

A BILL

FOR AN ACT PROVIDING FOR AND REQUIRING THE COMPLETION OF THE CEDAR RAPIDS
& MISSOURI RIVER RAILROAD AS NEAR AS PRACTICABLE TO THE 42D PARALLEL.

WHEREAS, The State of Iowa by chapter 37 of the laws of the Eighth General Assembly disposed of,
2 granted and conferred to and upon the Cedar Rapids & Missouri River Railroad Company upon certain
3 conditions, limitations and restrictions therein provided and imposed, "so much of the lands, interests,
4 rights, powers and privileges as have been or may be granted and conferred in pursuance of the act of
5 Congress entitled 'an act granting lands to the State of Iowa in alternate sections to aid in the
6 construction of railroads in said State;' approved May 15, 1856, to aid in the construction of a railroad
7 from Lyons city northwesterly to a point of intersection with the main line of the Iowa Central Air
8 Line Railroad near Maquoketa, thence on said main line running as near as practicable across the State
9 of Iowa to the Missouri river;" and,

10 WHEREAS, The said Cedar Rapids & Missouri River Railroad Company has failed to comply with the
11 provisions and requirements of said act of the General Assembly, and has failed to complete and equip
12 the several distances of said road therein specified, in manner and time as therein provided and required,
13 and has failed to complete and equip the whole line of said road by the first day of December, A. D.
14 1865, as therein provided and required, and has failed to construct said road as near as practicable to
15 the 42d parallel across the State of Iowa to the Missouri river as therein provided and required;
16 whereby it has become competent for the State of Iowa to resume all rights conferred by said act on
17 said company so failing and to resume all rights to the lands granted by said act and remaining undis-
18 posed of to said company so failing; and,

19 WHEREAS, By section 6 of said chapter 37, it is expressly provided that no lands shall be certified to
20 said Cedar Rapids & Missouri River Railroad Company until they shall comply with all the requirements
21 of said section; and,

22 WHEREAS, said company has wholly and entirely failed to comply with any of such requirements, and
23 has wholly failed to build or cause to be built the road therein provided for and required; and,

24 WHEREAS, By reason of such failure no portions of said lands so granted have been legally disposed
25 of to said company; and,

26 WHEREAS, The good faith of the State of Iowa, as well as the best interests thereof, require that said
27 railroad shall be completed as near as practicable to the 42d parallel across the State of Iowa to the

28 Missouri river, as by said act of Congress and of the General Assembly of Iowa is expressly provided
29 and required. Therefore for the purpose of securing the completion of said road, and to the end that
30 said company may be permitted to complete the same and thus secure the land granted therefor ;

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the State of Iowa
2 hereby agrees to relinquish said right of resumption and cause said lands to be certified and conveyed
3 to said company as hereinafter provided ; but only upon compliance by said company as a condition
4 precedent with all the provisions and requirements of this act as hereinafter set forth.

SEC. 2. Said company shall construct, equip and operate a line of railroad from some point on its
2 present line as near as practicable to the 42d parallel and within the county of Crawford, to a connection
3 with the Sioux City & Pacific Railroad in Onawa City, in Monona county, and all parts of said line of
4 railroad shall be within the counties of Crawford and Monona, and shall be constructed and equipped in
5 all respects as provided and required by said act of Congress and of the General Assembly of this State,
6 and in connection with the Chicago, Iowa & Nebraska Railroad, and the road of said company already
7 built shall be operated in close connection as one road through from the Mississippi river to Onawa City.

SEC. 3. Said company shall build, equip and operate the whole of said road by the first day of
2 January, A. D. 1870, and the Governor shall not certify to the completion of any part of said Cedar
3 Rapids & Missouri River Railroad, nor certify, nor convey any lands to said company by reason thereof
4 until said company shall have completed its said railroad to Onawa City as herein required, whereupon the
5 whole of said lands shall without warrant be conveyed from the State to said company by the Governor,
7 saving and reserving 40,000 acres until the Lyons branch road is completed as required by said act of
8 the General Assembly.

SEC. 4. Said company shall, within sixty days after the approval of this act, file with the Secretary
2 of State a written acceptance of the same, signed by its President and Secretary and attested by its
3 corporate seal.

SEC. 5. If the said company shall fail to comply with any of the provisions and requirements of this
2 act in manner and time as hereinbefore provided or required, this act is, shall be, and shall operate as a
3 full, absolute and complete resumption by the State of Iowa of all rights and lands heretofore and
4 hereby granted to and conferred upon said company by the State of Iowa, and the lands and rights so
5 resumed shall be subject to the control and disposal of the State for the purpose of completing said road
9 as provided by said act of Congress and of the General Assembly, and as herein required.

SEC. 6. This act being deemed of immediate importance shall take effect and be in force from and
2 after its publication in the *Iowa State Register* and *Iowa Evening Statesman*, newspapers published in
3 Des Moines, Iowa.