

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled,

THAT whenever any State in which public land is situated have, or shall authorize the construction of any railroad or canal, and the route of the same shall have been surveyed and returned to the Secretary of the Treasury, the right of way on said route, so far as the same is situated on the public land be, and the same is hereby granted for said purpose, and also the right to take stone and timber, and materials for said erection on any of the public lands adjacent, so long as said land is unsold; and the land, for the space of one hundred feet on each side of the middle of said route, shall be, and remain for that purpose, so long as said canal or railroad is sustained.

Sec. 2 And be it further enacted, That when the survey of said route shall have been returned to the Secretary of the Treasury, he shall, at the request of the governor of said State, reserve from public sale all, or so much of the public lands, within ten miles of said route, as said governor, by direction of the Legislature of said State, shall request, and the same shall be retained for said State and shall be sold

and conveyed to said State, or to whoever said State shall direct, at and for the minimum price per acre, in such quantities and at such times as said State shall desire, in aid of said construction: Provided, nevertheless, That said route shall be so surveyed and returned, and said land so reserved, within three years from the passing of this law; and all of said land not actually so purchased and paid for by said State, within ten years from the passing of this act, shall be subject to sale and private entry, in the same manner as if the same had not been reserved: And provided, further, That this shall not extend to any land but such as is subject to private sale at one dollar and twenty five cents per acre; and nothing in this act contained shall be so construed as to grant to any State such right of pre-emption to any land heretofore set apart or reserved for schools, nor to any public land which may have been reserved by the United States for military or other public purposes, nor to any mineral lands, nor to any to which a right of pre-emption may previously have been acquired by any person or persons.

Passed the Senate

February 13. 1849

Attest

Albany Dickins
Secretary

Public Land
S 415

An act

to grant the right of way
across the public lands
and to dispose of said
land in aid of the several
States in the construction of
railroads and canals.

IR Pub Lands.

? Bouton to strike out sec 2.

Feb. 15.

Mr. Badger to reconsider vote on
passing this bill -
p.p. Tomorrow

No Papers