

NORTH AND SOUTH RAILROAD LAW.

Be it enacted by the Legislative Assembly of Montana:

Section 1. That for the purpose of aiding in the construction of a railroad to run from Franklin in the Territory of Idaho, to and into the Territory of Montana by way of the mouth of the Big Hole river to White Tail Deer creek, the sum of one million, one hundred and fifty thousand dollars is hereby contributed by the Territory of Montana, to be paid in coupon bonds of said Territory, in the manner and on the terms provided in this act; provided, that none of said bonds shall be executed by the Territory, or delivered to any corporation, person or persons, for any purpose whatever, except upon the terms and in the manner provided in this act.

Sec. 2. Such railroad shall be built from the said town of Franklin, along and over the most practical route by the way of the mouth of the Big Hole river to the mouth of White Tail Deer creek, in the said Territory of Montana, and shall be built of good and substantial material, and of a gauge not less than three feet in width, and not more than four feet eight and one-half inches in width. Such railroad shall be finished so that a locomotive and train of cars can pass over the same from said town of Franklin to the terminus aforesaid, within two years from the time that any contract shall be entered into and executed by any company, corporation, or association, under and in accordance with the provisions of this act.

Sec. 3. The bonds that may be issued under the provisions of this act, shall be coupon bonds of the Territory of Montana, payable at the city of New York, in the State of New York, twenty years from the date of their issue, and redeemable at any time after ten years from their date, at the pleasure of said Territory. Said bonds shall bear interest at the rate of seven per centum per annum, shall be dated on the day of issuance and delivery thereof, and shall draw interest from the date thereof. There shall be attached to each bond a coupon for each installment of interest thereon, and the interest shall be due and payable on the first of January of each year at said city of New York. Said bonds shall be signed by the Treasurer and Auditor of said Montana Territory and shall be countersigned by the Secretary of said Territory, and when thus issued shall be delivered by the Treasurer of said Territory to the person or persons, company, corporation, or association of persons contracting to construct said railroad in accordance with the provisions of this act, or to his, its, or their order.

Sec. 4. The bonds herein provided for to be issued by the Territory of Montana, shall be procured by the Auditor of said Territory, and he shall have the same engraved at the lowest possible cost which shall be paid out of the general fund of said Territory, by warrant drawn upon the Territorial Treasurer. Said bonds shall be of the denomination of (\$1,000) one thousand dollars.

Sec. 5. The railroad herein provided for shall be constructed by the corporation or association of individuals undertaking the same in two sections, as follows: The first section to extend from the town of Franklin aforesaid, and terminate on the line of the said road at the present southern boundary line of Montana Territory. The second section of said road shall commence at the northern terminus of the first section of said road as herein designated, and shall extend to the terminus of said road at the mouth of the White Tail Deer creek aforesaid, and shall be known as Section No. 2.

Sec. 6. The corporation or association of individuals who shall accept the terms of this act, and undertake the construction of said railroad under the provisions hereof, shall not be entitled to receive any of the bonds of said Territory herein provided for until they shall have constructed and placed in good running order, with full equipment of engines and rolling-stock, section No. 1 of said road. And when the said corporation or association of individuals undertaking the construction of said line of road, shall have completed said Section No. 1 and equipped the same with sufficient engines and rolling stock, and shall desire to receive a portion of the aid hereby guaranteed, they shall make application for the same to the Governor of the Territory in writing, who, upon receiving said written application, shall at

once designate three Commissioners, who shall be citizens of the Territory of Montana, disinterested, impartial men whose duty it shall be to go, at the expense of the said railroad corporation or association of individuals, and examine and measure that portion of said line of railroad which may be completed, and make report in writing, under oath, of the result of their examination; and if they shall find on such examination that the said railroad, as constructed, complies with all the requirements of this act, they shall so state in their report to the Governor.

Sec. 7. Upon receiving the report of said Commissioners, made to the Governor under oath, that the said corporation or association of individuals have complied with the provisions of this act, and have completed Section No. 1 of said road, and equipped the same as required by this act, the Governor shall immediately thereafter make his order on the Territorial Auditor for one-half of the bonds by this act authorized to be issued and shall deliver the same to the agent or representative of said railroad corporation or association of individuals, which order shall be accompanied by a copy of the report of said Commissioners, and which order and copy of report shall be delivered to the Auditor, who shall preserve the same in the files of his office. The order of the Governor upon the Auditor shall direct him to execute and deliver to the Treasurer of the Territory the amount of the bonds herein provided for. The bonds so delivered by the said Auditor to the said Treasurer of the Territory shall, after thirty days notice to be published by said Treasurer in two or more newspapers published in this Territory, be by the latter officer delivered over to the said corporation or its authorized agent, the said Territorial Treasurer taking duplicate receipts therefor, one of which shall be preserved by him and the other shall be delivered to the Auditor who shall preserve the same in the files of his office.

Sec. 8. And thereafter when the said corporation or association of individuals shall have completed the second section of said road, they may apply to the Governor for the remaining half of the aid hereby given in bonds as herein provided, and such application shall be made in the manner provided in the preceding section, and commissioners shall be appointed and first make a report as is above provided. Their duties shall be the same and their report made in the same manner and as provided for in the preceding section of this act; and that thereupon there shall be issued and delivered to the said corporation, in the same manner as heretofore provided, bonds as herein provided equal in amount to one-half the aid by this act given.

Sec. 9. The County Commissioners of the several counties, after having received notice from the Secretary of the Territory of the passage of this act, as hereinafter provided, shall, and it is hereby made the duty of said County Commissioners, on the third day of April, A. D. 1876, to cause to be submitted to the qualified electors of their respective counties the propositions herein contained for their approval or rejection; and if a majority of the electors of the Territory, at such elections, shall by their votes approve of this act, such fact shall be entered at large upon the journals of their respective counties.

Sec. 10. The County Commissioners of the several counties shall give notice of the election herein provided for by publication in one or more newspapers published within such county, at least twenty days before such election; or, if no paper be published therein, the same shall be published in one or more newspapers published in the Territory most likely to give general notice.

Sec. 11. At the election herein provided for, the ballots or votes shall contain the words "North and South Railroad Aid. Yes; or North and South Railroad Aid. No," and the same rules, regulations, liabilities and penalties prescribed for the conduct of other elections, and liabilities of officers thereof, and electors within this Territory, shall be observed and enforced at the election herein provided for; and the judges at such election shall truly certify and forward the result of such election, together with the poll-books and ballots so cast, to the Board of Commissioners to the county-seat of said county, within five days after

the same shall have been counted and certified, and the said County Commissioners shall, within ten days thereafter, forward a correct abstract of the votes cast on said proposition at such election to the Secretary of the Territory; and upon the failure upon the part of any officer or officers herein named to perform the duties prescribed by this act, he or they shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay a fine not exceeding \$10,000, and be imprisoned in the county jail not less than six nor more than ten months.

Sec. 12. The votes that are cast upon the proposition herein contained, after the same shall have been abstracted by the County Commissioners of the several counties, and such abstracts shall have been forwarded to the Secretary as aforesaid, shall be canvassed in the same manner that the vote for delegate to Congress is canvassed under the existing laws.

Sec. 13. If a majority of the votes cast upon the question hereby submitted, shall approve of this act, it shall be the duty of the Secretary of the Territory to announce such fact through one or more newspapers published in the Territory, and thenceforward this act shall be a contract of binding force upon the Territory of Montana, and also upon the corporation or association of individuals that may accept the same as herein provided, for the fulfillment of which contract, in every particular, on its part, the good faith and credit of the people of Montana Territory is pledged.

Sec. 14. The County Commissioners of the several counties shall, from time to time, levy a special tax, as may be apportioned by the auditor, in the same manner as other taxes are now levied, sufficient in amount to pay the annual interest that may from time to time accrue upon the bonds so issued, and also to provide for the final payment of said bonds.

Sec. 15. That the following persons and their associates, to-wit: Royal Basset, J. Richardson, Sidney Dillon, or some of them and their associates, for the purposes herein named, having first incorporated themselves under the laws of Montana Territory, shall have thirty days after the passage of this act shall have been announced by the Secretary of the Territory, within which to determine their acceptance of the terms of this act; their acceptance of which shall be in writing and shall be filed by the proper officer of said corporation in the office of the Secretary of the Territory before the expiration of the said thirty days, and in case the said corporation shall fail to file their written acceptance of this contract with the Secretary as aforesaid, within thirty days after the passage of this act, this act shall be void and of no effect.

Sec. 16. That in case this act shall be ratified and confirmed by the electors of this Territory, in the manner hereinbefore provided, and the said corporation shall file its acceptance of the terms of this act, as above provided, the said corporation shall construct and fully equip with all the necessary rolling-stock, at least one hundred miles of the said road before the first day of January, A. D. 1877, and in case of failure so to do, all rights of such corporation, under the provisions of this act, shall be deemed and held forfeited, and it shall have no further claim upon this Territory for any bonds herein provided for.

Sec. 17. That nothing herein contained shall be construed to inhibit the Territory from causing ad valorem taxes to be levied upon the property of said railroad company within said Territory, as taxes are levied upon other property in this Territory. But all taxes so levied shall be paid by said railroad corporation into the Territorial Treasury, and no portion thereof shall belong to any county in said Territory, anything in the laws now in force to the contrary notwithstanding.

Sec. 18. The Commissioners in this act shall make their report, and take and subscribe their oath thereto, within the limits of this Territory, and if the same is false, they shall be deemed guilty of wilful and corrupt perjury, and shall be punished as is provided by law therefor.

Sec. 19. That nothing herein contained shall prevent said corporation from building if they so elect, an independent line of railroad from the town of Ogden in the Terri-

tory of Utah, or the town of Corinne in the Territory of Utah, immediately or ultimately, but the provisions of this act shall only apply to such portions of said road as shall be constructed from a point north of an east and west line running through the said town of Franklin.

Sec. 20. That the Legislative Assembly of this Territory, and the Legislative authority of any State to be formed out of such Territory shall, notwithstanding anything herein contained, have authority to regulate the rates of fare and freight the same as is provided in sections twenty-two and twenty-three of an act entitled "An act to Provide for the formation of Railroad Corporations in the Territory of Montana," passed in 1873.

FOR SALE OR RENT.

The undersigned offers for sale or rent his saw mill, situated on Deep creek, about eight miles north of Camp Baker, Smith's river valley. The mill is run by water power, with an overshot wheel. It is in good running order and capable of cutting four thousand feet of lumber per day, and has an abundance of good timber near it. Terms reasonable. JONAS HIGGINS.
Diamond City, February 24, 1876-n14-tf.

W. M. PRICE & CO.**Commission Merchants**

—AND—

MISSOURI STATE GRANGE AGENCY.

NO. 14 SOUTH COM'L ST., ST. LOUIS, MO.

Special attention given to the sale of

GRAIN, TOBACCO, WOOL, HIDES, &c.

And to the purchase of

FARM, FAMILY AND PLANTATION SUPPLIES.**PIONEER STORE.**

The undersigned wishes to call the attention of the public to his large stock of merchandise, consisting of a good assortment of

GROCERIES,**HARDWARE, AND QUEENSWARE,****READY MADE CLOTHING****CUSTOM MADE BOOTS AND SHOES,**

Ladies' Furnishing Goods of the latest Styles and Patterns.

A thousand and one articles, more or less, which will be sold cheap for cash.

AS LOW AS THE LOWEST.**A Liberal Discount to Cash Buyers.**

YOU COULD NOT BUY A JACK KNIFE OF A TEN YEAR OLD SCHOOL BOY ON TIME AS CHEAP AS YOU COULD BY PAYING THE CASH DOWN.

I am prepared to

Compete with any House in the County.

Call and examine my stock and prices, and satisfy yourselves of the truth of my statements.

JONAS HIGGINS,

Sole Proprietor and Business Manager.

Diamond City, December 16th, 1875-4tf.

GALLATIN VALLEY**FEMALE SEMINARY.**

SUPERINTENDENT—REV. L. B. CRITTENDEN.
Principal—Miss M. G. CRITTENDEN.
Assistant Teacher—Miss ELLA AXLESWORTH.
Matron and Drawing Teacher—Mrs. CRITTENDEN.

The second term of the fourth annual session of this school will open on the second Monday,

JANUARY 10th, 1876,

at the late residence of Wm. H. Drew, between Hamilton and Central Park. This property has been purchased, renovated and enlarged to accommodate the Seminary. The site is eligible, the buildings comfortable, and planned with regard to enlargement as increasing population and patronage shall demand. Its design is to give a substantial and polite education in connection with the influence of a christian family and a happy home. This term will close on the 31st day of March. The third term will open the 10th day of April, and close the 30th day of June.

TERMS:—For boarding and tuition, \$20 per month.

For tuition of day scholars, \$4 per month.

Extra charges for teaching French or German, for Instrumental Music, Stationery, materials for Ornamental Work, and for washing. For further information, address the Superintendent or Principals, Hamilton, Montana. n8-3.