manner as the legislature of said State may prescribe for the purpose aforesaid, but for no other purpose. Third. That ten entire sections of land, to be selected by the governor of said State, in legal subdivisions,

Lands for public buildings.

shall be granted to said State for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the legislature thereof. Fourth. That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to said State for its use, the same to be selected by the governor thereof within one year after the admission of said State, and when so selected, to be used or disposed of on such terms, conditions, and regulations as the

Salt springs and contiguous lands.

Proviso.

legislature shall direct: *Provided*, That no salt spring or land, the right whereof is now vested in any individual or individuals, or which may be hereafter confirmed or adjudged to any individual or individuals, shall by this article be granted to said State. Fifth. That five per centum of the

Percentage on land sales.

net proceeds of sales of all public lands lying within said State which shall be sold by Congress after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State, for the purpose of making public roads and internal improvements,

Proviso. Conditions on which propositions are offered.

as the legislature shall direct: *Provided*, That the foregoing propositions, hereinbefore offered, are on the condition that the people of Oregon shall provide by an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof; and that in no case shall non-resident proprietors be

United States property to be free from taxation.

taxed higher than residents. Sixth. And that the said State shall never tax the lands or the property of the United States in said State: *Provided, however*, That in case any of the lands herein granted to the State

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of Oregon have heretofore been confirmed to the Territory of Oregon for the purposes specified in this act, the amount so confirmed shall be deducted from the quantity specified in this act.

Residue to belong to the Territory of Washington.

Sec. 5. *And be it further enacted*, That, until Congress shall otherwise direct, the residue of the Territory of Oregon shall be, and is hereby, incorporated into, and made a part of the Territory of Washington.

Approved, February 14, 1859.

Feb. 18, 1859.

Chap. XXXV.—*An Act for the Relief of the Mobile and Ohio Railroad Company.*

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whereas the State of Mississippi, by its act approved on the twenty-eighth of January, eighteen hundred and fifty-two, and the State of Alabama, by its act approved on the first of December, eighteen hundred and fifty-one, did transfer to the Mobile and Ohio Railroad Company the lands which were granted to said

1850, ch. 61, § 7. vol. ix. p. 467.

States under the provisions of the act of Congress approved the twentieth September, eighteen hundred and fifty, to aid in the construction of a railroad from Mobile to the mouth of the Ohio River, the said transfers of

Transfers by the States of Alabama and Mississippi confirmed.

said lands so made by said States, respectively, to said company, are hereby recognized, ratified, and confirmed, and the title to all bona fide purchasers of said company are also hereby confirmed; and that the time

Time for completing the road extended to Sept. 20, 1865.

limited by said original act of Congress for the completion of said railroad is hereby extended, and the said company is allowed further time till the twentieth of September, in the year eighteen hundred and sixty-five, to complete the same, anything in said act to the contrary notwithstanding:

Proviso.

Provided, nevertheless, That the said Mobile and Ohio Railroad Company be subjected to, and shall comply with all the conditions, restrictions, and limitations contained in the act of Congress above referred to, approved

Proviso.

the twentieth September, eighteen hundred and fifty; *And provided*, That

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nothing herein contained shall be construed so as to release the States of Mississippi or Alabama from any liability imposed upon them by the said act of September twentieth, eighteen hundred and fifty.

APPROVED, February 18, 1859.

CHAP. LVIII.—*An Act to authorize Settlers upon sixteenth and thirty-six[th] Sections, who settled before the Surveys of the Public Lands, to preëmpt their Settlements.* Feb. 26, 1859.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where settlements, with a view to preëmption, have been *been* made before the survey of the lands in the field which shall be found to have been made on sections sixteen or thirty-six, said sections shall be subject to the preëmption claim of such settler; and if they, or either of them, shall have been or shall be reserved or pledged for the use of schools or colleges in the State or Territory in which the lands lie, other lands of like quantity are hereby appropriated in lieu of such as may be patented by preëmptors; and other lands are also hereby appropriated to compensate deficiencies for school purposes, where said sections sixteen or thirty-six are fractional in quantity, or where one or both are wanting by reason of the township being fractional, or from any natural cause whatever: *Provided*, That the lands by this section appropriated, shall be selected and appropriated in accordance with the principles of adjustment and the provisions of the act of Congress of May twentieth, eighteen hundred and twenty-six, entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships not before provided for."

Settlers upon sections 16 and 36 may preëmpt their settlements when made before survey and with a view to preëmption; and other lands may be appropriated in lieu thereof and for deficiencies in fractional sections.

Proviso. Mode of selection and appropriation.

1826, ch. 83. vol. iv. p. 179.

APPROVED, February 26, 1859.

CHAP. LIX.—*An Act to protect the Land Fund for School Purposes in Sarpy County, Nebraska Territory.* Feb. 26, 1859.

Whereas by the treaty between the United States and the Omaha tribe of Indians, by which said Indian tribe ceded their lands in the Territory of Nebraska to the United States, a reservation was made of a part of section thirty-six, in town[ship] fourteen north, range thirteen east, for the Presbyterian Board of Foreign Missions; and whereas, by virtue of a joint resolution of Congress, approved March third, eighteen hundred and fifty-seven, a large portion of the remainder of said section thirty-six has been preëmpted, leaving but a fraction for the use of schools: Therefore,—

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of common schools of the county of Sarpy, in which said land is situated, shall be, and [he] hereby is, authorized to select six hundred and forty acres of any unoccupied public lands in said county in subdivisions of not less than one quarter section, in lieu of the aforesaid section thirty-six: *Provided*, That as soon as such selection shall be made it shall be the duty of such superintendent to file a notice thereof, with a description of the land selected, in the office of the register of the land-office in the Omaha land district, who shall thereupon withdraw such land so selected from the list of lands subject to preëmption, or public or private sale in said land district, and shall report the fact to the United States Commissioner of Public Lands, and the land so selected shall, after such filing with the register, belong to the school fund of said county in all respects the same as other school lands; and the fraction of said section thirty-six remaining after satisfying the terms of said treaty, and after said preëmptions as mentioned in the foregoing preamble, shall be subject to preëmption, public sale, or private entry, the same as other public lands.

Superintendent of schools for Sarpy county, Nebraska territory, may select public lands in lieu of lands preempted and reserved.

Proviso.

APPROVED, February 26, 1859.