locomotives and trains upon and over the bridge which has been constructed by the Baltimore and Potomac Railroad Company across the Potomac river at the western terminus of Maryland avenue, in the city of Washington, upon the terms and conditions prescribed in the act of Congress granting to said Baltimore and Potomac Railroad Company the privilege to construct and operate said bridge; and the said Orange, Alexandria, and Manassas Railroad Company may put down a single track along Maryland avenue from its western terminus to its intersection with the Washington canal, now in process of being filled up, and thence by a curve southwardly along the ground heretofore occupied by the said canal to the intersection of D or E streets south, as may be determined by the engineer in charge of the public buildings and grounds, and thence along one of said streets by a tunnel under the public grounds east of the Capitol building, upon such route and in such manner as the said engineer may prescribe, to Second or Third street east; thence along said Second or Third street to the line of the Baltimore and Ohio railroad; and the track of said railroad company, except so much thereof as is laid in the said tunnel or its approaches, shall conform to the grade of the streets occupied as above, as shall be prescribed by the board of public works; and any damage caused to the property of individuals by the construction of said railroad shall be paid by said Orange, Alexandria, and Manassas Railroad Company: *Provided*, That the said Orange, Alexandria, and Manassas Railroad Company shall pay to the District of Columbia one-half of the cost of arching the Washington canal from Maryland avenue to the street on which the said railroad track enters the tunnel aforesaid: *And provided further*, That nothing herein contained shall be construed to grant to said company the right to establish a depot along said avenue or streets until consent for the same has first been obtained from the legislative assembly of the District of Columbia.

The Orange, &c., R. R. Co., may run trains over bridge of the Baltimore, &c., R. R. Co.;

may lay track in Maryland avenue, &c.;

tunnel;

to conform to grade of streets.

Damages.

One-half of certain cost to be paid.

Right to establish a depot on, &c., not given.

SEC. 2. That Congress shall have the right to regulate the rates of fare collected by said company from passengers, and the rates of charge for the transportation of freight per ton per mile for all freight passing into the District of Columbia on said railroad shall be not more than the rates charged per ton per mile on that part of the said Orange, Alexandria, and Manassas railroad not in the said District; and that all property owned by said company within said District shall be subject to taxation by the proper municipal authority, and Washington city shall be considered as a terminal point, and entitled to all the privileges and facilities of any other terminal points on said road.

Congress may regulate passenger fares and freight charges.

Property of the road in Washington to be taxed.

SEC. 3. That said railroad company shall give to other railroad companies connecting therewith the right to pass through and use said tunnel, on such reasonable terms as may be agreed upon between the respective parties or Congress prescribe.

Other railroads may use the tunnel.

SEC. 4. That this act may be at any time amended or repealed by Congress.

Act may be altered, &c.

APPROVED, June 8, 1872.

CHAP. CCCLXIV.—*An Act to authorize the Building of the New Mexico and Gulf Railway, and for other Purposes.*

June 8, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Mexico and Gulf Railway Company have, and there is hereby granted to them, their successors and assigns, a strip of land one hundred feet wide on each side of the centre line of a railway route extending from the north-western boundary of New Mexico, as near as practicable to the junction of the San Juan with the Rio Mancos, through Santa Fé county, and down the Pecos river valley to the passage of said Pecos river into the State of Texas, at or near the thirty-second parallel, upon a route to be surveyed and designated by a competent engineer, as a right of way, together with

Right of way, &c., through public lands granted to the New Mexico and Gulf Railway Co.

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the necessary lands for depots, stations, side-tracks, and other needful uses in operating said road and a telegraph line, not exceeding twenty acres at any one place: *Provided*, That the location for depots, stations and side-tracks shall not exceed for the whole line of said road more than one location of twenty acres for every ten miles of the same, and when made upon surveyed lands shall conform to government surveys.

Limit to grant.

Plat of any section to be located within, &c., with register, &c.

SEC. 2. That said company shall, within six months after the location of any section of twenty miles or more of their said road, if the same be upon surveyed land, and if upon unsurveyed land, then within six months after the survey thereof by the United States, file a plat of such located section, together with proof thereof, with a register of the land-office for the district wherein said located section may be situated, and upon approval thereof the same shall be noted upon the township plats in said office, and thereafter all lands over which the said line of road shall pass shall be sold, located, or disposed of by the United States, subject to such right of way so located as aforesaid: *Provided*, That the line of said road shall be located within one year after the passage of this act: *And provided further*, That said road shall be completed within ten years thereafter: *And provided also*, That when the route of said road shall pass through lands other than those of the United States, or when it may be necessary for said railroad company to take any lands other than those of the United States for any of the purposes herein mentioned, necessary to said right of way, such right of way through or title to such lands shall be secured in accordance with the laws of the State or territory in which they may be situated: *Provided also*, That the rights herein granted shall not preclude the construction of other roads through any cañon, defile, or pass on said route.

Lands afterwards to be sold subject to such right of way.

Line, when to be located, and road completed.

Right of way through other lands than those of the United States.

Other roads through defiles, &c.

Power of territory to incorporate, &c.

SEC. 3. That nothing herein shall be construed as affirming or denying the power of a territory to incorporate a railroad company.

Act may be altered, &c.

SEC. 4. That Congress reserves to itself the right to alter, amend, or repeal this act, whenever in its judgment the interest of the people shall require it.

APPROVED, June 8, 1872.

June 8, 1872.

CHAP. CCCLXV.—*An Act authorizing the Secretary of War to expend certain Moneys for the Purpose of sinking an Artesian Well on the Fort D. A. Russell military Reservation, in Wyoming Territory.*

Artesian well on the Fort D. A. Russell military reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to expend the sum of ten thousand dollars, or so much thereof as may be necessary, for the purpose of sinking an artesian well on the Fort D. A. Russell military reservation, in the Territory of Wyoming.

APPROVED, June 8, 1872.

June 8, 1872.

CHAP. CCCLXVI.—*An Act to reimburse the State of Kansas for Moneys expended for the United States in enrolling, equipping, and provisioning Militia Forces to aid in suppressing the Rebellion.*

Appropriation to pay to Kansas the amount reported by commissioners as due to that State for certain expenses incurred, &c., in the suppression of the rebellion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three hundred and thirty-seven thousand and fifty-four dollars and thirty-eight cents is hereby appropriated, to reimburse the State of Kansas for moneys expended, amounts assumed, and disbursements made by said State in enrolling, equipping, arming, subsisting, transporting, and paying such troops as were called into service by order of the governor of said State, upon the requisition of Major-General Curtis, in eighteen hundred and sixty-four, to repel the invasion of the rebel forces of General Price, and to carry into effect the provisions of an act entitled "An act to reimburse the State of Kansas for moneys expended for the United States in enrol-

1871, ch. 33. Vol. xvi. p. 402.