act, or any final confirmation hereafter made, it shall be the duty of the
surveyor-general of the United States for California, as soon as practica-
able after the expiration of ten months from the passage of this act, or
such final confirmation hereafter made, to cause the lines of the public
surveys to be extended over such land, and he shall set off, in full satis-
faction of such grant, and according to the lines of the public surveys, the
quantity of land confirmed in such final decree, and as nearly as can be
done in accordance with such decree; and all the land not included in
such grant as so set off shall be subject to the general land laws of the
United States: Provided, That nothing in this act shall be construed so
as in any manner to interfere with the right of bona fide pre-emption
claimants.

SEC. 9. And be it further enacted, That from the decrees of the dis-
trict courts of the United States for the district of California, approving
or correcting the surveys of private land claims under Spanish or Mexi-
can grants, rendered after the first day of July, one thousand eight hun-
dred and sixty-five, an appeal shall be allowed for the period of one
year after the entry of such decrees to the circuit court of the United States
for California, as provided by section three of the act of July first, one
two and sixty-four, to expedite the settlement of titles to land in the State of California, and the decision of the circuit court shall
be final: Provided, however, That from decrees of the district courts, as
aforesaid, made after July one, eighteen hundred and sixty-five, and prior to
the passage of this act, an appeal may be taken to the United States cir-
cuit court for the State of California within one year from the approval
of this act.

APPROVED, July 23, 1866.

CHAP. CCXXX. — An Act to aid in the Construction of Telegraph Lines, and to secure
to the Government the Use of the same for postal, military, and other Purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That any telegraph company
now organized, or which may hereafter be organized under the laws of
any State in this Union, shall have the right to construct, maintain, and
operate lines of telegraph through and over any portion of the public do-
main of the United States, over and along any of the military or post
roads of the United States which have been or may hereafter be declared
by act of Congress, and over, under, or across the navigable streams or
waters of the United States: Provided, That such lines of telegraph
shall be so constructed and maintained as not to obstruct the navigation
of such streams and waters, or interfere with the ordinary travel on such
military or post roads. And any of said companies shall have the right
to take and use from such public lands the necessary stone, timber, and
other materials for its posts, piers, stations, and other needful uses in the
construction, maintenance, and operation of said lines of telegraph, and
may pre-empt and use such portion of the unoccupied public lands sub-
ject to pre-emption through which its said lines of telegraph may be lo-
cated as may be necessary for its stations, not exceeding forty acres for
each station; but such stations shall not be within fifteen miles of each
other.

SEC. 2. And be it further enacted, That telegraphic communications
between the several departments of the government of the United States
and their officers and agents shall, in their transmission over the lines of
any of said companies, have priority over all other business, and shall be
sent at rates to be annually fixed by the Postmaster-General.

SEC. 3. And be it further enacted, That the rights and privileges here-
by granted shall not be transferred by any company acting under this act
to any other corporation, association, or person: Provided, however, That
The United States may at any time after the expiration of five years from
the date of the passage of this act, for postal, military, or other purposes,
purchase all the telegraph lines, property, and effects of any or all of said
companies at an appraised value, to be ascertained by five competent, dis-
interested persons, two of whom shall be selected by the Postmaster-Gen-
eral of the United States, two by the company interested, and one by the
four so previously selected.

SEC. 4. And be it further enacted, That before any telegraph company
shall exercise any of the powers or privileges conferred by this act, such
company shall file their written acceptance with the Postmaster-General
of the restrictions and obligations required by this act.

APPROVED, July 24, 1866.

July 25, 1866.

See 1867, ch. 174, Post, p. 515.

Number allowed in each grade of line officers on the active list of the
navy.

Increase in grades, how made.

Who may be promoted to grade of rear-admiral on retired list.

Appointments of certain line officers on active list from volunteer naval ser-
vice.

If by these appointments number in any grade exceeds that allowed by
law, authority exhausted when the number of volunteer officers is once ap-
pointed.

Board for examination of candidates from the naval volunteer service.
Report and selecions.

What volunteer naval offi-

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the number allowed in
each grade of line officers on the active list of the navy shall be one ad-
miral, one vice admiral, ten rear admirals, twenty-five commodores, fifty
captains, ninety commanders, one hundred and eighty lieutenant com-
manders, one hundred and eighty lieutenants, one hundred and sixty
masters, one hundred and sixty ensigns, and in other grades the number
now allowed by law: Provided, That the increase in the grades author-
ized by this act shall be made by selection from the grade next below of
officers who have rendered the most efficient and faithful service during
the recent war, and who possess the highest professional qualifications and
attainments. And nothing in this act shall preclude the advancement in
rank now authorized by law for distinguished conduct in battle, or for
extraordinary heroism: And provided further, That nothing in this act,
nor in the fourteenth section of the act approved July sixteenth, eighteen
hundred and sixty-two, entitled "An act to establish and equalize the
grade of rear-admiral on the retired list."

SEC. 2. And be it further enacted, That of the number of line officers
of the navy on the active list, five lieutenant commanders, twenty lie-
tenants, fifty masters, and seventy-five ensigns may be appointed from
those officers who have served in the volunteer naval service for a period of
not less than two years, and who are either now in that service or have been
honorably discharged therefrom: Provided, That if by reason of these
appointments the number of officers in any grade shall exceed the number
fixed by law, no more promotions or appointments to that grade shall be
made until the number is reduced below the number fixed by law for that
grade: And provided further, That the authority given by this section
shall be exhausted when the number of volunteer officers above named
shall have been once appointed.

SEC. 3. And be it further enacted, That the Secretary of the Navy
shall appoint a board consisting of not less than three naval officers su-
perior in rank to the officers to be thus appointed in the regular navy
from the volunteer service, which board, after examination of the claims
of all candidates, shall select and report to the Secretary of the Navy the
most meritorious in character, ability, professional competency, and hon-
ororable service, the number to be appointed and transferred to the sever-
al grades mentioned in the second section of this act, provided they shall
find that number who are suitably qualified therefor. And any officer who
has served in the volunteer naval service for the term of two years or