

Grant to Michigan of public lands to aid in building ship-canal.

How and where selected.

Proviso.

Lands granted to be subject to disposal by the state.

Canal to be public highway, and no charge to United States vessels.

Route of canal to be established before lands are disposed of.

Unless canal, &c., completed in two years, land to revert.

Account of sales of lands, and net proceeds and earnings and expenditures to be kept.

When state reimbursed, tolls to be such only as shall pay expenses of canal.

SEC. 2. *And be it further enacted*, That there be, and hereby is, granted to the said State of Michigan, for the purpose of aiding said state in constructing and completing a harbor and ship-canal to connect the waters of Lake Superior with the waters of Portage Lake, two hundred thousand acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of said state, subject to the approval of the Secretary of the Interior, from any lands in the upper peninsula of said state, subject to private entry: *Provided*, That said selections shall be made from alternate and odd-numbered sections of land nearest the location of said canal in said upper peninsula, not otherwise appropriated, and not from lands designated by the United States as "mineral" before the passage of this act, nor from lands to which the rights of preëmption or homestead have attached.

SEC. 3. *And be it further enacted*, That the said lands hereby granted shall be subject to the disposal of the legislature of said state, or, if the legislature thereof shall not be in session, or shall adjourn within ten days after the passage and approval of this act, then said lands shall be subject to the disposal of the governor and board of control of said state, for the purpose aforesaid and for no other; and the said canal shall be and remain a public highway for the use of the government of the United States, free from toll or charge upon the vessels of said government, or upon vessels employed by said government in the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That before it shall be competent for said state to dispose of any of said lands, to be selected as aforesaid, the plan of said breakwater and harbor, and the route of said canal shall be established as aforesaid, and a plat or plats thereof shall be filed in the office of the War Department, and a duplicate thereof in the office of the commissioner of the general land-office.

SEC. 5. *And be it further enacted*, That if the said breakwater, harbor, and ship-canal shall not be completed within two years from the passage of this act, the lands hereby granted shall revert to the United States.

SEC. 6. *And be it further enacted*, That the legislature of said state shall cause to be kept an accurate account of the sales and net proceeds of the lands hereby granted, and of all expenditures in the construction, repairs, and operating of said canal, and of the earnings thereof, and shall return a statement of the same annually to the Secretary of the Interior; and whenever said state shall be fully reimbursed for all advances made for the construction, repairs, and operating of said canal, with legal interest on all advances, until the reimbursement of the same, or upon payment by the United States of any balance of such advances over such receipts from said lands and canal, with such interest, the said state shall be allowed to tax for the use of said canal only such tolls as shall be sufficient to pay all necessary expenses for the care, charge, and repair of the same.

APPROVED, March 3, 1865.

March 3, 1865. CHAP. CIII. — *An Act to extend the Time for the Completion of certain Railroads to which Land Grants have been made in the States of Michigan and Wisconsin.*

Additional lands granted to Michigan, to aid in construction of certain railroads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, granted to the State of Michigan, for the purpose of aiding in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin state line, at or near the mouth of the Menomonee River, for the benefit and use of the Chicago and Northwestern Railway Company, a corporation of the States of Michigan, Illinois, Wisconsin, and from Marquette to Ontonagon, for the use and benefit of the Marquette and Ontonagon Railroad Company, a corporation of the State of Michigan, and for twenty miles westerly from Marquette of the Bay de Noquet and Marquette Railroad, for the benefit and use of the Bay de Noquet and Mar-

quette Railroad Company, four additional alternate sections of land, per mile, to that already granted by act of congress approved June third, A. D. eighteen hundred and fifty-six, and joint resolution supplementary thereto, to be selected upon the same conditions, restrictions, and limitations as are contained in the act of congress entitled "An act making a grant of lands to the State of Michigan, in alternate sections, to aid in the construction of railroads in said state," approved June third, eighteen hundred and fifty-six: *Provided*, That the land to be so located by either of said roads shall be selected from the alternate sections, designated by odd numbers, within twenty miles of the line of said road.

1856, ch. 44.
Vol. xi. p. 21.

Lands how selected.

SEC. 2. *And be it further enacted*, That the lands granted by said act of congress and by this act shall be disposed of only in the following manner, that is to say: When the governor of the State of Michigan shall certify to the Secretary of the Interior that any ten consecutive miles, upon the route of either of said roads, is completed in a good and substantial manner, as a first-class railroad, then the Secretary of the Interior shall cause a certificate or certificates to issue to said state for one hundred sections of land, for the benefit and use of such company, and so from time to time for each completed section of ten miles of either of said roads, one hundred sections of land, until the whole shall be completed: *Provided*, That none of the additional lands granted by this act for that portion of the Marquette and Ontonagon Railroad now completed shall be certified to the State of Michigan, by the terms hereof, until the said railroad shall be completed from a point twenty miles west of Marquette to Ontonagon; and that none of the additional lands granted by this act for that portion of the railroad from Marquette to the Wisconsin state line at or near the mouth of the Menomonee River, now completed, shall be so certified until the said railroad shall be completed from Bay de Noquet to the said Wisconsin state line at or near the mouth of the Menomonee River aforesaid.

Lands how disposed of.

Certificate to issue as building of roads goes on.

Marquette and Ontonagon railroad.

Road from Marquette to Wisconsin state line.

SEC. 3. *And be it further enacted*, That the time limited for the completion of the road from Marquette to the Wisconsin state line, at or near the mouth of the Menomonee River, be, and the same is hereby, extended for the term of five years, from and after the third day of June, A. D. eighteen hundred and sixty-six.

Time for completing road from Marquette to Wisconsin state line extended.

SEC. 4. *And be it further enacted*, That no lands to be set apart for the road from Marquette to Bay de Noquet, and from Marquette to Ontonagon, shall be selected and certified east of that portion of the range line dividing ranges twenty-six and twenty-seven, that is, south of the township line between townships forty-seven and forty-eight, nor south of that portion of the township line dividing townships forty-seven and forty-eight, that lies east of the dividing range line above named; and that no lands to be set apart for the road from Marquette, on Lake Superior, to the Wisconsin state line, at or near the mouth of the Menomonee River, shall be selected and certified west of that portion of the range line dividing ranges twenty-six and twenty-seven, that is, north of the township line dividing townships forty-two and forty-three, nor north of the township line dividing townships forty-seven and forty-eight; and that, for the purpose of making up any deficiency of lands to which the line of road from Marquette to Bay de Noquet may be entitled to make its grant equal to ten sections to the mile, the same shall be certified on the route from Marquette to Ontonagon, within twenty miles of the line of said road, and east of the range line dividing ranges thirty-one and thirty-two, and in accordance with the provisions hereinbefore contained. And that, whenever the governor of the State of Michigan shall certify to the Secretary of the Interior that twenty consecutive miles of the line of road from Marquette to Bay de Noquet has been completed in a good and substantial manner, as a first-class railroad, the Secretary of the Interior shall cause to be issued to said State of Michigan, for the use and benefit of the

Lands for road from Marquette to Bay de Noquet and to Ontonagon.

Where to be selected and certified.

Lands for road from Marquette to Wisconsin state line.

Deficiency of lands for road from Marquette to Bay de Noquet.

Certificates of lands for road from Marquette to Bay de Noquet to be issued as road is built.

Selection and location.

Time for completing road from Fond du Lac to Wisconsin state line extended.

Each road to grade twenty miles in two years, and twenty miles each year thereafter.

Lands to revert, if, &c.

Bay de Noquet and Marquette Railroad Company, assignee of the State of Michigan, a certificate or certificates for two hundred sections of land, to be selected and located from the sections designated by odd numbers, on the line from Marquette to Ontonagon, and within twenty miles of said line.

SEC. 5. *And be it further enacted*, That the time for the completion of the railroad from Fond du Lac, on Lake Winnebago, to the Wisconsin state line, at or near the mouth of the Menomonee River, shall be, and hereby is, extended for the period of five years from and after the third day of June, one thousand eight hundred and sixty-six; and that any and all grants of land to said road shall continue and remain in full force and effect.

SEC. 6. *And be it further enacted*, That each of said companies shall grade, in a good and substantial manner, ready for the ties, twenty miles of its road within two years, and twenty miles additional thereof in each year thereafter: *Provided*, That if said companies, or either of them, shall neglect or fail to do so, or to complete its road within the time herein specified, the land granted to such company shall revert to the United States.

APPROVED, March 3, 1865.

March 3, 1865.

Certain post-roads established.

California.

CHAP. CIV. — *An Act to establish certain Post-Roads.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post-roads:—

CALIFORNIA.

From San José to Alviso.

From Santa Clara to Alviso.

From Virginia City in Nevada, via Crystal Peak, Donner Lake, Summit Valley, and Dutch Flat, to Sacramento.

From Folsom to Coloma, Nevada.

From Monterey, via Watsonville, to San Francisco.

From Murpheys, via Bigtrees, Big Springs, Silver Valley, to Silver Mountain, and thence, via Mount Bullion, Markleville, Carey's Mills, and Fredericksburgh, to Geneva.

From Austin, Lander County, to Ione City.

From Wellington Station, on West Walker River, by Walker's Lake, Deep Well Station, Kentucky District, Hot Spring, Mammoth District, Ione City, the county seat of Nye County, St. Augustine and Washington districts, Canon City, and Middletown, to the city of Austin, the county seat of Lander County.

Nevada, Idaho, Montana.

NEVADA AND TERRITORIES IDAHO AND MONTANA.

From Unionville, the county seat of Humboldt County, via Star City, Dun Glen, Moore's and White's Ranch, Pah Ute Knob, in the State of Nevada, the Owyhee and Jardans Creek mines, Boise City, Idaho City, Centreville, and Placerville, in the Territory of Idaho, to Virginia City, in the Territory of Montana.

Illinois.

ILLINOIS.

From Savanna, in Carroll County, via Baker's Spring, to Morrison, in Whiteside County.

From Carthage, in Hancock County, via Jacob K. Jacob's store, Durhams, and McQueen's Mill, to Burlington, Iowa.

From Newport, Vermillion County, Indiana, to Ridge Farm, Vermillion County, Illinois.

From Cerro Gordo, Piatt County, on the Great Western Railroad, to Lovington, Moultrie County.