to be surveyed into lots, near as may be to the lines of the survey formerly made by Albert G. Ellis, and shall cause certified plats thereof to be returned as is provided by law in the case of other surveys of the public domain; and he shall thereupon proceed to dispose of the same as other public lands are disposed of, saving to every person who upon the passage of this act may be in possession of any part of said lands, and shall have made improvements thereon, as provided under the preëmption laws of the United States, the right to purchase any lots so improved, lying contiguous to each other, and not exceeding in the aggregate eighty acres, upon making proof of such possession and improvements, and paying for such lots the sum of one dollar and twenty-five cents per acre, within six months after public notice shall be given of the time and place for making such proof and payment.

and disposed of.

Rights of persons in possession, who have made improvements.

Military reserve of Fort Crawford to be surveyed and disposed of.

SEC. 4. *And be it further enacted*, That the commissioner of the general land-office shall cause the military reserve of Fort Crawford, in the county of Crawford, in the same State, to be surveyed and disposed of in the manner prescribed in the first and second sections of this act for the disposition of the Fort Howard Reserve.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. XCVIII.—*An Act for a Grant of Lands to the State of Kansas, in alternate Sections, to aid in the Construction of certain Railroads and Telegraphs in said State.*

Alternate sections of land, &c., granted to Kansas to aid in construction of railroads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Kansas, for the purpose of aiding in the construction: First, of a railroad and telegraph from the city of Leavenworth by the way of the town of Lawrence, and via the Ohio City crossing of the Osage River, to the southern line of the State, in the direction of Galveston bay in Texas, with a branch from Lawrence by the valley of the Wakarusa River, to the point on the Atchison, Topeka, and Santa Fé Railroad where said road intersects the Neosho River. Second, of a railroad from the city of Atchison, via Topeka, the capital of said State, to the western line of the State, in the direction of Fort Union and Santa Fé, New Mexico, with a branch from where this last-named road crosses the Neosho, down said Neosho valley to the point where the said first-named road enters the said Neosho valley; every alternate section of land, designated by odd numbers, for ten sections in width on each side of said roads and each of its branches. But in case it shall appear that the United States have, when the lines or routes of said road and branches are definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected, for the purposes aforesaid, from the public lands of the United States nearest to tiers of sections above specified, so much land, in alternate sections or parts of sections, designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the rights of preëmption or homestead settlements have attached as aforesaid; which lands, thus indicated by odd numbers and selected by direction of the Secretary of the Interior as aforesaid, shall be held by the State of Kansas for the use and purpose aforesaid: *Provided*, That the land to be so selected shall, in no case, be located further than twenty miles from the lines of said road and branches: *Provided, further*, That the lands hereby granted for and on account of said roads and branches severally, shall be exclusively applied in the construction of the same, and for no other purpose whatever, and shall be disposed of only as the work progresses through the same, as in this act hereinafter provided: *Provided, also*, That no part of the

If any section has been sold, &c., an equal quantity to be given in lieu thereof.

Proviso.

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land granted by this act shall be applied to aid in the construction of any railroad or part thereof, for the construction of which any previous grant of land or bonds may have been made by Congress: *And provided, further*, That any and all lands heretofore reserved to the United States, by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operations of this act, except so far as it may be found necessary to locate the routes of said road and branches through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States.

To what roads only this land to be applied.

Certain lands not within this act.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within ten miles on each side of said road and branches, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the increased minimum price, as aforesaid: *Provided*, That actual and bona fide settlers, under the provisions of the preëmption and homestead laws of the United States, may, after due proof of settlement, improvement, cultivation, and occupation, as now provided by law, purchase the same, at the increased minimum price aforesaid: *And provided, also*, That settlers on any of said reserved sections, under the provisions of the homestead law, who improve, occupy, and cultivate the same for a period of five years, and comply with the several conditions and requirements of said act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

Sections remaining to the United States not to be sold for less than double the minimum price,

not to be subject to private entry, until offered at public sale to highest bidder.

Settlers on reserved sections.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads and branches shall be and remain public highways, for the use of the Government of the United States, free from all toll or other charge upon the transportation of any property or troops of the United States.

Lands granted only for what purposes.

Roads, &c., to be public highways, &c.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: when the governor of said State shall certify to the Secretary of the Interior that any twenty consecutive miles of either of said roads or branches is completed in a good, substantial, and workmanlike manner, as a first-class railroad, and the said Secretary shall be satisfied that said State has complied in good faith with this requirement, the said State may cause to be sold all the lands granted as aforesaid situated opposite to and within a limit of ten miles of the line of said section of road thus completed, extending along the whole length of said completed section of twenty miles of road, and no further. And when the governor of said State shall certify to the Secretary of the Interior, and the Secretary shall be satisfied, that another section of said roads or branches, twenty consecutive miles in extent, connecting with the preceding section, is completed as aforesaid, the said State may cause to be sold all the lands granted and situated opposite to and within the limit of ten miles of the line of said completed section of road, and extending the length of said section, and so, from time to time, until said roads and branches are completed. And when the governor of said State shall so certify, and the Secretary of the Interior shall be satisfied, that the whole of said roads and branches and telegraph are completed in a good, substantial, and workmanlike manner, as first-class railroads and telegraph, the said State may cause to be sold all the remaining lands granted and selected for the purposes indicated in this act situated within the said limits of twenty miles from the line thereof throughout the entire length of said road and branches: *Provided*, That if any part of said roads and branches is not

How lands may be disposed of.

Upon completion of any twenty consecutive miles of a road or branch, &c.

Upon completion of second section of twenty miles, &c.

Upon completion of whole road, &c.

Roads to be completed within ten years.

completed within ten years from the passage of this act, no further sale shall be made, and the lands unsold shall revert to the United States.

Mail to be transported over road, &c.

Sec. 5. *And be it further enacted*, That the United States mail shall be transported over said roads and branches, under the direction of the Post-Office Department, at such price as Congress may by law direct: *Provided*, That until such price is fixed by law the Postmaster-General shall have the power to determine the same.

Approved, March 3, 1863.

March 3, 1863.

Chap. XCIX. — *An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirtieth, eighteen hundred and sixty-four.*

Indian appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes —

For the current and contingent expenses of the Indian Department, namely:

Pay of superintendents.
1850, ch. 16.
1851, ch. 14.
1854, ch. 167.
1855, ch. 204.
1856, ch. 128.
1857, ch. 90.
1860, ch. 157.
1860, ch. 213.
1861, ch 30.
Vol. xi. p. 747.

For the pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty, eighth *and thirteenth* February, eighteen hundred and sixty-one, and per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yanctons, ninety-three thousand seven hundred and fifty dollars.

Sub-agents.
1854, ch. 167.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

Clerk at St. Louis.
1846, ch. 34.
Vol. ix. p. 21.

For the pay of clerk to superintendent at Saint Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

Supervisors in California.

For pay of supervisor[s] for reservation in California, nine thousand dollars.

Interpreters.
1834, ch. 162.
1851, ch. 14.
1856, ch. 128.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, eighteenth August, eighteen hundred and fifty-six, and seventeenth July, eighteen hundred and sixty-two, twenty-six thousand nine hundred dollars.

Laborers in California.

For pay of twenty laborers for reservations in California, twelve thousand dollars.

Presents.

For presents to Indians, five thousand dollars.

Provisions.

For provisions for Indians, eleven thousand eight hundred dollars.

Buildings and repairs.

For buildings at agencies and repairs thereof, ten thousand dollars.

Contingencies.

For contingencies of the Indian Department, thirty-six thousand five hundred dollars.

Temporary clerks.

For the employment of temporary clerks by superintendents of Indian affairs, on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

Treaty stipulations.

For fulfilling treaty stipulations with the various Indian tribes:

Blackfoot Indians.

Blackfoot Indians. — For eighth of ten instalments as annuity, to be expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.

Vol xi. p. 657.