one and thirty-two, and all that portion of the public lands now included in the districts subject to sale at Iowa City and Dubuque, and lying west of the range line dividing ranges thirty-three and thirty-four, shall form a new land district, to be called the Missouri River District; and that the district of lands subject to sale at Dubuque shall hereafter be bounded on the north by the northern boundary line of the State of Iowa.

Appointment of officers for said districts.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver of the public moneys for each of the said districts, respectively, who shall each be required to reside at the site of the respective office to which they may be appointed, and who shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to other land-offices of the United States.

Sale of lands in said districts.

SEC. 3. *And be it further enacted*, That the President is authorized to cause the public lands in said districts, respectively, (with the exception of sections numbered sixteen in each township, reserved for the use of schools, or such other lands as may be selected by law in lieu thereof, and of such other tracts as he may select for military or other purposes,) to be exposed to sale in the same manner and upon the same terms and conditions as the other public lands of the United States.

President may establish and alter sites of offices in said districts.

SEC. 4. *And be it further enacted*, That the President is hereby authorized to designate the sites at which each of the several offices shall be established, and to remove the same to any other places within said districts respectively, whenever, in his opinion, it may be deemed expedient.

Sales in other districts confirmed.

SEC. 5. *And be it further enacted*, That any location or sales of land lying in either of the districts hereby created, made by the land-officers at Dubuque, Iowa City, or Fairfield, after the passage of this act, and prior to the receipt by them of instructions from the Commissioner of the General-Land Office under this act, shall be as good and valid in law as if this act had not been passed.

APPROVED, August 2, 1852.

CHAP. LXXVIII.—*An Act to protect actual Settlers upon the Land on the Line of the Central Railroad and Branches, by granting Preëmption Rights thereto.*

August 2, 1852.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each and every person now an actual settler and occupant, and who, on the twentieth day of September, in the year of our Lord one thousand eight hundred and fifty, had made such an actual settlement and improvement as would have entitled him to a right of preëmption under the act of September fourth, eighteen hundred and forty-one, but for his failure to give the requisite notice under that law, or to file proof within due time, on any tract of land now owned by the United States, and situated within the limits reserved from sale by order of the Government, because of the grant of alternate sections to the States of Illinois, Mississippi, and Alabama, in aid of the construction of the Chicago and Mobile railroad and branches, by virtue of an act of Congress, approved September twentieth, eighteen hundred and fifty, entitled, "An act granting the right of way and making a grant of land to the States of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile," shall have the right to purchase, at the price established by law in regulating the sales of said lands, a quantity of the tract so settled on and improved, not less than forty nor more than one hundred and sixty acres, in legal subdivisions, on which said improvements may

Preëmption rights secured to settlers on the line of the Central Railroad.

1850, ch. 61.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Claim to be filed, and proof made within twelve months.

be situated: *Provided*, That any person claiming the right to purchase under this act shall, before the actual offering of the tract at public sale, file with the register of the proper land-office, a notice describing the land by its numbers, and make the necessary proof, affidavit, and payment for the land, within twelve months from the date of this act: *And provided further*, That the right of way upon and across any tract of land claimed under the provisions of this act, not exceeding two hundred feet in width, shall be reserved and retained for the said railroad and branches, as the same may be located and constructed.

Right of way for said road reserved.

APPROVED, August 2, 1852.

August 4, 1852.

CHAP. LXXX.—*An Act to grant the Right of Way to all Rail and Plank Roads and Macadamized Turnpikes passing through the Public Land belonging to the United States.*

1855, ch. 200.

Right of way granted through the public lands granted to all railroads, &c., chartered by any of the States within ten years, with authority to cross the public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way shall be, and is hereby granted to all rail and plank road, or Macadamized turnpike companies that are now or that may be chartered within ten years hereafter, over and through any of the public lands of the United States, over which any rail or plank road or Macadamized turnpikes are or may be authorized by an act of the legislature of the respective States in which public lands may be situated; and the said company or companies are hereby authorized to survey and mark through the said public lands, to be held by them for the track of said road, one hundred feet in width: *Provided*, That in case where deep excavation or heavy embankment is required for the grade of such road, then at such places a greater width may be taken by such company, if necessary, not exceeding in the whole two hundred feet.

Proviso.

Said companies may take materials, &c., from the public lands.

SEC. 2. *And be it further enacted*, That the said company or companies shall have the right to take from the public lands, in the vicinity of said road or roads, all such materials of earth, stone, or wood, as may be necessary or convenient, from time to time, for the first construction of said road or roads, or any part thereof, through said land.

Sites for depots, &c., also granted.

SEC. 3. *And be it further enacted*, That there shall be, and is hereby granted to said company or companies, all necessary sites for watering places, depots, and workshops along the line of said road or roads, so far as the places convenient for the same may fall upon the public lands: *Provided*, That no one depot or watering place shall contain over one square acre, and that said sites shall not be nearer to each other than ten miles along the line or lines of said road or roads: *Provided further*, That the said grants herein contained, as well of the use of the public lands, as of the materials for the construction of said road or roads shall cease and determine, unless the road or roads be begun within ten years from and after the passage of this act, and completed within fifteen years thereafter: *And provided moreover*, That if any road, at any time after its completion, be discontinued or abandoned by said company or companies, the grants hereby made shall cease and determine, and said lands hereby granted, revert back to the general government: *Provided further*, That when a location for either of said railroads or plank roads, Macadamized turnpikes, or sites for depots on the line of such road or roads shall be selected, the proper officers of such road or roads shall transmit to the Commissioner of the General Land-Office a correct plat of the survey of said road or roads, together with the survey of sites for depots before such selection shall become operative: *Provided further*, That none of the foregoing provisions of this act shall apply to, or authorize any rights in any lands of the United States other than such as are held for private entry and sale, and such as are unsurveyed and not held for public use by erection or improvements thereon.

Proviso.

The above grants to cease, unless the roads are begun within ten and finished within fifteen years from the passage of this act.

If the roads are discontinued, the grants to revert.

Locations to be filed, &c.

The above grants to apply only to certain lands.