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18425OFFICE OF
INDIAN AFFAIRS
Rec'd. SEP 24

1884

DEPARTMENT
OF THE
INTERIOR
INDIAN DIV.

RECEIVED

SEP 24 1884

4330

CASE No. 62

Carlisle, Pa.

Sept 19/84.

Capt R. H. Pratt

Relative to South Penna.
R.R. which contemplates
crossing the grounds of
Carlisle barracks under
an ordinary State grant
of right of way.

Letter to Pratt, Sept.
24, 1884
L. B. 130-56

L 13/129
Hudmarsh

186

Department of the Interior
Office of the Secretary
Sept 24 /84

Referred to

Comm of
Ind aff
W M Fell
Secretary

Why cannot an
injunction be granted
restraining the R.R. Co.

Maxwell

U. S

Indian Industrial School,

Carlisle, Pa., Sept. 19, 1884

Hon. H. M. Teller,

Washington, D. C.

Sir:-

I write you directly in regard to the South Penna. Railroad which contemplates crossing our grounds under an ordinary State grant of right of way. There is certainly no authority under the Constitution, resting anywhere outside of Congress, to give this right of way across our grounds. Our home is now altogether too small, and to have it cut in two and invaded by such constant clutter would be a great disaster.

I understand the subject is to be submitted for the decision of the Hon. The Attorney General at an early day, under an insidious claim that, because the State never formally granted authority to the General Government to purchase, therefore it, the State, holds the right of eminent domain. For more than

eighty years the Government has been in possession under an uncontested purchase from the Penns, and for more than fifty years prior to this purchase it occupied and claimed these grounds. This seems to me sufficient consent to deprive the State of all jurisdiction in this matter.

Certainly this great injury to our work should not be allowed until after the fullest consideration by Congress. A very slight deviation would allow the Railroad to pass around us. The proposed line demolishes our Guard House and will shake our School room building so as to render it useless for our purposes.

With great respect
Your Obt. Servant

R. H. Pratt

Capt. 10th (Am)

Supt.