March 3, 1869.

CHAP. CXXVII. — *An Act to authorize the Transfer of Lands granted to the Union Pacific Railway Company, Eastern Division, between Denver and the Point of its Connection with the Union Pacific Railroad, to the Denver Pacific Railway and Telegraph Company, and to expedite the Completion of Railroads to Denver, in the Territory of Colorado.*

Union Pacific R. R. Co. may contract with Denver Pacific R. and T. Co. for the construction, &c. of its road and telegraph between Denver City and Cheyenne, &c.;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Union Pacific Railway Company, eastern division, be, and it hereby is, authorized to contract with the Denver Pacific Railway and Telegraph Company, a corporation existing under the laws of the Territory of Colorado, for the construction, operation, and maintenance of that part of its line of railroad and telegraph between Denver City and its point of connection with the Union Pacific railroad, which point shall be at Cheyenne, and to adopt the roadbed already graded by said Denver Pacific Railway and Telegraph Company as said line, and to grant to said Denver Pacific Railway and Telegraph Company the perpetual use of its right of way and depot grounds, and to transfer to it all the rights and privileges, subject to all the obligations pertaining to said part of its line.

shall extend its railroad and telegraph to, &c. so as to form continuous line from Kansas City to Cheyenne.

Sec. 2. *And be it further enacted*, That the said Union Pacific Railway Company, eastern division, shall extend its railroad and telegraph to a connection at the city of Denver, so as to form with that part of its line herein authorized to be constructed, operated, and maintained by the Denver Pacific Railway and Telegraph Company, a continuous line of railroad and telegraph from Kansas City, by way of Denver to Cheyenne.

Laws to apply.

And all the provisions of law for the operation of the Union Pacific railroad, its branches and connections, as a continuous line, without discrimination, shall apply the same as if the road from Denver to Cheyenne had been constructed by the said Union Pacific Railway Company, eastern division; but nothing herein shall authorize the said eastern division company to operate the road or fix the rates of tariff for the Denver Pacific Railway and Telegraph Company.

Operating of road and rates of tariff not affected.

The companies may mortgage their roads;

Sec. 3. *And be it further enacted*, That said companies are hereby authorized to mortgage their respective portions of said road, as herein defined, for an amount not exceeding thirty-two thousand dollars per mile, to enable them respectively to borrow money to construct the same;

to receive patents for alternate sections of land;

and that each of said companies shall receive patents to the alternate sections of land along their respective lines of road, as herein defined, in like manner and within the same limits as is provided by law in the case of lands granted to the Union Pacific Railway Company, eastern division:

but not entitled to subsidy in United States bonds.

Provided, That neither of the companies hereinbefore mentioned shall be entitled to subsidy in United States bonds under the provisions of this act.

Approved, March 3, 1869.

March 3, 1869.

CHAP. CXXVIII. — *An Act to provide for the Execution in the District of Columbia of Commissions issued by the Courts of the States and Territories of the United States or of Foreign Nations, and for taking Depositions to be used in such Courts.*

Provision for taking testimony of witnesses in the District of Columbia under commissions to be used in suits pending elsewhere.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any party to any suit depending in any court of any State or Territory of the United States, or of any foreign nation, may obtain the testimony of any witness residing in, or temporarily within, the District of Columbia, to be used in such suit. When a commission to take such testimony shall have issued from the court in which such suit is pending, or a notice shall have been given according to the rules of practice prevailing in such court, on producing the same to a justice of the supreme court of the District of Columbia, and on due proof being made to such officer that the testimony of any witness residing in the District, or temporarily within it, is material to the party desiring the same, such officer shall issue a summons to such wit-

Witnesses to be summoned.

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