

visions of the homestead law who shall make entries after the passage of this act, upon the sections numbered by even numbers, and who comply with the terms and requirements of said act shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

Lands granted, how to be disposed of.

Railroads to be public highways, and free to the United States.

SEC. 3. *And be it further enacted*, That the lands hereby granted shall be subject to the disposal of the legislature of Minnesota for the purposes aforesaid and no other; and the said railroad shall be and remain public highways for the use of the government of the United States, free of all toll or other charges upon the transportation of any property or troops of the United States, and the same shall at all times be transported at the cost, charge, and expense in all respects of the company or corporation, or their successors or assigns, having or receiving the benefit of the land grants herein made.

Lands, how to be disposed of.

When governor shall certify that a section of ten consecutive miles is completed;

SEC. 4. *And be it further enacted*, That the lands hereby granted shall be disposed of by said State for the purposes aforesaid only, and in manner following, namely: When the governor of said State shall certify to the Secretary of the Interior that any section of ten consecutive miles of said road is completed, in a good, substantial, and workmanlike manner, as a first-class railroad, then the Secretary of the Interior shall issue to the State patents for all the lands in alternate sections, or parts of sections, designated by odd numbers, situated within twenty miles of the road so completed and lying coterminous to said completed section of ten miles, and not exceeding one hundred sections, for the benefit of the road having completed the ten consecutive miles as aforesaid: *Provided, however*, That the coterminous principle hereby applied shall not extend to such lands as are taken by the said railroad companies to make up deficiencies, provided that no land to make up such deficiencies shall be taken at any point within ten miles upon each side of the line of said roads. When the governor of said State shall certify that another section of ten consecutive miles shall have been completed as aforesaid, then the Secretary of the Interior shall issue patents to said State in like manner for a like number; and when certificates of the completion of additional sections of ten consecutive miles of said roads are from time to time made as aforesaid, additional sections of lands shall be patented as aforesaid, until said roads are completed, when the whole of the lands hereby granted shall be patented to the State for the uses aforesaid, and none other: *Provided*, That if said roads are not completed within ten years from the acceptance of this grant, the said lands hereby granted and not patented shall revert to the United States

proviso;

that another section of ten consecutive miles is completed;

that additional sections are completed;

that roads are completed.

Roads to be completed in ten years; if not, unsold lands to revert to the United States.

When maps are filed, lands granted hereby to be withdrawn from market.

SEC. 5. *And be it further enacted*, That as soon as the governor of said State shall file or cause to be filed with the Secretary of the Interior maps designating the routes of said roads, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands embraced within the provisions of this act.

Mail to be carried over road, and at what price.

SEC. 6. *And be it further enacted*, That the United States mail shall be transported on said road, under the direction of the Post Office Department, at such price as Congress may by law provide: *Provided*, That until such price is fixed by law, the Postmaster-General shall have power to fix the rate of compensation.

APPROVED, July 4, 1866.

July 4, 1866.

CHAP. CLXIX. — *An Act to provide for the Disposal of certain Lands therein named.*

Unsold lots of Fort Howard Military reserve to be offered at public auction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land Office be, and he is hereby, authorized to cause to be offered at public auction all the unsold lots of that portion of the public domain known as the Fort Howard Military Reserve, which is situated in the county of Brown, and State of Wisconsin, giving not less than two

months' notice of the time and place of such sale, by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold separately to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the Commissioner of the General Land Office aforesaid, at such reasonable minimum as may be fixed by the Secretary of the Interior, and no sale shall be binding until approved by that officer.

Notice of sale.

Mode of sale.

SEC. 2. *And be it further enacted*, That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot, as soon as may be after the purchase of and payment for the same.

Patents to issue.

APPROVED, July 4, 1866.

CHAP. CLXXIV. — *An Act granting Lands to the State of Oregon, to aid in the Construction of a Military Road from Albany, Oregon, to the Eastern Boundary of said State.*

July 5, 1866.

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 Oregon, to aid in the construction of a military wagon road from Albany, Oregon, by way of Canyon City, and the most feasible pass in Cascade range of mountains, to the eastern boundary of the State alternate sections of public lands, designated by odd numbers, three sections per mile, to be selected within six miles of 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 purpose 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, subject to the approval of the President of the United States.

Lands granted to Oregon for military wagon road.
Route of road?

Lands granted, how to be applied.

Lands heretofore reserved, not granted hereby.

Right of way.

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 charge upon the transportation of any property, troops, or mails of the United States.

Lands, how to be disposed of.

Roads to be public highway, and free to the United States.

SEC. 3. *And be it further enacted*, That said road shall be constructed with such width, 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.

Construction of road.

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: that when ten miles of said road shall be completed, a quantity of land not exceeding thirty sections for said road may be sold coterminous to said completed portion of said road; and 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 another quantity of land hereby granted, not to exceed thirty sections, may be sold, coterminous to said completed portion of said road, 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.

Lands, how to be disposed of.

If road not completed in five years, unsold lands to revert to the United States.

APPROVED, July 5, 1866.