May 5, 1864.

An Act granting Lands to aid in the Construction of certain Railroads in the State of Wisconsin.

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 state of Wisconsin, for the purpose of aiding in the construction of a railroad from a point on the Saint Croix river or lake, between townships twenty-five and thirty-one, to the west end of Lake Superior, and from some point on the line of said railroad, to be selected by said state, to Bayfield, every alternate section of public land designated by odd numbers, for ten sections in width on each side of said road, deducting any and all lands that may have been granted to the state of Wisconsin for the same purpose, by the act of congress of June three, eighteen hundred and fifty-six, upon the same terms and conditions as are contained in the act granting lands to the state of Wisconsin, to aid in the construction of railroads in said state, approved June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of, any sections or parts thereof, granted as aforesaid, or that the right of preemption or homestead has attached to the same, then it shall be lawful for any agent or agents, to be appointed by said company, to select, subject to the approval of the Secretary of the Interior, from the public lands of the United States nearest to the tier of sections above specified, as much land in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preemption or homestead has attached as aforesaid, which lands (thus selected in lieu of those sold, and to which preemption or homestead right has attached as aforesaid, together with sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid,) shall be held by said state for the use and purpose aforesaid: Provided, That the lands to be so located shall in no case be further than twenty miles from the line of the said roads, nor shall such selection or location be made in lieu of lands received under the said grant of June three, eighteen hundred and fifty-six, but such selection and location may be made for the benefit of said state, and for the purpose aforesaid, to supply any deficiency under the said grant of June third, eighteen hundred and fifty-six, should any such deficiency exist.

And be it further enacted, That there be, and is hereby, granted to the state of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Tomah, in the county of Monroe, in said state, to the Saint Croix river or lake, between townships twenty-five and thirty-one, every alternate section of public land designated by odd numbers for ten sections in width on each side of said road, deducting any and all lands that may have been granted to the state of Wisconsin for the same purpose, by the act of congress granting lands to said state to aid in the construction of certain railroads, approved June three, eighteen hundred and fifty-six, upon the same terms and conditions as are contained in the said act of June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any sections, or parts of sections, granted as aforesaid, or that the right of preemption or homestead has attached to the same, then it shall be lawful for any agent or agents to be appointed by said state to select, subject to the approval of the Secretary of the Interior, from the public lands of the United States nearest to the tier of sections above specified, as much land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of preemption or homestead has attached, as aforesaid, which lands (thus selected in lieu of those sold, and to which preemption or homestead right has
attacked as aforesaid, together with sections and parts of sections, designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by said state for the use and purpose aforesaid: Provided, That the lands to be so located shall in no case be further than twenty miles from the line of the said road, nor shall such selection or location be made in lieu of lands received under the said grant of June three, eighteen hundred and fifty-six, but such selections and locations may be made for the benefit of said state, and for the purpose aforesaid, to supply any deficiency under the said grant of June three, eighteen hundred and fifty-six, should any such deficiency exist.

Sec. 3. And be it further enacted, That there be, and is hereby, granted to the state of Wisconsin, for the purpose of aiding in the construction of a railroad from Portage city, Berlin, Doty’s Island, or Fon du Lac, as said state may determine, in a northwestern direction, to Bayfield, and thence to Superior, on Lake Superior, every alternate section of public land, designated by odd numbers, for ten sections in width on each side of said road, upon the same terms and conditions as are contained in the act granting lands to said state to aid in the construction of railroads in said state, approved June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any sections or parts thereof, granted as aforesaid, or that the right of preemption or homestead has attached to the same, that it shall be lawful for any agent or agents of said state, appointed by the governor thereof, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tier of sections above specified, as much public land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preemption or homestead has attached as aforesaid, which lands (thus selected in lieu of those sold and to which the right of preemption or homestead has attached as aforesaid, together with sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by said state, or by the company to which she may transfer the same, for the use and purpose aforesaid: Provided, That the lands to be so located shall in no case be further than twenty miles from the line of said road.

Sec. 4. And be it further enacted, That the sections and parts of sections of lands which shall remain to the United States within ten miles on each side of said roads shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of the said reserved lands become subject to private entry until the same have been first offered at public sale at the increased price.

Sec. 5. And be it further enacted, That the time fixed and limited for the completion of said roads in the act aforesaid of June three, eighteen hundred and fifty-six, be and the same is hereby extended to a period of five years from and after the passage of this act.

Sec. 6. And be it further enacted, That any and all lands reserved to the United States by any act of congress for the purpose of aiding in any object of internal improvement, or in any manner for any purpose whatsoever, and all mineral lands be and the same are hereby reserved and excluded from the operation of this act, except so far as it may be found necessary to locate the route of such railroads through such reserved lands, in which case the right of way only shall be granted, subject to the approval of the President of the United States.

Sec. 7. And be it further enacted, That whenever the companies to which this grant is made, or to which the same may be transferred, shall have completed twenty consecutive miles of any portion of said railroads, supplied with all necessary drains, culverts, viaducts, crossings, sidings,
bridges, turn-outs, watering-places, depots, equipments, furniture, and all
other appurtenances of a first-class railroad, patents shall issue conveying
the right and title to said lands to the said company entitled thereto, on
each side of the road, so far as the same is completed, and coterminous
with said completed section, not exceeding the amount aforesaid, and
patents shall in like manner issue as each twenty miles of said road is
completed: Provided, however, That no patents shall issue for any of said
lands unless there shall be presented to the Secretary of the Interior a
statement, verified on oath or affirmation by the president of said com-
pany, and certified by the governor of the state of Wisconsin, that such
twenty miles have been completed in the manner required by this act,
and setting forth with certainty the points where such twenty miles begin
and where the same end; which oath shall be taken before a judge of a
court of record of the United States.

SEC. 8. And be it further enacted, That the said lands hereby granted
shall, when patented as provided in section seven of this act, be subject
to the disposal of the companies respectively entitled thereto, for the pur-
poses aforesaid, and no other, and the said railroads be, and shall remain,
public highways for the use of the government of the United States, free
from all toll or other charge, for the transportation of any property or
troops of the United States.

SEC. 9. And be it further enacted, That if said road mentioned in the
third section aforesaid is not completed within ten years from the time of
the passage of this act, as provided herein, no further patents shall be
issued to said company for said lands, and no further sale shall be made,
and the lands unsold shall revert to the United States.

APPROVED, May 5, 1864.

May 5, 1864.

CHAP. LXXXI.—An Act to amend "An Act to incorporate the Inhabitants of the City
of Washington," passed May fifteen, eighteen hundred and twenty.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the first paragraph of
section eight of "An act to incorporate the inhabitants of the city of
Washington," passed May fifteenth, eighteen hundred and twenty, be
amended so as to read as follows: That the said corporation shall have full
power and authority to lay taxes on particular wards, parts, or sections of
the city, for their particular local improvements, and to cause the curbs-
stones to be set, the foot and carriage ways to be graded and paved, or so
much thereof as they may deem best, and the necessary sewerage and
drainage facilities to be introduced under and upon the whole or any por-
tion of any avenue, street, or alley, and also to cause the same to be suit-
ably paved and repaired, and to be at all times properly cleaned and
watered, and also to cause lamps to be erected therein, and to light the
same, and to pay the cost thereof out of the funds of the ward in which
such improvement shall be made; this provision not to be construed as
repealing, but being intended as auxiliary to the power they already pos-
sess to make local improvements on the application of the owners of prop-
erty benefited thereby.

SEC. 2. And be it further enacted, That immediately upon the approval
of this act the said corporation shall designate some proper officer thereof
whose duty it shall be to see that the provisions of this act are properly
executed, and that the principal avenues and streets of the said city are
so cleaned and watered as to be at all times reasonably clean and free
from dust; and also to keep the pavements and side-walks upon said
avenues and streets at all times in suitable and proper repair; and it
shall further be the duty of the said corporation to take such measures as
they shall deem wise to promote some uniform and general system of
drainage for said city.