE SECRETARY OF THE INTERIOR.

