

CHAP. CLXX. — *An Act to grant a certain Quantity of Land to aid in the Improvement of the Fox and Wisconsin Rivers, and to connect the same by a Canal, in the Territory of Wisconsin.*

Aug. 8, 1846.

1849, ch. 86.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, granted to the State of Wisconsin, on the admission of such State into the Union, for the purpose of improving the navigation of the Fox and Wisconsin Rivers, in the Territory of Wisconsin, and of constructing the canal to unite the said rivers, at or near the portage, a quantity of land, equal to one half of three sections in width, on each side of the said Fox River, and the lakes through which it passes, from its mouth to the point where the portage canal shall enter the same, and on each side of said canal from one stream to the other, reserving the alternate sections to the United States, to be selected under the direction of the governor of said State, and such selection to be approved by the President of the United States. The said rivers, when improved, and the said canal, when finished, shall be and forever remain a public highway for the use of the government of the United States, free from any toll or other charge whatever for the transportation of the mails, or for any property of the United States, or persons in their service passing upon or along the same: *Provided*, The said alternate sections, reserved to the United States, shall not be sold at a less rate than two dollars and fifty cents the acre: *Provided, also*, That no preemptive claim to the lands so reserved shall give the occupant, or any other person claiming through or under him, a right to said lands at any price less than the price fixed in this act, at the time of the settlement on said lands.

Grant of land to aid in improving the Fox and Wisconsin Rivers.

U. S. to use said rivers and canal free from toll.

Price of lands.

Preemption claims.

Lands to become the property of Wisconsin.

SEC. 2. *And be it further enacted*, That as soon as the Territory of Wisconsin shall be admitted as a State into the Union, all the lands granted by this act shall be and become the property of said State for the purpose contemplated in this act, and no other: *Provided*, That the Legislature of said State shall agree to accept said grant upon the terms specified in this act; and shall have power to fix the price at which said lands shall be sold, not less than one dollar and twenty-five cents the acre; and to adopt such kind and plan of improvement on said route as the said Legislature shall from time to time determine for the best interest of said State. *Provided also*, That the lands hereby granted shall not be conveyed or disposed of by said State, except as said improvements shall progress: that is, the said State may sell so much of said lands as shall produce the sum of twenty thousand dollars, and then the sales shall cease until the governor of said State shall certify the fact to the President of the United States, that one half of said sum has been expended upon said improvements, when the said State may sell and dispose of a quantity of said lands sufficient to reimburse the amount expended; and thus the sales shall progress as the proceeds thereof shall be expended, and the fact of such expenditure certified in the manner herein mentioned.

The price of the land to be not less than \$ 1.25 per acre.

Limitation on quantities to be sold.

SEC. 3. *And be it further enacted*, That the said improvement shall be commenced within three years after the said State shall be admitted into the Union, and completed within twenty years, or the United States shall be entitled to receive the amount for which any of said lands may have been sold by said State: *Provided*, That the title of purchasers under the sales made by the State in pursuance of this act shall be valid.

Title of purchasers under this act shall be valid.

APPROVED, August 8, 1846.