

IN THE SENATE OF THE UNITED STATES.

APRIL 11, 1872.

Mr. COLE asked and, by unanimous consent, obtained leave to bring in the following bill; which was read twice, referred to the Committee on Public Lands, and ordered to be printed.

A BILL

To aid in the construction of the North Pacific Coast Railroad, in the State of California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of aiding in the construction of a rail-
4 road through the counties of Marin and Sonoma, from a point
5 on the bay of San Francisco to the Walhalla River, in the
6 State of California, there be, and is hereby, granted to the
7 North Pacific Coast Railroad Company, now engaged in con-
8 structing the said road, and to its successors and assigns, the
9 right of way through the public lands, of the width of one
10 hundred feet on each side of said road, and the right to take,
11 from the adjacent public lands, materials for constructing said
12 road, and also the necessary lands for depots, stations, side-
13 tracks, and other needful uses in operating the road, not ex-
14 ceeding forty acres at any one place; and also each alternate

15 section of the public lands, not mineral, excepting coal or iron
16 lands, designated by odd numbers, nearest to said road, to the
17 amount of twenty such alternate sections per mile on each
18 side thereof, not otherwise disposed of, or reserved, or held
19 by valid pre-emption or homestead right at the time of the
20 passage of this act. And in case the quantity of twenty full
21 sections per mile cannot be found on each side of said road
22 within the said limits of twenty miles, other lands, designated
23 as aforesaid, shall be selected under the direction of the Sec-
24 retary of the Interior, in the States of California, Oregon, or
25 Nevada, to make up such deficiency.

1 SEC. 2. That the Commissioner of the General Land-
2 Office shall cause the lands along the line of the said railroad to
3 be surveyed with all convenient speed; and whenever and as
4 often as the said company shall file with the Secretary of the
5 Interior maps of the survey and location of twenty or more
6 miles of said road, the said Secretary shall cause the said
7 granted lands, adjacent to and con-terminous with such located
8 sections of road, to be segregated from the public lands; and,
9 thereafter, the remaining public lands, subject to sale within
10 the limits of the said grant, shall be disposed of only to actual
11 settlers at double the minimum price for such lands: *And*
12 *provided also*, That settlers under the provisions of the home-
13 stead act who comply with the terms and requirements of
14 said act, shall be entitled, within the said limits of twenty

15 miles, to patents for an amount not exceeding eighty acres each
16 of the said ungranted lands, anything in this act to the con-
17 trary notwithstanding.

1 SEC. 3. That whenever and as often as the said company
2 shall complete and equip twenty or more consecutive miles of
3 the said railroad, the Secretary of the Interior shall cause the same
4 to be examined, at the expense of the company, by three com-
5 missioners appointed by him; and if they shall report that
6 such completed section is a first-class railroad, properly
7 equipped and ready for use, he shall cause patents to be issued
8 to the company for so much of the said granted lands as shall
9 be adjacent to and con-terminous with the said completed sec-
10 tions. And in case a sufficient amount of public lands can-
11 not be found on either side of such completed portion of rail-
12 road, he shall, in order to make up the deficiency, cause pat-
12 ents to be issued to the company for other lands, as provided
13 in section one of this act.

1 SEC. 4. That the said alternate sections of land granted
2 by this act, excepting only mountain land and such lands as
3 are necessary for the company to reserve for depots, stations,
4 side-tracks, wood-yards, standing-ground, and other needful
5 uses in operating the road, shall be sold by the company only
6 to actual settlers, in quantities not exceeding one hundred and
7 sixty acres, or a quarter-section, to any one settler, or one-half

8 section, if the land sold be grazing or timber land, and at
9 prices not exceeding two dollars and fifty cents per acre.

1 SEC. 5. That the said company shall, by mortgage or
2 deed of trust to two or more trustees, appropriate and set
3 apart all the net proceeds of the sales of the said granted
4 lands, as a sinking fund, to be kept invested in the bonds of
5 the United States, or other safe and more productive securi-
6 ties, for the purchase, from time to time, and the redemption
7 at maturity, of the first and second mortgage construction
8 bonds of the company, on the road, depots, stations, side-
9 tracks and wood-yards, not exceeding thirty thousand dollars
10 per mile of road, payable in gold coin, not longer than thirty
11 years from date, with interest payable semi-annually, in coin,
12 not exceeding the rate of seven per centum per annum; and
13 no part of the principal or interest of the said fund shall be
14 applied to any other use until all of the said bonds shall have
15 been purchased or redeemed and canceled; and each of the
16 said first and second mortgage bonds shall bear the certificate
17 of the trustees, setting forth the manner in which the same
18 is secured and its payment provided for; and the district
19 court of the United States, concurrently with the State courts,
20 shall have original jurisdiction, subject to appeal and writ of
21 error, to enforce the provisions of this section.

1 SEC. 6. That the said company shall file with the Sec-
2 retary of the Interior its assent to this act within one year

3 from the time of its passage, and the foregoing grant is upon
4 condition that said company shall complete a section of twenty
5 or more miles of said railroad within two years, and the
6 entire railroad within four years from the same date.