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### **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 Territory, submit the following report:

A similar bill was reported from this committee in Fifty-third Congress, 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 development 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 necessary 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 Territory 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 to 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 prepared 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 subserved 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 provided 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.

