

May 4, 1870.

CHAP. LXIX. — *An Act granting Lands to aid in the Construction of a Railroad and Telegraph Line from Portland to Astoria and McMinville, in the State of Oregon.*

Land grant to Oregon Central Railroad Company.

Right of way and to take materials.

Lands for depots, &c.
Alternate sections, except, &c.

Lands to be selected to make up deficiency.

Lands on line of road to be surveyed;

when to be separated from public lands.

Remaining lands to be sold at double the minimum price.
Homestead exemption.

Patents for lands when and how to be issued to company.

The granted lands to be sold only to actual settlers, in what quantities, and at what price.

Net proceeds of sales of granted lands to be set apart as a sinking fund for

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding in the construction of a railroad and telegraph line from Portland to Astoria, and from a suitable point of junction near Forest Grove to the Yamkill river, near McMinville, in the State of Oregon, there is hereby granted to the Oregon Central Railroad Company, now engaged in constructing the said road, and to their successors and assigns, the right of way through the public lands of the width of one hundred feet on each side of said road, and the right to take from the adjacent public lands materials for constructing said road, and also the necessary lands for depots, stations, side tracks, and other needful uses in operating the road, not exceeding forty acres at any one place; and, also, each alternate section of the public lands, not mineral, excepting coal or iron lands, designated by odd numbers nearest to said road, to the amount of ten such alternate sections per mile, on each side thereof, not otherwise disposed of or reserved or held by valid pre-emption or homestead right at the time of the passage of this act. And in case the quantity of ten full sections per mile cannot be found on each side of said road, within the said limits of twenty miles, other lands designated as aforesaid shall be selected under the direction of the Secretary of the Interior on either side of any part of said road nearest to and not more than twenty-five miles from the track of said road to make up such deficiency.

SEC. 2. *And be it further enacted, That the commissioner of the general land office shall cause the lands along the line of the said railroad to be surveyed with all convenient speed. And whenever and as often as the said company shall file with the Secretary of the Interior maps of the survey and location of twenty or more miles of said road, the said Secretary shall cause the said granted lands adjacent to and coterminous with such located sections of road to be segregated from the public lands; and thereafter the remaining public lands, subject to sale within the limits of the said grant, shall be disposed of only to actual settlers at double the minimum price for such lands: And provided also, That settlers under the provisions of the homestead act who comply with the terms and requirements of said act, shall be entitled, within the said limits of twenty miles, to patents for an amount not exceeding eighty acres each of the said ungranted lands, anything in this act to the contrary notwithstanding.*

SEC. 3. *And be it further enacted, That whenever and as often as the said company shall complete and equip twenty or more consecutive miles of the said railroad and telegraph, the Secretary of the Interior shall cause the same to be examined, at the expense of the company, by three commissioners appointed by him; and if they shall report that such completed section is a first-class railroad and telegraph, properly equipped and ready for use, he shall cause patents to be issued to the company for so much of the said granted lands as shall be adjacent to and coterminous with the said completed [completed] sections.*

SEC. 4. *And be it further enacted, That the said alternate sections of land granted by this act, excepting only such as are necessary for the company to reserve for depots, stations, side tracks, wood yards, standing ground, and other needful uses in operating the road, shall be sold by the company only to actual settlers, in quantities not exceeding one hundred and sixty acres or a quarter section to any one settler, and at prices not exceeding two dollars and fifty cents per acre.*

SEC. 5. *And be it further enacted, That the said company shall, by mortgage or deed of trust to two or more trustees, appropriate and set apart all the net proceeds of the sales of the said granted lands, as a sinking fund, to be kept invested in the bonds of the United States, or other*

safe and more productive securities, for the purchase from time to time, and the redemption at maturity, of the first mortgage construction bonds of the company, on the road depots, stations, side tracks, and wood yards, not exceeding thirty thousand dollars per mile of road, payable in gold coin not longer than thirty years from date, with interest payable semiannually in coin not exceeding the [rate] of seven per centum per annum; and no part of the principal or interest of the said fund shall be applied to any other use until all the said bonds shall have been purchased or redeemed and cancelled; and each of the said first mortgage bonds shall bear the certificate of the trustees, setting forth the manner in which the same is secured and its payment provided for. And the district court of the United States, concurrently with the State courts, shall have original jurisdiction, subject to appeal and writ of error, to enforce the provisions of this section.

the purchase, &c. of certain bonds.
Bonds and interest how payable.

Sinking fund to be used only for, &c.

Bonds to bear certificate of trustees.

What courts may enforce this provision.

SEC. 6. *And be it further enacted*, That the said company shall file with the Secretary of the Interior its assent to this act within one year from the time of its passage; and the foregoing grant is upon condition that said company shall complete a section of twenty or more miles of said railroad and telegraph within two years, and the entire railroad and telegraph within six years, from the same date.

Company to file assent within, &c.

Conditions of this grant.

APPROVED, May 4, 1870.

CHAP. LXX. — *An Act to authorize the corporate Authorities of the City of Georgetown, in the District of Columbia, to pave and improve the Streets thereof.* May 4, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corporation of the city of Georgetown 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 curbstones to be set, the foot and carriage ways, or so much thereof as they may deem best, to be graded, paved, gravelled, or otherwise improved; to introduce the necessary sewerage and drainage facilities, under and upon the whole or any portion of any avenue, street, or alley; to cause the same to be suitably graded, paved, gravelled, or otherwise improved and repaired, and at all times properly cleaned and watered; to cause lamps to be erected therein, and to light the same; and to pay the cost thereof, the said corporation of Georgetown is hereby authorized for the purposes of grading, paving, gravelled, or otherwise improving or repairing any street, avenue, or alley, or any part thereof, to lay and collect a general tax for the same, or any part of the cost thereof, upon all the property of said city, or upon all property bordering upon such avenue, street, or alley, or any part thereof that may be graded, gravelled, paved, or otherwise improved or repaired; and that, for the purpose of sewerage, the said corporation shall have power to lay and collect a tax equal to the expense, or any part thereof, upon all property bordering upon such avenue, street, or alley that may be so sewered, or any property benefited thereby, in accordance with the provisions of this act; and also to be laid, or cause to be laid, simultaneously with the grading, gravelled, paving, or otherwise improving any avenue, street, or alley, or at any other time in which a main water-pipe, main gas-pipe, or main sewer may have been or shall be laid, water or gas service-pipes or lateral house-drains from such water or gas main, or main sewer, to one foot within the curb line in front of every lot, or subdivisional part of a lot, which may bound on such avenue, street, or alley, and to which a gas or water service-pipe or house-drain may not have been already laid; and to pay the cost thereof, shall have full power and authority to lay and collect a special tax on every such lot or part of lot.

Georgetown may lay local taxes for local improvements. Streets.

Sewerage and drainage.

Lighting streets.

Taxes for grading, &c.;

sewerage;

water and gas pipes.

APPROVED, May 4, 1870.