one and thirty-two, and all that portion of the public lands now included in the districts subject to sale at Iowa City and Dubuque, and lying west of the range line dividing ranges thirty-three and thirty-four, shall form a new land district, to be called the Missouri River District; and that the district of lands subject to sale at Dubuque shall hereafter be bounded on the north by the northern boundary line of the State of Iowa.

SEC. 2. And be it further enacted, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver of the public moneys for each of the said districts, respectively, who shall each be required to reside at the site of the respective office to which they may be appointed, and who shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to other land-offices of the United States.

SEC. 3. And be it further enacted, That the President is authorized to cause the public lands in said districts, respectively, (with the exception of sections numbered sixteen in each township, reserved for the use of schools, or such other lands as may be selected by law in lieu thereof, and of such other tracts as he may select for military or other purposes,) to be exposed to sale in the same manner and upon the same terms and conditions as the other public lands of the United States.

SEC. 4. And be it further enacted, That the President is hereby authorized to designate the sites at which each of the several offices shall be established, and to remove the same to any other places within said districts respectively, whenever, in his opinion, it may be deemed expedient.

SEC. 5. And be it further enacted, That any location or sales of land lying in either of the districts hereby created, made by the land-officers at Dubuque, Iowa City, or Fairfield, after the passage of this act, and prior to the receipt by them of instructions from the Commissioner of the General-Land Office under this act, shall be as good and valid in law as if this act had not been passed.

Approved, August 2, 1852.

CHAP. LXXVIII.—An Act to protect actual Settlers upon the Land on the Line of the Central Railroad and Branches, by granting Preemption Rights thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each and every person now an actual settler and occupant, and who, on the twentieth day of September, in the year of our Lord one thousand eight hundred and fifty, had made such an actual settlement and improvement as would have entitled him to a right of preemption under the act of September fourth, eighteen hundred and forty-one, but for his failure to give the requisite notice under that law, or to file proof within due time, on any tract of land now owned by the United States, and situated within the limits reserved from sale by order of the Government, because of the grant of alternate sections to the States of Illinois, Mississippi, and Alabama, in aid of the construction of the Chicago and Mobile railroad and branches, by virtue of an act of Congress, approved September twentieth, eighteen hundred and fifty, entitled, “An act granting the right of way and making a grant of land to the States of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile,” shall have the right to purchase, at the price established by law in regulating the sales of said lands, a quantity of the tract so settled on and improved, not less than forty nor more than one hundred and sixty acres, in legal subdivisions, on which said improvements may
Claim to 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.

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.

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.

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

Proviso.

If the roads are discontinued, the grants to revert.

Locations to be filed, &c.

The above grants to apply only to certain lands.

Proviso.

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.

Right of way 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.