

Claim to be filed within one year.

Grant not to extend to reservations, nor affect adverse rights.

Survey of claims.

Patent; when to be issued

Lands not occupied for twenty years to be open for settlement.

Prior right of occupants for less than twenty years.

said receiver within one year after the passage of this act: *And provided further*, That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land, or any part thereof, nor preclude a judicial examination and adjustment thereof.

SEC. 2. That whenever it shall have been determined by the said register and the said receiver, or on appeal by the Commissioner of the General Land Office or Secretary of the Interior that any tract has been occupied as aforesaid, it shall be the duty of the surveyor-general for said Territory to cause the said claims to be surveyed in accordance with the lines of such occupancy, and to furnish approved plats of the same, upon the receipt and approval of which said plats, and the field-notes thereof by the Commissioner of the General Land Office, patents shall issue as in other cases.

SEC. 3. That any part or parts of said designated lands that are not shown, to the satisfaction of the Commissioner of the General Land Office, to have been so occupied for twenty years, shall be held by him as open to settlement under the provisions of the preëmption or homestead laws of the United States, and patents may be issued therefor for any number of acres not exceeding one hundred and sixty that parties complying with said legal provisions may desire to hold: *Provided*, That all existing occupants who have settled on said lands within a period of less than twenty years shall have the prior right to acquire the same under the homestead laws of the United States.

Approved, February 5, 1875.

Feb. 5, 1875.

CHAP. 35.—An act granting the right of way and depot-grounds to the Oregon Central Pacific Railway Company through the public lands of the United States, from Winnemucca, in the State of Nevada, to the Columbia River, via Portland, in the State of Oregon.

Grant of right of way and depot-grounds to Oregon Central Pacific Railway Company.

Limitation of grant for depot-grounds, &c.

Power of States to regulate cost of transportation.

Plat and proof of located sections of twenty miles, when to be filed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding in the construction of a railway and telegraph-line from a point at or near Winnemucca, on the Central Pacific Railroad, in the State of Nevada; thence northwesterly to and across Goose Lake Valley, and by way of Sprague River Valley, to the waters of the Middle Fork of the Willamette River, in the Cascade Mountains; thence down said river, on the north side, to Springfield; thence crossing to and continuing upon the west side of said river to the waters of the Columbia River, via Portland, Oregon, there is hereby granted to the Oregon Central Pacific Railway Company, organized under and by virtue of the laws of the State of Oregon on the sixteenth day of September, eighteen hundred and seventy-four, and to their successors and assigns, a strip of land, one hundred feet wide, on each side of the central line of said road, through the public lands, and the necessary lands for depots, stations, side-tracks, and other needful uses in operating said road and telegraph, not exceeding twenty acres at any one place: *Provided*, That the locations 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 the Government surveys thereof: *And provided further*, That the State or States, within the limits of which said road or any part thereof shall be hereafter situated, shall have the power to regulate and limit the cost of transportation of persons or freight over the same.

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 lands, and if upon unsurveyed lands, then within six months after the survey thereof by the United States, file a plat of such located section, together with proof thereof, with the 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 line of said 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 completed within ten years thereafter: *Provided further*, That this act shall not take effect on any lands to which any bona fide preëmption or homestead claim has attached before the definite location of the line of road, and the notice of the same has been given to the land-office in the district where the same is located.

Lands to be sold subject to located right of way.
Time for completing road.

Prior homestead and pre-emption rights protected.

SEC. 3. That the rights herein granted shall not preclude the construction of other railroads or telegraph-lines through any canyon, defile, or pass on the route of said road, or the crossing of the same at grade by other railroads.

Rights reserved to other companies

SEC. 4. That said company shall locate its road within three years from the passage of this act, and complete the said railroad within ten years from the same date, failing in which, this act shall be null and void.

Location and construction, when to be completed.

SEC. 5. That Congress hereby reserves the right to alter, amend, or repeal this act at any time that the public interest may require it.

Right of amendment or repeal.

Approved, February 5, 1875.

CHAP. 36.—An Act to amend existing customs and internal-revenue laws, and for other purposes.

Feb. 8, 1875.

Post 340.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this act, in lieu of the duties heretofore imposed on the importation of the goods, wares, and merchandise hereinafter specified, the following rates of duty shall be exacted, namely: On spun silk, for filling, in skeins or cops, thirty-five per centum ad valorem; on silk in the gum, not more advanced than singles, tram, and thrown or orgazine, thirty-five per centum ad valorem; on floss-silks, thirty-five per centum ad valorem; on sewing-silk, in the gum or purified, forty per centum ad valorem; on lastings, mohair cloth, silk twist, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively, ten per centum ad valorem; on all goods, wares, and merchandise not otherwise herein provided for, made of silk, or of which silk is the component material of chief value, irrespective of the classification thereof for duty by or under previous laws, or of their commercial designation, sixty per centum ad valorem: *Provided*, That this act shall not apply to goods, wares, or merchandise which have, as a component material thereof, twenty-five per centum or over in value of cotton, flax, wool, or worsted.

Customs duties imposed.

Spun silk, silk in gum, floss-silk, sewing silk.

Cloth fit for buttons exclusively.
Goods, of which silk is component material of chief value, &c.

Goods, of which twenty-five per centum of component material in cotton, flax, wool, or worsted.

SEC. 2. That from and after the passage of this act, in lieu of the duties now imposed by law on the merchandise hereinafter enumerated, imported from foreign countries, there shall be levied, collected and paid the following duties, that is to say:

Still wines.

On all still wines imported in casks, forty cents per gallon.

On all still wines imported in bottles, one dollar and sixty cents per case of one dozen bottles, containing each not more than one quart and more than one pint, or twenty-four bottles, containing each not more than one pint; and any excess beyond those quantities found in such bottles shall be subject to a duty of five cents per pint or fractional part thereof, but no separate or additional duty shall be collected on the bottles: *Provided*, That any wines imported containing more than twenty-four per centum of alcohol shall be forfeited to the United States: *Provided also*, That there shall be an allowance of five per centum, and no more, on all effervescing wines, liquors, cordials, and distilled spirits, in bottles, to be deducted from the invoice quantity in lieu of breakage.

Imported wines containing more than twenty-four per centum of alcohol.

Deduction for breakage.