

Surveyor-general for Nevada.
Location of office.
Pay.
Duties, &c.
Allowances.

is hereby, authorized to appoint a surveyor-general for Nevada, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, whose compensation shall be three thousand dollars per annum, and whose duties, powers, obligations, responsibilities, and allowances for clerk hire, office rent, fuel and incidental expenses shall be the same as those of the surveyor-general of Oregon, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Lines of subdivisions may be changed from rectangular.
Mineral lands reserved.

SEC. 5. *And be it further enacted*, That in extending the surveys of the public lands in the State of Nevada, the Secretary of the Interior may, in his discretion, vary the lines of the subdivisions from a rectangular form, to suit the circumstances of the country; but in all cases lands valuable for mines of gold, silver, quicksilver, or copper shall be reserved from sale.

Public lands in the State not to be subject to entry, &c., until the State has her full quota.

SEC. 6. *And be it further enacted*, That until the State of Nevada shall have received her full quota of lands named in the first, second, and third sections of this act, the public lands in that State shall not be subject to entry, sale, or location under any law of the United States, or any scrip or warrants issued in pursuance of any such law except the homestead act of May twentieth, eighteen hundred and sixty-two, and acts amendatory thereto, and the acts granting and regulating pre-emptions, but shall be reserved exclusively for entry by the said State for the period of two years after such survey shall have been made: *Provided*, That said State shall select said lands in her own name and right, in tracts of not less than forty acres, and dispose of the same in tracts not exceeding three hundred and twenty acres, only to actual settlers and bona fide occupants: *And provided further*, That city and town property shall not be subject to selection under this act: *And provided further*, That this section shall not be construed to interfere with or impair rights heretofore acquired under any law of Congress.

1862, ch. 75.
Vol. xii. p. 392.

Mode of selecting and disposing of lands by the State.

City and town property.

Vested rights not affected.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXVII.—*An Act granting Lands to the State of Oregon, to aid in the Construction of a Military Road from Corvallis to the Acuinna Bay.*

Lands granted to Oregon for a military road;

how to be applied and disposed of.

Lands heretofore reserved not granted hereby.

Right of way.

Lands, how to be disposed of.

Road to be a public highway, and free to the United States.

Construction of road.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Oregon, to aid in the construction of a military wagon road from the town of Corvallis to the Acuinna Bay, three alternate sections per mile from the unoccupied public lands, designated by odd numbers, and not more than six miles from said road: *Provided*, That the lands hereby granted shall be exclusively applied in the construction of said road, and shall be disposed of only as the work progresses; and the same shall be applied to no other purposes whatever: *And provided further*, That any and all lands heretofore reserved to the United States by act of Congress, or other competent authority, be, and the same are, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way is granted.

SEC. 2. *And be it further enacted*, That the said lands hereby granted to said State shall be disposed of by the legislature thereof for the purpose aforesaid, and for no other; and the said road shall be and remain a public highway for the use of the government of the United States, free from tolls or other charges upon the transportation of any property, troops, or mails of the United States.

SEC. 3. *And be it further enacted*, That said road shall be constructed with such graduation and bridges as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of only in the following manner, that is to say: when the governor of said State shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then a quantity of land hereby granted coterminous to said completed portion of said road, not to exceed thirty sections may be sold, and so from time to time until said road is completed; and if said road is not completed within five years, no further sales shall be made, and the land remaining unsold shall revert to the United States.

APPROVED, July 4, 1866.

Lands, how to be disposed of.

Road to be completed in five years; if not, unsold lands to revert.

CHAP. CLXVIII. — *An Act making an additional Grant of Lands to the State of Minnesota, in alternate Sections, to aid in the Construction of Railroads in said State.*

July 4, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Minnesota, for the purpose of aiding in the construction of a railroad from Houston, in the county of Houston, through the counties of Fillmore, Mower, Freeborn, and Faribault, to the western boundary of the State; and also for a railroad from Hastings, through the counties of Dakota, Scott, Carver, and McLeod, to such point on the western boundary of the State as the legislature of the State may determine, every alternate section of land designated by odd numbers to the amount of five alternate sections per mile on each side of said road; but in case it shall appear that the United States have, when the lines or route of said roads are definitely located, sold any section, or part thereof, granted as aforesaid, or that the right of pre-emption or homestead 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 the 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 right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by odd numbers and sections, by the direction of the Secretary of the Interior, shall be held by said State of Minnesota for the purposes and uses aforesaid: *Provided*, That the land so selected shall in no case be located more than twenty miles from the lines of said road: *And provided further*, That no land shall be granted or transferred by the provisions of this act not included within the jurisdiction of the State of Minnesota: *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 other purpose whatever, be, and the same are hereby, reserved and excepted from the operations of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way shall be granted: *provided* the United States has yet in possession the title thereto.

Additional grants of lands to Minnesota for railroads. Description of railroads.

If lands have been disposed of, &c., other lands to be selected in lieu thereof;

but within twenty miles of lines of road, and the jurisdiction of Minnesota.

Reserved lands not granted.

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 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 minimum price as aforesaid: *Provided*, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation as now provided by law, purchase the same at the increased minimum price: *And provided also*, That settlers under the pro-

Price of lands remaining to the United States. Lands to be first offered at public sale. Pre-emption settlers.

Homestead settlers.