Additional ground for station purposes in Indian Territory.

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ADDITIONAL GROUND FOR STATION PURPOSES IN
INDIAN TERRITORY.

FEBRUARY 6, 1896.—Committed to the Committee of the Whole House on the state
of the Union and ordered to be printed.

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

REPORT:
[To accompany H. R. 5672.]

The Committee on Indian Affairs, to whom was referred the bill
(H. R. 3342) for additional grounds for station purposes in Indian Ter-
ritory, submit the following report:

A similar bill was reported from this committee in Fifty-third Con-
gress, second session, and was passed by the House. In reporting
same the committee said:

The object of the bill as introduced is to provide for the growing accommodation
of railroad traffic in the Indian Territory. The various acts of Congress heretofore
passed, authorizing such railroads to construct through the Indian Territory, limited
the amount of station grounds to a width of 200 feet and a length of 3,000 feet, and
limited the number of stations to one for each 10 miles of constructed road. This
was undoubtedly deemed sufficient at that time, and before the roads were actually
constructed. Practical experience, however, demonstrates that, with the develop-
ment of the country through the construction of the roads and the consequent
increase of business and railroad traffic, the railroads find the provision for the
number of stations and the quantity of land authorized to be taken at each is insufficient
to meet present and growing business in the Territory. As the development and
growth of this Territory is a matter to be wisely encouraged by legislation, so far as
possible, your committee think that increased railroad facilities when found neces-

sary should be supplied.

The bill as introduced provided for the determination by the Federal courts as to
when and where such additional ground is necessary and for compensation to be
paid therefor, both to the tribe and to individual occupants, to be ascertained in
accordance with the law of Texas covering such matters. But as the Indian Territ-
ory is under the administrative control of the Secretary of the Interior, acting as
the representative of the Federal Government, and as the various acts of Congress
authorizing such railroad construction therein have uniformly given that officer the
power to determine and approve the proper route and the location of stations; and
as each act has provided a uniform method for ascertaining the proper compensation
be paid for such railroad use, your committee deem it proper that the present bill
should be framed on precisely the same lines. The committee has therefore pre-
pared a substitute for the bill as introduced and which is reported herewith. The
substitute follows in principle and, as closely as practicable, in language, the acts of
Congress heretofore passed authorizing construction of railroads in the Territory.
Experience has shown that this method of determining the compensation has worked
advantageously and secured the full rights of the Indian occupants both in their
tribal and individual relations.

Under the substitute as herewith reported the allowance of such additional ground
for railroad and station purposes is made, primarily, dependent upon the finding of
the Secretary of the Interior that the public interest and convenience would be sub-
erved thereby, and when this point is thus determined the method of compensation
to be paid by the railroad company therefor is made precisely the same as that pro-
vided in the former acts of Congress relating to the construction of railroads in the
Indian Territory. It is believed that this method, while preserving harmony in the legislation on this subject, will more certainly and expeditiously protect the rights of the Indians.

Your committee therefore recommend the passage of the substitute bill.

The bill as now reported contains further provisions and limitations guarding the rights of the Indians and the public, contains all amendments suggested by the Commissioner of Indian Affairs, and is approved by that officer.

Your committee therefore recommend the passage of the substitute bill.