

Expenses incidental to making examinations, &c., under act 30th April, 1824, ch. 46, &c.

Surveys of a military character, &c.

The sums hereby appropriated for the Cumberland road in Ohio, Indiana, and Illinois, to be replaced by said States, &c.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirteenth of April, eighteen hundred and twenty-four, and for geological and mineralogical surveys and researches in the Indian country, on the public lands, and in the territories of the United States, thirty thousand dollars;

For surveys of a military character, and for the defences of the Atlantic and western frontiers, fifteen thousand dollars.

SEC. 4. *And be it further enacted*, That the several sums hereby appropriated for the construction of the Cumberland road in the States of Ohio, Indiana and Illinois, shall be replaced by said States respectively, out of the fund reserved to each for laying out and making roads under the direction of Congress, by the several acts passed for the admission of said States into the Union, on an equal footing with the original States.

APPROVED, March 3, 1837.

STATUTE II.

March 3, 1837.

CHAP. XLIX.—*An Act to grant the Atchafalaya Railroad and Banking Company the right of way through the public lands of the United States.*

The right of way granted through such portions as the road shall pass.

Proviso.

The route of said road to be surveyed and designated through the public lands, &c.

Portions of the public land granted for depots, &c.

Proviso.

Permission to use earth, stone, &c., granted.

The grants herein contained here-in shall cease, &c., unless said road be commenced and completed with-

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 Atchafalaya Railroad and Banking Company, a corporation created by the Legislature of the State of Louisiana, the right of way through such portions of the public land as the road or roads of said company is authorized by its charter to construct, shall pass: *Provided*, That the portion of the public land occupied thereby shall not exceed eighty feet in width.

SEC. 2. *And be it further enacted*, That the route of said road and its branches, shall, at the expense of the aforesaid company, be surveyed and designated through the public lands by plain marks or monuments, and copies of the field-notes, with plat or plats of the lands, and a description of the said land-marks or monuments, and their connection with the previous official surveys of the adjacent lands, shall be returned to the office of the Surveyor General of the State of Louisiana, and to the General Land Office in Washington, within sixty days after the said surveys or plats are completed, and which shall be within one year from the date of the passage of this act.

SEC. 3. *And be it further enacted*, That for such depots, watering places and workshops, as may be essential to the convenient use of said road, there is also granted to said company such portion of the public land as they may under like restrictions and conditions, select, on either or each side of said road: *Provided*, That not more than four acres, to be laid off in a square form, shall be selected for such use or purpose at any one place, and not more than one such square shall be granted for every ten miles of the said road or its branches, lying within the public lands; which selections shall be surveyed and returned in the manner aforesaid, and approved by the Secretary of the Treasury for the time being.

SEC. 4. *And be it further enacted*, That so long as the public land in the vicinity of said road or its branches shall remain unsold, the said company shall have permission to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of said road.

SEC. 5. *And be it further enacted*, That the grants herein contained, as well the use of the public lands, as of the materials for the construction of said road and its branches, shall cease and determine and be of no effect, unless the said road be commenced and completed within the periods fixed by the charter of the company; and if the said road shall be, at any time after its completion, or during the time of its construc-

tion, discontinued or abandoned by said company, the grants and privileges hereby made and allowed shall cease and determine and be of no effect.

in the periods fixed by the charter, &c.

APPROVED, March 3, 1837.

CHAP. LI.—*An Act further to amend the act incorporating the Chesapeake and Ohio Canal Company.*(a)

STATUTE II.
March 3, 1837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the General Assembly of Virginia, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," passed the twenty-seventh day of February, eighteen hundred and twenty-nine, be, and the same is hereby assented to and approved.

Act of May 23, 1828, ch. 85.
Act of General Assembly of Va., passed 27th Feb., 1829, assented to.

SEC. 2. *And be it further enacted,* That if any person or persons shall, within the District of Columbia, wickedly, or maliciously, do injury to the Chesapeake and Ohio canal, its embankments, walls, moles, tow-paths, bridges, culverts, drains, or to any part necessary to the uses and purposes of said canal, he, she, or they, shall be liable to a fine of not less than five or more than fifty dollars, to be recovered before any justice of the peace of the District of Columbia; and any such justice may, on his own view, or on application verified by affidavit, to said justice made, issue his warrant, describing the injury committed, and, upon conviction, the said justice shall have authority to commit the offender to close jail, without bail or mainprise, until said fine and costs be paid, or until said defendant be discharged by due course of law: *Provided, however,* That nothing in this act contained shall be so construed as to prevent said canal company from recovering damages from any person or persons who may commit any of the trespasses aforesaid.

Persons within the D. C., wickedly, &c., injuring the Chesapeake and Ohio canal, its embankments, &c., liable to fine, &c.

PROVISU.

SEC. 3. *And be it further enacted,* That all condemnations of land for the use and purposes of said canal company, which have heretofore been made by the marshal of said District, or any lawful deputy marshal, shall be as valid as though the same had been situated in the State of Maryland, and had been condemned in pursuance of the laws of said State, through the action and agency of a sheriff of any of the counties of said State.

Condemnations of land by the marshal of D. C., &c.

APPROVED, March 3, 1837.

CHAP. LII.—*An Act to authorize the New Orleans and Carrollton Railroad Company to construct a railroad from Carrollton to the town of Bayou Sara, in the State of Louisiana.*

STATUTE II.
March 3, 1837.

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 New Orleans and Carrollton Railroad Company, incorporated by the Legislature of Louisiana, the right of way through such portion of the public lands remaining unsold, for the extension of their railroad from Carrollton to the town of Bayou Sara, in the said State: *Provided,* That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be designated, and marked on the ground by plain landmarks, within the period of eighteen months from the passage of this act, and a copy of the notes of survey and plat thereof, with a description of the said landmarks, be transmitted to the General Land Office, in Washington, within the period aforesaid.

Right of way granted through portions of the public lands remaining unsold.

PROVISU.

SEC. 2. *And be it further enacted,* That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom such materials of earth, stone, and

Earth, stone, &c., may be used while said lands remain unsold.

(a) See Appendix, No. 2.