

ACTS, RESOLUTIONS AND MEMORIALS,

PASSED AT THE

EXTRA SESSION

OF THE

FIFTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

**Which convened at Iowa City, on the Second day
July, Anno Domini, 1856.**

JAMES W. GRIMES, Gov. | **JOHN PATTEE, Auditor.**
GEO. W. McCLEARY, Sec. | **M. L. MORRIS, Treasurer.**
MATURIN L. FISHER, President of the Senate.
REUBEN NOBLE, Speaker of House of Representatives.

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IOWA LAND BILL.

A BILL making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of certain Railroads in said State.

SECTION 1. *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 Iowa, for the purpose of aiding in the construction of railroads from Burlington, on the Mississippi river, to a point on the Missouri river, near the mouth of Platte river; from the city of Davenport, via Iowa City and Fort Des Moines to Council Bluffs; from Lyons City, north-westerly to a point of intersection with the main line of the Iowa Central Air Line Railroad, near Maquoketa; thence on said main line, running as near as practicable to the forty-second parallel, across the said State of Iowa to the Missouri river; from the city of Dubuque to a point on the Missouri river, near Sioux City, with a branch from the mouth of the Tete Des Morts, to the nearest point on said road, to be completed as soon as the main road is completed to that point, every alternate section of land, designated by odd numbers, for six sections in width on each side of said roads. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or any parts thereof, granted as aforesaid, or the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so 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 rights of pre-emption have attached as aforesaid; which lands (thus selected in lieu of those sold and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections by odd numbers as aforesaid, and

appropriated as aforesaid) shall be held by the State of Iowa, for the use and purpose aforesaid: *Provided*, That the land to be so located shall in no case be further than fifteen miles from the lines of said roads, and selected for and on account of each of said roads: *Provided further*, That the lands hereby granted for and on account of said roads severally, shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved from the operations of this act, except so far as it may be found necessary to locate the routes of said 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. 2. *And be it further enacted*, That the sections and parts of sections of land, which by such grant shall remain to the United States within six miles on each side of said roads, shall not be sold for less than the double minimum price of the public lands when sold; nor shall any of said lands become subject to private entry, until the same have been first offered at public sale at the increased price.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof for the purpose aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following: that is to say, that a quantity of land not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads may be sold; and when the Governor of said State shall certify to the Secretary of the Interior, that any twenty continuous miles of

any of said roads is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of such roads, may be sold; and so from time to time until said roads are completed; and if any of said roads are not completed within ten years, no further sale shall be made and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted,* That the United States mail shall be transported over said roads, under the direction of the Post Office Department, at such price as Congress may, by law, direct: *Provided,* That until such price is fixed by law, the Postmaster General shall have the power to determine the same.

APPROVED, May 15th, 1856.

PROCLAMATION BY THE GOVERNOR.

WHEREAS, it is believed that subjects of vital importance to the State of Iowa demand immediate legislative action.

Therefore, I, JAMES W. GRIMES, Governor of said State, by virtue of the authority in me vested, do hereby convene the General Assembly of said State in special session, to be begun and held at Iowa City, on Wednesday, the second day of July next, at two o'clock, in the afternoon of said day.

In testimony whereof, I have hereunto set my hand and L. S. caused to be hereto affixed the great seal of the State of Iowa.

Done at Iowa City, this 3rd day of June, 1856.

JAMES W. GRIMES.

By order of the Governor:

GEO. W. McCLEARY, Secretary of State.

