

NUMBER VIII.

EASTERN TERMINUS OF THE UNION PACIFIC RAILROAD.

A JOINT RESOLUTION Instructing our Senators and Requesting our Representatives in Congress, to take such Action as will secure the Eastern Terminus of the Union Pacific Railroad in Iowa, according to the Terms and Conditions of the Act of Congress providing therefor; and Protesting, on Behalf of the State of Iowa, against the action of that Company, in making a Contract with Omaha, providing "That the Eastern Terminus shall be and remain in "said city of Omaha," and for other Purposes.

WHEREAS, The act of Congress, under which, with amendments thereto, the Union Pacific Railroad was constructed, provided "That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States."

WHEREAS, Abraham Lincoln, President of the United States, did on the 7th day of March, 1864, establish that point on the western boundary of the State of Iowa, east of and opposite the east line of section 10, in township 15, north of range 13, east of the sixth principal meridian, in the territory of Nebraska; and

WHEREAS, Congress in 1864, in order to enable said company "To make convenient and necessary connections with other roads," authorized said company "To establish and maintain all necessary ferries upon and across the Missouri river," and "To construct bridges over said Missouri river," and provided by said act of Congress, that such bridge "shall be built, kept and maintained at the expense of said company;" and

WHEREAS, Congress authorized said company "for the more perfect connection of any railroads that are or shall be constructed to the Missouri river," to issue such bonds, and secure the same by mortgage on the bridge and approaches and appurtenances, as it may deem needful to construct and maintain its bridge over said river, and the tracks and depots required to perfect the same, as now authorized by act of Congress: *Provided*, That nothing in this act shall be construed so as to change the eastern terminus of the Union Pacific Railroad from the place where it is now fixed under existing laws; and

WHEREAS, Said company was by act of Congress required to operate said roads "as one continuous line;" and

WHEREAS, By contract made in January, 1872, between said company and the city of Omaha, said company agreed with said city "that the eastern terminus of the Union Pacific Railroad shall be and remain at said city of Omaha," and expressly provided that said company will "transfer upon said grounds," in Omaha, "all its

“passengers, baggage, express matter, mails, and freight, north, south, or east bound;” all of which is in direct and flagrant violation of the spirit and letter of the law, and in direct conflict with the acts of Congress, creating and giving aid to said company, and in direct conflict with the agreement and understanding between said company and the city of Council Bluffs; and

WHEREAS, Congress provided, in the original act “to aid in the construction of” this railroad, “that in case said company shall fail to comply with the terms and conditions of this act by not completing said road and telegraph and branches within a reasonable time, or by not keeping the same in repair and use, but shall permit the same for an unreasonable time to remain unfinished, or out of repair, and unfit for use, Congress may pass any act to insure the speedy completion of said road and branches, or put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the use of the United States, to repay all such expenditures caused by the default and neglect of said company,” &c.; therefore,

Be it resolved by the General Assembly of [the State of] Iowa, That our Senators be instructed, and our Representatives requested, to use their influence to protect the State of Iowa in her rights in continuing the eastern terminus of the Union Pacific Railroad within her boundary as provided by law, and that they exercise their full powers in securing a full and complete investigation of all the matters herein referred to; and, in case it is found necessary in order to compel the Union Pacific Railroad Company to carry out, according to the spirit and letter of the law, the construction, completion, and operation of their road so as to make the terminus thereof in fact in Iowa, and the transfers from the Iowa railroads in fact in Iowa, that they take the necessary steps to secure such Congressional action as will by means of “the use of the income of said railroad,” or by such other means as they may deem most effectual in securing the object, complete said road into Iowa, and will provide all necessary buildings, tracks, and improvements in Iowa, for the transfer of all passengers, freights, mails, express matters, and business in said State, of all Iowa railroads.

Be it further resolved by the General Assembly of Iowa, That we now enter our solemn protest against the unqualified and unmistakable fraud attempted to be perpetrated on our State, her people, and her railroad companies, by the flagrant violation of law by said Union Pacific Railroad Company, in the contract above referred to with the city of Omaha.

Resolved, That the Secretary of State furnish a copy of these resolutions to each of our Senators and Representatives in Congress, and to each of the government directors of the Union Pacific Railroad Company.

Approved, February 24th, 1872.