as are in the bona fide occupancy of parties upon the passage of this act by themselves or tenants, to such parties: *Provided*, That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land or any part thereof, nor preclude a judicial examination and adjustment thereof.

Limit to grant.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXII. — *An Act for a Grant of Lands to the State of Kansas to aid in the Construction of the Northern Kansas Railroad and Telegraph.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Kansas, for the use and benefit of the Saint Joseph and Denver City Railroad Company, the same being a corporation organized under the laws of the State of Kansas, to construct and operate a railroad from Elwood, in Kansas, westwardly, via Maryville, in the same State, so as to effect a junction with the Union Pacific Railroad, or any branch thereof not farther west than the one hundredth meridian of west longitude, every alternate section of land designated by odd numbers, for ten sections in width on each side of said road, to the point of intersection. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of pre-emption or home-tead 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 pre-emption 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 farther than twenty miles from the line of said road: *Provided further*, That the lands hereby granted for and on account of said road shall be exclusively applied in the construction of the same and for no other purpose whatever, and shall be disposed of only as in this act hereinafter provided: *Provided, also*, That no part of the 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 has 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 may be found necessary to locate the route of said road through said lands; in which case the right of way for one hundred feet on each side of said road only shall be granted, subject to the approval of the President of the United States.

Lands granted to Kansas for the benefit of the St. Joseph and Denver City Railroad Company.

Location of road and branches.

If any of granted lands have been sold or reserved, &c. other lands may be selected in lieu thereof.

Selected lands to be within twenty miles of road.

Lands granted to be applied exclusively in the construction of railroad;

but not for any road for which previous grant has been made.

Lands heretofore reserved exempted from the operation of this act.

Right of way.

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, 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 pre-emption and homestead laws

Remaining lands not to be sold for less than double the minimum price;

to be exposed to public sale.

settlers under homestead and

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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.

pre-emption laws.

Settlers under homestead laws when entitled to patents for eighty acres each.

SEC. 3. *And be it further enacted*, That the grant of the lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and shall at all times be in readiness to transport troops, munitions of war, supplies and public stores upon its roads for the government when required to do so by any department thereof, the government at all times having the preference in the use of the road for all the purposes aforesaid at fair and reasonable rates of compensation, not exceeding that paid by private individuals or the average paid for like services on other roads. And the lands hereby granted, held, and reserved as aforesaid shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good, substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for so many sections of the land hereinbefore granted as lie opposite to and coterminous with the said completed sections. And when certificates of the governor, aforesaid, shall be presented to said Secretary, of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the said sections of said land as aforesaid for each of said sections of road until said road shall be completed: *Provided*, That if said railroad company or its assigns shall fail to complete at least one section of said road each year from the date of its acceptance of the grant provided for in this act, then its right to the lands for said section so failing of completion shall revert to the government of the United States: *Provided further*, That if said road is not completed within ten years from the date of the acceptance of the grant hereinbefore made, the lands remaining unpatented shall revert to the United States.

Conditions of grant.

Lands how to inure to the benefit of the company.

If road does not complete one section of road each year, the right to the lands for said section is forfeited.

If road is not completed in ten years, lands unpatented to revert to the United States.

SEC. 4. *And be it further enacted*, That as soon as the said company shall file with the Secretary of the Interior maps of its lines, designating the route thereof, it shall be the duty of the said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

When maps of route of road are filed, lands to be withdrawn from market.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported on said road and its extension, under the direction of the Post Office Department, at such price as Congress may by law provide: *Provided*, That until such price is fixed by law the Postmaster-General shall have power to fix the compensation.

Mail to be carried over road, and at what price.

SEC. 6. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to said Saint Joseph and Denver City Railroad Company, its successors and assigns, for the construction of a railroad as proposed; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations.

Right of way granted to the railroad company.

Materials for construction of road.

Extent of grant.

Grounds for shops, &c.

SEC. 7. *And be it further enacted*, That the acceptance of the terms,

Acceptance of this act to be in writing, and within six months.

conditions, and impositions of this act by the said Saint Joseph and Denver City Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within six months after the passage of this act and not afterwards, and shall be deposited with the Secretary of the Interior.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXIII. — *An Act to regulate the Registering of Vessels.*

Act 1866, ch. 8. *Ante*, p. 3, not to limit act 1852, ch. 4. Vol. x. p. 149.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That the act approved on the tenth day of February, in the year one thousand eight hundred and sixty-six, entitled "An act to regulate the registering of vessels," shall not be deemed or construed to affect or limit the operation of the act approved on the twenty-third day of December, in the year one thousand eight hundred and fifty-two, entitled "An act authorizing the Secretary of the Treasury to issue registers to vessels in certain cases," but the same shall be in full force and effect, anything in the act first aforesaid to the contrary notwithstanding.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXIV. — *An Act to authorize the Construction of a Railroad through certain Land of the United States in Kansas.*

Leavenworth City Railroad Company may construct horse railway through military reservation; may take land for road. Location of road. Company to erect own bridges and crossings. Land granted, to revert if not used for railroad purposes. Privilege to cease at will of Secretary of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Leavenworth City Railroad Company be, and are hereby, authorized to construct a horse railway, with one or two tracks, through the military reservation from Fort Leavenworth to the city of Leavenworth, Kansas, and take for the accommodation of the said road, or the business thereof, a strip of land over said reservation not exceeding twenty feet in width: *Provided*, That the location of said railroad through said reservation shall be on and along the west side of the wagon road leading from the said city to the said fort, and that the said company shall erect their own bridges and crossings, and not be permitted to use those of the wagon road: *And provided also*, That whenever said strip of land shall cease to be used for the purposes of said railroad company or the accommodation of the business thereof, the same shall revert to the United States; that this privilege shall be allowed as long as the Secretary of War shall, in his discretion, determine, and no longer.

APPROVED, July 23, 1866.

July 23, 1866.

CHAP. CCXV. — *An Act to amend the Acts approved August six, eighteen hundred and sixty-one, and July sixteen, eighteen hundred and sixty-two, establishing a Metropolitan Police in the District of Columbia, to increase the Efficiency thereof, and for other Purposes.*

1861, ch. 62. Vol. xii. p. 320. 1862, ch. 181. Vol. xii. p. 578. *Post*, p. 374.

Titles of officers of metropolitan police.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the chief executive officer of the police shall hereafter be styled major; the present sergeants shall be called lieutenants; the roundsmen called sergeants, and the patrolmen called privates; and that, in addition to the officers and employés the commissioners of the metropolitan police, in the District of Columbia, are now authorized by law to appoint, the said commissioners be authorized to appoint one captain, who shall be the inspector of the force, command it in sickness or absence of the major, and perform such other duties as the said commissioners may direct; one clerk in the office of the major, who shall have charge of the records of the sanitary company, and

Additional officers and men authorized.