

February 26, 1917.
[S. 7796.]

[Public, No. 355.]

Public lands.
Sale to Great North-
ern Railway Company
of certain, in Montana.

Lands to be ap-
praised.

In Fort Peck Indian
Reservation.

CHAP. 123.—An Act Authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Company certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be appraised all those parts of section thirty-two and thirty-three, township thirty-one north, range thirty-two east, and of section five, township thirty north, range thirty-two east, Montana meridian, State of Montana, described as follows:

Beginning at the point of intersection of the present right of way of the Great Northern Railway with the east line of the northwest quarter of the southeast quarter of said section thirty-three, which point is seventy-five feet northerly at right angles from the center line of said Great Northern Railway as the same is now constructed across said section thirty-three; thence westerly to a point on the west line of said quarter quarter section three hundred feet northerly at right angles from said center line; thence southwesterly parallel with said center line to an intersection with the east and west quarter quarter section line in the southwest quarter of said section thirty-three; thence westerly along said quarter quarter section line to the west line of said section thirty-three; thence westerly along the east and west quarter quarter section line in the south half of said section thirty-two to the northwest corner of the southwest quarter of the southwest quarter of said section thirty-two; thence southerly along the west line of said quarter quarter section to the north line of section five, township thirty north, range thirty-two east; thence westerly along said north line to the northwest corner of said section five; thence southerly along said west line to the present northerly right-of-way line of said railway, which right-of-way line is seventy-five feet northerly at right angles from the center line of said railway as the same is now constructed; thence northeasterly parallel with said center line to the place of beginning. Also beginning at the point of intersection of the southerly right-of-way line of said railway with the east line of the southwest quarter of the southeast quarter of said section thirty-two, said point being seventy-five feet distant southerly at right angles from said center line; thence southwesterly parallel with said center line to the west line of lot three, section five, township thirty north, range thirty-two east; thence southerly along said west line to a point two hundred feet distant southerly at right angles from said center line; thence northeasterly parallel with said center line to the east line of the southwest quarter of the southeast quarter of said section thirty-two; thence northerly along said east line to the place of beginning, the said tracts containing in the aggregate one hundred and seventy and seven one-hundredths acres, more or less. The said center line of railway is described as beginning one hundred and twenty-nine feet south of the east quarter corner of said section thirty-three, running thence southwesterly in a straight line, intersecting the west line of said section thirty-two nine hundred and twenty-one feet north of the southwest corner, a distance of ten thousand four hundred and twenty-two feet; thence on a curve to the left, with a radius of eleven thousand four hundred and fifty-nine and two-tenths feet, a distance of five hundred feet; thence southwesterly, tangent to said curve, five hundred and eleven and four-tenths feet to the west line of said section five at a point eight hundred and twenty-five and five-tenths feet south of the northwest corner.

SEC. 2. That the Secretary of the Interior be, and he is hereby, further authorized and directed to cause to be appraised all those parts of sections fourteen and fifteen, township twenty-seven north, range forty-seven east, Montana meridian, in the Fort Peck Indian Reservation, State of Montana, described as follows:

Beginning at the point of intersection of the present right-of-way line of the Great Northern Railway with the east line of the northwest quarter of the northeast quarter of said section fourteen, which point is seventy-five feet distant northerly at right angles from the center line of said Great Northern Railway as the same is now constructed over said section; thence westerly in a straight line to a point on the west line of said quarter quarter section which is two hundred and seventy-five feet distant northerly at right angles from said center line; thence southwesterly parallel with said center line to an intersection with the south line of the northwest quarter of the northwest quarter of said section fourteen; thence westerly along said south line to the west line of said section fourteen; thence westerly along the east and west quarter quarter section line in the north half of said section fifteen, to the northwest corner of the southeast quarter of the northwest quarter of said section fifteen; thence south along the west line of said quarter quarter section one thousand one hundred and seventy feet; thence southwesterly eight hundred and fifty feet to a point on the present northerly right-of-way line of the said Great Northern Railway, which point is one hundred feet distant northerly at right angles from the center line of said railway as the same is now constructed; thence northeasterly parallel with said center line to the north and south quarter section line of said section fifteen; thence southerly along said quarter line to a point seventy-five feet distant northerly at right angles from the said center line; thence northeasterly parallel with said center line to the place of beginning, containing ninety-four and fifteen one-hundredths acres, more or less. The said center line of railway is a tangent intersecting the east line of section fourteen, three hundred and sixty-five and seven-tenths feet south of the northeast corner thereof, the east line of section fifteen, nine hundred and five and eighth-tenths feet north of the east quarter corner and the west line of section fifteen, four hundred and sixty-six and eight-tenths feet south of the west quarter corner.

Description.

SEC. 3. That upon appraising the said lands the Secretary of the Interior is authorized and directed to sell and convey the same to the Great Northern Railway Company, a corporation of the State of Minnesota, and owning and operating lines of railway in the State of Montana and other States, for division terminal yards and other railway purposes, upon such terms as he may deem advisable. If the sale of any of the lands described in section two hereof shall include the whole or any part of the allotment of an individual Indian, the purchase price of such allotted land shall be paid to such Indian, subject to the control of the Secretary of the Interior as to the funds of incompetent Indians.

Sale after appraisal.

SEC. 4. That the appraisal of the lands described in section one of this Act shall take into consideration the estimated cost per acre for the construction of irrigation works for the Milk River irrigation project, and in no event shall be less than the actual market value of said land and the estimated cost per acre for the construction of said irrigation project. The conveyances for the lands described above in sections one and two shall reserve to the United States and its successors in interest right of way for canals or ditches heretofore or hereafter constructed thereon, and the railway company shall construct at its own expense any crossings of said canals or ditches which may be necessary for its purposes, and such crossings shall be built and maintained in such a manner as not to interfere with the operations of said canals or ditches by the United States or its successors in interest, and such conveyances shall be subject to any prior valid rights of way.

Payments for lands of Indians.

Lands in Milk River irrigation project.

Determination of price.

Rights of way for ditches, etc., reserved.