

Claim to be filed, and proof made within twelve months.

Right of way for said road reserved.

be situated: *Provided*, That any person claiming the right to purchase under this act shall, before the actual offering of the tract at public sale, file with the register of the proper land-office, a notice describing the land by its numbers, and make the necessary proof, affidavit, and payment for the land, within twelve months from the date of this act: *And provided further*, That the right of way upon and across any tract of land claimed under the provisions of this act, not exceeding two hundred feet in width, shall be reserved and retained for the said railroad and branches, as the same may be located and constructed.

APPROVED, August 2, 1852.

August 4, 1852.

CHAP. LXXX. — *An Act to grant the Right of Way to all Rail and Plank Roads and Macadamized Turnpikes passing through the Public Land belonging to the United States.*

1855, ch. 200.

Right of way granted through the public lands granted to all railroads, &c., chartered by any of the States within ten years, with authority to cross the public lands.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way shall be, and is hereby granted to all rail and plank road, or Macadamized turnpike companies that are now or that may be chartered within ten years hereafter, over and through any of the public lands of the United States, over which any rail or plank road or Macadamized turnpikes are or may be authorized by an act of the legislature of the respective States in which public lands may be situated; and the said company or companies are hereby authorized to survey and mark through the said public lands, to be held by them for the track of said road, one hundred feet in width: *Provided*, That in case where deep excavation or heavy embankment is required for the grade of such road, then at such places a greater width may be taken by such company, if necessary, not exceeding in the whole two hundred feet.

Said companies may take materials, &c., from the public lands.

SEC. 2. *And be it further enacted*, That the said company or companies shall have the right to take from the public lands, in the vicinity of said road or roads, all such materials of earth, stone, or wood, as may be necessary or convenient, from time to time, for the first construction of said road or roads, or any part thereof, through said land.

Sites for depots, &c., also granted.

Proviso.

SEC. 3. *And be it further enacted*, That there shall be, and is hereby granted to said company or companies, all necessary sites for watering places, depots, and workshops along the line of said road or roads, so far as the places convenient for the same may fall upon the public lands: *Provided*, That no one depot or watering place shall contain over one square acre, and that said sites shall not be nearer to each other than ten miles along the line or lines of said road or roads: *Provided further*, That the said grants herein contained, as well of the use of the public lands, as of the materials for the construction of said road or roads shall cease and determine, unless the road or roads be begun within ten years from and after the passage of this act, and completed within fifteen years thereafter: *And provided moreover*, That if any road, at any time after its completion, be discontinued or abandoned by said company or companies, the grants hereby made shall cease and determine, and said lands hereby granted, revert back to the general government: *Provided further*, That when a location for either of said railroads or plank roads, Macadamized turnpikes, or sites for depots on the line of such road or roads shall be selected, the proper officers of such road or roads shall transmit to the Commissioner of the General Land-Office a correct plat of the survey of said road or roads, together with the survey of sites for depots before such selection shall become operative: *Provided further*, That none of the foregoing provisions of this act shall apply to, or authorize any rights in any lands of the United States other than such as are held for private entry and sale, and such as are unsurveyed and not held for public use by erection or improvements thereon.

The above grants to cease, unless the roads are begun within ten and finished within fifteen years from the passage of this act.

If the roads are discontinued, the grants to revert.

Locations to be filed, &c.

The above grants to apply only to certain lands.

SEC. 4. *And be it further enacted,* That the right of way through the public lands of the United States lying in Black Rock, in the county of Erie and State of New York, be, and the same is hereby granted to the Lockport and Buffalo Railroad Company: *Provided,* That in the opinion of the President of the United States such grant be not injurious to the public interest, and that the location shall be approved by the President as to the position and width of the said railroad: *And provided further,* That if the said railroad shall not be completed within two years, or if at any time after its completion, the said railroad be discontinued or abandoned, the grant shall cease and determine.

Right of way granted to the Lockport and Buffalo Railroad Company.
Proviso.

Proviso.

APPROVED, August 4, 1852.

CHAP. LXXXI. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, one thousand eight hundred and fifty-three, and for other Purposes.*

August 6, 1852.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated out of any money in the treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, one thousand eight hundred and fifty-three:

Appropriations.

For pay of officers, instructors, cadets, and musicians, eighty thousand four hundred and nine dollars.

For commutation of subsistence, two thousand two hundred and sixty-three dollars.

For forage for officers' horses, seven hundred and sixty-eight dollars.

For clothing for officers' servants, thirty dollars.

For repairs, fuel, and apparatus therefor, forage for public horses and oxen, postage, stationery, printing, and other incidental and contingent expenses, twenty-five thousand dollars.

For increase and repairs of the library, one thousand dollars.

For improvements and additions to officers' quarters, three thousand dollars.

For additional pay to the lithographer and pressman employed in the lithographic office, fifty dollars each, one hundred dollars.

For expenses of the board of visitors, three thousand dollars.

For purchase of new equatorial telescope, being the difference in value between the defective one now in use and a new one, five thousand dollars.

For purchase of thirty artillery and cavalry horses, three thousand dollars.

For forage for ninety artillery and cavalry horses, six thousand four hundred and eighty dollars.

SEC. 2. *And be it further enacted,* That hereafter the assistant professors of French and drawing shall receive the pay and emoluments allowed to other assistant professors.

Pay of assistant professors of French and drawing.

SEC. 3. *And be it further enacted,* That to rectify a mistake which was made in the enrolment of the bill entitled "An act to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, eighteen hundred and fifty-two," by omitting a clause appropriating for per diem compensation and mileage of senators, members of the House of Representatives, and delegates, and agreed to by the Senate and House of Representatives, the sum of fifty thousand dollars is hereby appropriated for that object, out of any money in the treasury not otherwise appropriated.

Appropriation for per diem and mileage of members of Congress.

1852, ch. 66.

APPROVED, August 6, 1852.