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Kansas City, Fort Scott and Memphis Railroad Company.

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**KANSAS CITY, FORT SCOTT AND MEMPHIS RAILROAD
COMPANY.**

FEBRUARY 14, 1896.—Referred to the House Calendar and ordered to be printed.

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

REPORT:

[To accompany H. R. 5382.]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 5382) to authorize the Kansas City, Fort Scott and Memphis Railroad Company to extend its line from Baxter Springs to Miami, in the Indian Territory, submit the following report:

This bill (H. R. 5382) authorizes the Kansas City, Fort Scott and Memphis Railroad Company to extend its line into the Indian Territory from Baxter Springs to Miami, in the Indian Territory, a distance of about 12 miles.

The main line of said road runs from Kansas City, Mo., via Fort Scott, Kans., to Memphis, Tenn., with a branch from Fort Scott to Baxter Springs and thence south to the north line of the Indian Territory. This bill authorizes the company to extend its road about 12 miles to the town of Miami, on the Neosho River. From the State line to Miami the proposed extension is an air line, running through a level, fertile, prairie country, which we believe has been allotted to individual Indians and is now either in cultivation or held as meadow lands, from which large crops of hay are cut each year.

The country beyond the Neosho, and tributary to Miami, is rich and productive, but, generally speaking, is kept for grazing purposes, because they have no railroad to carry agricultural products to market.

At present, and ever since the lands along the proposed line of road to Miami were allotted and put in cultivation, the farmers have been compelled to haul their wheat, corn, hay, and other surplus products in wagons to the railroad at Baxter Springs, a distance of from 6 to 15 miles. The result of this lack of railway facility is a loss to the people of the region.

Besides the importance of a railroad to the farmers of that country, the town of Miami, which contains a population of about one thousand people, is also interested. The shipping to and from a town of that size is quite considerable. In addition to the ordinary trade and travel, they have an extensive quarry of superior stone, which requires railroad facilities.

The United States court for the northern district of the Indian Territory is also held at Miami. These, it would seem, are good reasons why the railroad should be extended to Miami, especially when many persons along the proposed line of said road and in the town and vicinity of Miami are anxious to have it built.

Your committee is informed that the councils of the Quapaw, Peoria, and Ottawa tribes have each passed acts granting the right of way through their respective reservations, which are on file in the Indian Office.

The railroad company, we are also informed, has on hand all the iron and other material necessary for the speedy construction of said road, and as soon as the authority is given the company will commence and prosecute the work to completion.

The committee recommend that the bill be amended as follows:

Provided, That in addition to the compensation herein provided for said railroad company shall pay to the Secretary of the Interior, for the benefit of the tribes through whose lands the said railroad may be constructed, the sum of fifty dollars per mile for each mile of road constructed through tribal lands which have not been allotted to individual Indians. Said company shall also pay, so long as said lands are owned and occupied as tribal property, to the Secretary of the Interior, the sum of fifteen dollars per annum for each mile of railway it shall construct through the said Territory. And the money paid the Secretary of the Interior under the provisions of this Act shall be apportioned by him among the several tribes in accordance with the number of miles of road that may be constructed through each reservation: *Provided further*, That Congress shall have the right, so long as said lands remain as tribal property, to impose such additional taxes upon said railroads as may be deemed just and proper for their benefit, and the like power may be exercised by any State or Territory which may hereafter be formed.

And that as so amended, be passed.

