May 5, 1864.

CHAP. LXXX. — *An Act granting Lands to aid in the Construction of certain Railroads in the State of Wisconsin.*

Land granted to Wisconsin for certain railroads; from Saint Croix river or lake to Lake Superior.

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 Wisconsin, for the purpose of aiding in the construction of a railroad from a point on the Saint Croix river or lake, between townships twenty-five and thirty-one, to the west end of Lake Superior, and from some point on the line of said railroad, to be selected by said state, to Bayfield, every alternate section of public land designated by odd numbers, for ten sections in width on each side of said road, deducting any and all lands that may have been granted to the state of Wisconsin for the same purpose, by the act of congress of June three, eighteen hundred and fifty-six, upon the same terms and conditions as are contained in the act granting lands to the state of Wisconsin, to aid in the construction of railroads in said state, approved June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of, any sections or parts thereof, granted as aforesaid, or that the right of preëmption or homestead has attached to the same, then it shall be lawful for any agent or agents, to be appointed by said company, to select, subject to the approval of the Secretary of the Interior, from the public lands of the United States nearest to the tier of sections above specified, as much land in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preëmption or homestead has attached as aforesaid, which lands (thus selected in lieu of those sold, and to which preëmption or homestead right has attached as aforesaid, together with sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid,) shall be held by said state for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than twenty miles from the line of the said roads, nor shall such selection or location be made in lieu of lands received under the said grant of June three, eighteen hundred and fifty-six, but such selection and location may be made for the benefit of said state, and for the purpose aforesaid, to supply any deficiency under the said grant of June third, eighteen hundred and fifty-six, should any such deficiency exist.

1856, ch. 43. Vol. xi. p. 20.

Reserved or preëmpted lands.

Lands not to be located more than twenty miles from the road.

Road from Tomah to Saint Croix river.

SEC. 2. *And be it further enacted*, That there be, and is hereby, granted to the state of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Tomah, in the county of Monroe, in said state, to the Saint Croix river or lake, between townships twenty-five and thirty-one, every alternate section of public land designated by odd numbers for ten sections in width on each side of said road, deducting any and all lands that may have been granted to the state of Wisconsin for the same purpose, by the act of congress granting lands to said state to aid in the construction of certain railroads, approved June three, eighteen hundred and fifty-six, upon the same terms and conditions as are contained in the said act of June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any sections, or parts of sections, granted as aforesaid, or that the right of preëmption or homestead has attached to the same, then it shall be lawful for any agent or agents to be appointed by said state to select, subject to the approval of the Secretary of the Interior, from the public lands of the United States nearest to the tier of sections above specified, as much land, in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of pre-emption or homestead has attached, as aforesaid, which lands (thus selected in lieu of those sold, and to which preëmption or homestead right has

1856, ch. 43. Vol. xi. p. 20.

Reserved or preëmpted lands.

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attached as aforesaid, together with sections and parts of sections, designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by said state for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than twenty miles from the line of the said road, nor shall such selection or location be made in lieu of lands received under the said grant of June three, eighteen hundred and fifty-six, but such selections and locations may be made for the benefit of said state, and for the purpose aforesaid, to supply any deficiency under the said grant of June three, eighteen hundred and fifty-six, should any such deficiency exist.

Lands not to be located more than twenty miles from the road.

SEC. 3. *And be it further enacted*, That there be, and is hereby, granted to the state of Wisconsin, for the purpose of aiding in the construction of a railroad from Portage city, Berlin, Doty's Island, or Fon du Lac, as said state may determine, in a northwestern direction, to Bayfield, and thence to Superior, on Lake Superior, every alternate section of public land, designated by odd numbers, for ten sections in width on each side of said road, upon the same terms and conditions as are contained in the act granting lands to said state to aid in the construction of railroads in said state, approved June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any sections or parts thereof, granted as aforesaid, or that the right of preëmption or homestead has attached to the same, that it shall be lawful for any agent or agents of said state, appointed by the governor thereof, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tier of sections above specified, as much public land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preemption or homestead has attached as aforesaid, which lands (thus selected in lieu of those sold and to which the right of preëmption or homestead has attached as aforesaid, together with sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by said state, or by the company to which she may transfer the same, for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than twenty miles from the line of said road.

Road from Portage city, or Fon du Lac to Bayfield, &c.

1856, ch. 43. Vol. xi. p. 20.

Reserved and preëmpted lands.

Limit and location of lands.

SEC. 4. *And be it further enacted*, That the sections and parts of sections of lands which shall remain to the United States within ten miles on each side of said roads shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of the said reserved lands become subject to private entry until the same have been first offered at public sale at the increased price.

Minimum price of remaining lands.

SEC. 5. *And be it further enacted*, That the time fixed and limited for the completion of said roads in the act aforesaid of June three, eighteen hundred and fifty-six, be and the same is hereby extended to a period of five years from and after the passage of this act.

Time for completion of former roads extended.

SEC. 6. *And be it further enacted*, That any and all lands reserved to the United States by any act of congress for the purpose of aiding in any object of internal improvement, or in any manner for any purpose whatsoever, and all mineral lands be and the same are hereby reserved and excluded from the operation of this act, except so far as it may be found necessary to locate the route of such railroads 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.

Lands formerly granted and mineral lands exempted from this act, except as to right of way.

SEC. 7. *And be it further enacted*, That whenever the companies to which this grant is made, or to which the same may be transferred, shall have completed twenty consecutive miles of any portion of said railroads, supplied with all necessary drains, culverts, viaducts, crossings, sidings,

Patents for the granted lands, when and how to issue.

bridges, turn-outs, watering-places, depots, equipments, furniture, and all other appurtenances of a first-class railroad, patents shall issue conveying the right and title to said lands to the said company entitled thereto, on each side of the road, so far as the same is completed, and coterminous with said completed section, not exceeding the amount aforesaid, and patents shall in like manner issue as each twenty miles of said road is completed: *Provided, however*, That no patents shall issue for any of said lands unless there shall be presented to the Secretary of the Interior a statement, verified on oath or affirmation by the president of said company, and certified by the governor of the state of Wisconsin, that such twenty miles have been completed in the manner required by this act, and setting forth with certainty the points where such twenty miles begin and where the same end; which oath shall be taken before a judge of a court of record of the United States.

Certificate of the governor of Wisconsin.

Lands to be applied only to the purposes of the roads.

SEC. 8. *And be it further enacted*, That the said lands hereby granted shall, when patented as provided in section seven of this act, be subject to the disposal of the companies respectively entitled thereto, for the purposes aforesaid, and no other, and the said railroads be, and shall remain, public highways for the use of the government of the United States, free from all toll or other charge, for the transportation of any property or troops of the United States.

Roads to be public highways for the use of the United States.

Roads, when to be completed. If not, lands unsold to revert to the United States.

SEC. 9. *And be it further enacted*, That if said road mentioned in the third section aforesaid is not completed within ten years from the time of the passage of this act, as provided herein, no further patents shall be issued to said company for said lands, and no further sale shall be made, and the lands unsold shall revert to the United States.

APPROVED, May 5, 1864.

May 5, 1864.

1820, ch. 104, § 8.

Vol. iii. p. 587.

CHAP. LXXXI.—*An Act to amend "An Act to incorporate the Inhabitants of the City of Washington," passed May fifteen, eighteen hundred and twenty.*

Section eight of former act amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section eight of "An act to incorporate the inhabitants of the city of Washington," passed May fifteenth, eighteen hundred and twenty, be amended so as to read as follows: That the said corporation shall have full power and authority to lay taxes on particular wards, parts, or sections of the city, for their particular local improvements, and to cause the curb-stones to be set, the foot and carriage ways to be graded and paved, or so much thereof as they may deem best, and the necessary sewerage and drainage facilities to be introduced under and upon the whole or any portion of any avenue, street, or alley, and also to cause the same to be suitably paved and repaired, and to be at all times properly cleaned and watered, and also to cause lamps to be erected therein, and to light the same, and to pay the cost thereof out of the funds of the ward in which such improvement shall be made; this provision not to be construed as repealing, but being intended as auxiliary to the power they already possess to make local improvements on the application of the owners of property benefited thereby.

1865, ch. 48. *Post*, p. 434.

Taxes for local improvements, streets, sewerage, drainage.

Person to be appointed to see that streets are cleaned, watered, kept in repair, &c.

SEC. 2. *And be it further enacted*, That immediately upon the approval of this act the said corporation shall designate some proper officer thereof whose duty it shall be to see that the provisions of this act are properly executed, and that the principal avenues and streets of the said city are so cleaned and watered as to be at all times reasonably clean and free from dust; and also to keep the pavements and side-walks upon said avenues and streets at all times in suitable and proper repair; and it shall further be the duty of the said corporation to take such measures as they shall deem wise to promote some uniform and general system of drainage for said city.