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... 150 00 All yearly edvertisements payable quarterly, all other advertising payable in advance. The above terms were agreed upon by the proprietors of the Intelligencer and Register on Friday the 8th inst., to take effect on Monday, July 11th, 1864

## OFFICIAL.

LAWS OF THE UNITED STATES. Passed at the First Session of the Thirty-eighth Congress.

[Public-No. 186.]

An act granting lands to aid in the conline from Lake Superior to Puget's Sound, on the Pacific coast, by the

northern route. Richard D. Rice, John A. Poore, Samuel P. Strickland, Samuel C. Fessenden, Charles P. Kimball Appendix Strickland, Samuel C. Fessenden, Charles P. Kimball Appendix Strickland, Samuel C. Fessenden, Said body politic and constitute Charles P. Kimball, Augustine Haines, Edwin R. W. Wiggin, Anson P. Morrill, Samuel J. Anderson, of Maine; William Sears, I. S. Withington, Josiah Perham, James M. Becket, A. W. Banfield, Abiel Abbott, John Newell, Austin L Rogers, Nathaniel Greene, jr., Oliver Frost, Jno. A. Bass, John O. Bresbey, George Shiverick, Edward Tyler, Filander J. Forristall, Ivory H. Pope, of Massachusetts; George Opdyke, Fairley Holmes, John Huggins, Philander Reed, George Briggs, Chauncey Vibbard, John C. Fremont, of New York; Ephraim Marsh, John P. Jackson, jr., of New Jersey; S. M. Felton, John Toy, O. J. Dickey, B. F. Archer, G. W. Cass, J. Edgar Thompson, John A. Green, of Pennsylvania; T. M. Allyn, Moses W. Wilson, Horace Whittaker, Ira Bliss, of Connecticut, Joseph A. Gilmore, Onslow Stearns, E. P. Emerson, Freder-Onslow Stearns, E. P. Emerson, Frederick Smyth, William E. Chandler, of New Hampshire; Cyrus Aldrich, H. M. Rice, John McKusick, H. C. Waife, Stephen Miller, of Minnesota; E. A. Chapin, Jno. Gregory Smith, George Merrill, of Vermont: James Y. Smith, William S. Slater, Isaac H. Southwick, Earl P. Mason, of Rhode Island; Seth Fuller, William Kellogg, U. S. Grant, William B. Ogden, William G. Greene, Leonard Sweat, Henry W. Blodgett, Porter Sheldon, of Illi-nois; J. M. Winchell, Elsworth Cheesebrough, James S. Emery, of Kansas; Richard F. Perkins, Richard Chenery, Samuel Brannon, George Rowland, Heary Platt, of California; William F. Mercer, James W. Brownley, of Virginia; John H. B. Latrobe, W. Prescott Smith, of Maryland; Greenbury Slack, A. I. Boreman, of West Virginia; Thomas E. Bramlette, Frank Shorin, of Kentucky, John Brough, John A Bingham, Oran Follett, John Gardner, S. S. L'Homme-dieu, Harrison G. Blake, Philo Cham-berlin, of Ohio; John A. Duncan, Samuel M. Harrington, of Delaware; Thomas A. Morris, Jesse L. Williams, of Indiana; Samuel L. Case, Henry L. Hall, David H. Jerome, Thomas E. Gilbert, C. A. Trowbridge, of Michigan, Edward H. Broadhead, Alexander Mitchell, Benja-Broadhead, Alexander Mitchell, Benjamin Ferguson, Levi Sterling, — Marshal, of Wisconsin; J.C. Ainsworth, Orlando Humason, H. W. Corbett, Henry Failling, of Oregon; J. B. S. Todd, M. K. Armstrong, J. Shaw Gregory, J. LeBerge, of Dakota Territory; John Mullan, Anson G. Henry, S. D. Smith, Charles Terry, of Washington Territory; H. W. Starr, Platt Smith, Nixon Denton, William Leighton, B. F. Allen, Reuben Noble, John L. Davies, of Iowa: Willard P. Hall. George R. Smith, H. Gayle King. Hall, George R. Smith, H. Gayle King, John C. Sargeant, of Missouri; William H. Wallace, of Idaho Territory; J. H. La-throp, Henry D. Cooke, H. E. Merrick, of the District of Columbia, and all such other persons who shall or may be associated with them, and their successors, are hereby created and erected into a bo dy corporate and politic, in deed and in law, by the name, style, and title of the "Northern Pacific Railroad Company," and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph line, with the appurtenances, namely, beginning at a point on lake Superior, in the State of Minnesota or Wisconsin; thence westerly by the most eligible railroad route, as shall be determined by said company, within the territory of the United States, on a line north of the forty-fifth degree of latitude to some point on Puget's Sound, with a branch, via the valley of the Columbia river, to a point at or near Portland, in the State of Oregon, leaving the main trunk line at the most suitable place, not more than three hundred miles from its western terminus; and is hereby vested with all the powers, privileges, and im-munities necessary to carry into effect the purposes of this act as herein set forth. The capital stock of said company shall comsist of one million shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such manner as

the by-laws of said corporation shall pro-

are hereby appointed commissioners, and shall be called the board of commission-

ers of the "Northern Pacific Railroad Company," and fifteen shall constitute a

quorum for the transaction of business. The first meeting of said board of com-missioners shall be held at the Melodeon

Hall, in the city of Boston, at such time

more than three months after the passage

of this act, notice of which shall be given

publishing said notice in at least one daily

The persons hereinbefore named

secretary shall be sworn to the faithful performance of his duties, and such oath shall be entered upon the records of the company, signed by him, and the oath verified thereon. The president and Sector of the records of the company, signed by him, and the oath verified thereon. The president and Sector of the records of the company of the State of Minner of the records of the western boundary of the State of Minner of the records of the western boundary of the State of Minner of the records of the conveyence of the conv retary of said board shall in like manner call all other meetings, naming the time and place thereof. It shall be the duty of said board of commissioners to open books, or cause books to be opened also, That lands shall not be granted unproval of this act by the President, and at such times and in such principal cities or other places in the United States as they or a quorum of them shall determine, within six months after the passage of this act, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. soon as twenty thousand shares shall in good faith be subscribed for, and ten dolars per share actually paid into the treasury of the company, the said president and secretary of said board of commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in .... 90 00 each State in which subscription books be constructed a telegraph line, of the be needful and necessary to insure aspeedy have been opened, at least fifteen days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by lawful proxy, then and there shall elect by ballot thir teen directors for said corporation; and in such election each share shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners, and, in case of their absence or ina-bility, any two of the officers of said board, shall act as inspectors of said election, and shall certify under their hands the names of the directors elected at said meeting; and the said commissioners, struction of a railroad and telegraph treasurer, and secretary, shall then deliver over to said directors all the properties, subscription books, and other their possession, and thereupon the du-Be it enacted by the Senate and House ties of said commissioners and the offiof Representatives of the United States | cers previously appointed by them shall meetings of the stockholders of the said

> such time and place and upon such notice as may be prescribed in the by-laws. SEC. 2. And be it further enacted, That the right of way through the public lands be and the same is hereby granted to the said "Northern Pacific Railroad Company," its successors and assigns, for the construction of a railroad and telegraph as proposed; and the right, power, and authority is hereby given to said corporation to take from the public lands, adja-cent to the line of said road, material of earth, stone, timber, and so forth, for the construction thereof. Said way is grant-ed to said railroad to the extent of two hundred feet in width on each side of said railroad where it may pass through the public domain, including all necessary grounds for station buildings, workshops depots, machine shops, switches, side tracks, turn tables, and water stations; and the right of way shall be exempt from taxation within the Territories of the United States. The United States shall ex-tinguish, as rapidly as may be consistent public policy and the welfare of the said Indians, the Indian titles to all lands falling under the operatin of this act, and acquired in the donation to the [road] named in this bill.

corporation for the choice of officers

(when they are to be chosen) and for the

transaction of business shall be holden at

SEC. 3. And be it further enacted, That there be and hereby is granted to the "Northern Pacific Railroad Company," its successors and assigns, for the pur pose of aiding in the construction of said railroad and telegraph line to the Pacific coast, and to secure the safe and speedy transportation of the mails, troops, muni tions of war, and public stores, over the route of said line of railway, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as said company may adopt, through the Territories of the United States, and iten alternate sections of land per mile on each side of said railroad whenever it passes through any States, and whenever, on the line there of, the United States have full title, not reserved, sold, granted, or other-wise appropriated, and free from preemption, or other claims or rights, at the time the line of said road is definitely fixed, and a plat thereof filed in the office of the Commissioner of the General Land Office; and whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, occupied by homestead settlers, or preempted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections: Provided; That if said route shall be found upon the line of any other railroad route to aid in the construction of which lands have been heretofore granted by the United States, as far as the routes are upon the same general line, the amount of land heretofore granted shall be deducted from amount granted by this act: Provided, further, That the railroad company receiving the previous grant of land may assign their interest to said "Northern Pacific Railroad Company," or may consolidate, confederate, and associate with said company upon the terms named in the first section of this act: Provided, fur ther. That all mineral lands be and th same are hereby excluded from the operations of this act, and in lieu thereof a like quantity of unoccupied and unapproriated agricultural lands in odd-number ed sections nearest to the line of said road, and within fifty miles thereof, may be selected as above provided: And provided, further, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal: And provided, further that no money shall be drawn from the Treasury of the United States to aid in the coustruction of the said North-

ern Pacific railroad. SEC. 4. And be it further enacted. That whenever said Northern Pacific Railroad Company shall have twenty-five consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated, the President of the United States shall appoint three commission ers to examine the same, and if it shall appear that twenty-five consecutive miles of said road and telegraph line have been completed in a good, substantial, and workmanlike manner, as in all other respects required by this act, the commis-sioners shall so report to the President of as any five commissioners herein named the United States, and patents of lands, from Massachusetts shall appoint, not as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands, situate oppoby them to the other commissioners by site to and coterminous with said completed section of said road; and from time newspaper in the cities of Boston, New York, Philadelphia, Cincinnati, Milwan consecutive miles shall have been conkie, and Chicago, once a week at least structed, completed, and in readiness as aforesaid, and verified by said commissioners to the day of meeting. Said board shall organize by the choice from its number of a president, vice president, secretary and treasurer, and they conveying the additional sections of land as aforesaid, and so on as company may have the fight to put on engineers and survey the right to put on engineers. kie, and Chicago, once a week at least structed, completed, and in readiness as four weeks previous to the day of meeting. Said board shall organize by the choice sioners to the President of the United commissioners to the United commissioners to

mile, as said road shall be completed, shall said company shall be barred.

be conveyed to said company for all that SEC. 8. And be it further enacted, That der the provisions of this act on account of any railroad, or part thereof construct-

ed at the date of the passage of this act. SEC. 5. And be it further enacted, That said Northern Pacific railroad shall be constructed in a substantial and worknanlike manner, with all the necessary lraws, culverts, bridges, viaducts, crossings, turnouts, stations, and watering places, and all other appurtenances, including furniture, and rolling stock, equal cept the same, upon the further condtion in all respects to railroads of the first class, when prepared for business, with of the conditions hereof, and allow the from American iron. And a uniform guage shall be established throughout the most substantial and approved description, to be operated along the entire line: Provided, That the said company shall not charge the Government higher rates than they do individuals for like transportation and telegraphic service. And it shall be the duty of the "Northern Pacific Railroad company' to permit any other railroad which shall be authorized to be built by the United States, or by the Leg-islature of any Territory or State in which the same may be situated to form running connexions with it, on fair and equitable terms. Sec. 6. And be it further enacted, That

the President of the United States shall cause the lands to be surveyd for forty miles in width on both sides of the entire line of said road after the general route shall be fixed, and as fast as may be required by the construction of said rail road; and the odd sections of land hereby granted shall not be liable to sale or en-try, or pre-emption before or after they are surveyed except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the pub lic domain," approved May twenty, eighteen hundred and sixty-two, shall be and the same are hereby extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company. And the reserved alternate sections shall not be sold by the Government at a price less than two\_dollars and fifty cents per acre, when offered

SEC. 7. And be it further enacted, That

the said "Northern Pacific Railroad Com-

pany" be and is hereby authorized and

empowered to enter upon, purchase, take,

and hold any lands or premises that may

be necessary and proper for the construction and working of said road, not ex-ceeding in width two hundred feet on each side of the line of its railroad, uness a greater width be required for the ournose of excavation or embankment: and also any lands or premises that may be necessary and proper for turnouts, standing places for cars, depots, station ouses, or any other structures required in the construction and working of said road. And the said company shall have the right to cut and remove trees and other material that might, by falling ensaid company cannot agree as to the value of the premises taken, or to be taken, for the use of said road, the value thereof shall be determined by the appraisal of three disinterested commissioners, who may be appointed, upon application by either party, to any court of record in any of the Territories in which the lands or premises to be taken lie; and said comnissioners, in their assessment of damages, shall appraise such premises at what upon the payment into the same of the es-timated value of the premises taken for the use and benefit of the owner thereof, said premises shall be deemed to be taken by said company, which shall thereby ac-quire full title to the same for the pur-poses aforesaid. And either party feeling aggrieved at said appraisement may, with in thirty days after the same has been re-turned into court, file an appeal therefrom, and demand a jury of twelve men to esti-mate the damage sustained; but such apbeal shall not interfere with the rights of said company to enter upon the premises taken, or to do any act necessary and pro per in the construction of its road.

party appealing shall give bonds, with sufficient snrety or sureties, for the payment of any cost that may arise upon uch appeal; and in case the party appealing does not obtain a verdict, incaeasing or diminishing, as the case may be, the award of the commissioners, such party hall pay the whole cost incurred by the appellee, as well as his own, and the pay ment into court, for the use of the owner of said premises taken, of a sum equal to that finally awarded, shall be held to vest n said company the title of said land, and of the right to use and occupy the same, for the construction, maintenance, and operation of said road. And in case any of the lands to be taken, as aforesaid shall be held by any infant femme covert. non compos, insane person, or person residing without the Territory within which the lands to be takrn lie, or persons sub-jected to any legal disability, the court nay appoint a guardian for any party under any disqualification, to appear in proper person, who shall give bonds with suf-icient surety or sureties, for the proper and faithful execution of his trust, who may represent in court the person disqualified, as aforesaid, from appearing, when the same proceedings shall be had in reference to the appraisement of the premises to be taken for the use of said company, and with the same effect as has

or claimant, it may proceed to take and

use the same for the purposes of said rail-

road, and may institute proceedings in manner described, for the purpose of as

been already described, and the title of directors may allow the redemption on the company to the lands taken by virtue such terms as they may prescribe. the company to the lands taken by virtue of this act shall not be affected or impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case any party shall have a right or power, franchise, aid or assistance which claim to any land for a term of years, or any interest therein, in possession, reversion, or remainder, the value of any such estate, less than a fee simple, shall be estimated and determined in the manner hereinbefore set forth. And in case it shall be necessary for the company to enpower, franchise, aid or assistance, to its own use for the purpose aforesaid. Sec. 18. And be it further enacted, That ter upon any lands which are unoccupied, and of which there is no apparent owner

said Northern Pacific Railroad Company shall obtain the consent of the Legisla ture of any State through which any portion of said railroad line may pass, pre certaining the value of, and of acquiring a vious to commencing the construction title to, the same; but the judge of the thereof; but said company may have the court hearing said suit shall determine the right to put on engineers and survey the

bonds as may be deemed proper, and may fast as every twenty five miles of road is case no claimant shall appear within six tions to the stock of said company to the

shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the whole road by the fourth day of July, anno Domini eighteen hundred and seven-

Sec. 9. And be it further enacted. That the United States make the several conditioned grants herein, and that the said Northern Pacific Reilroad Company acclass, when prepared for business, rails of the best quality, manufactured from American iron. And a uniform then, in such case, at any time hereafter, the United States, by its Congress, may the United States, by its Congress, may

completion of the said road. Sec. 10. And be it further enacted, That all people of the United States shall have the right to subscribe to the stock of the Northern Pacific Railroad Company until the whole capital named in this act of incorporation is taken up, by complying with the terms of subscription; and no mortgage or construction bonds shall even be issued by said company on said road, or mortgage, or lein made in any way, ex-cept by the consent of the Congress of the

United States. Sec. 11. And be it further enacted, That, said Northern Pacific railroad, or any part thereof, shall be a post route and a military road, subject to the use of the Untted States, for postal, military, naval, and all other Government service, and also subject to such regulations as ress may impose restricting the charges

or such Government transportation. SEC. 12. And be it further enacted, That he acceptance of the terms, conditions and impositions of this act by the said Northern Pacific Railroad Company shall be signified in writing under the corporate seal of said company, duly executed pur suant to the direction of its board of di rectors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not af-terwards, and shall be served on the President of the United States.

Sec. 18. And be it further enacted, That the directors of said company shall make an annual report of their proceedings and expenditures, verified by the affidavits of the president and at least six of the directors, and they shall, from time to time ix, determine and regulate the fares, tolls and charges to be received and paid for transportation of persons and property on

said road, or any part thereof.

SEC. 14. And be it further enacted, That the directors chosen in pursuance of the first section of this act shall, so soon as may be after their election, elect from their own number a president and vice president; and said board of directors hall, from to time, and so soon as may be after their election, choose a treasurer and secretary who shall hold their offices at the will and pleasure of the board of the board of directors. The treasurer and secretary shall give such bonds, with such security as the said board from time to time may require. The secretary shall, before entering upon his duty, be sworn other material that might, by hanning or cumber its road-bed, though standing or being more than two hundred feet from upon the books of said corporation. No person shall be a director of said compensation of said road. And in case the pany unless he shall be a stockholder, and qualified to vote for directors at the elec

ion at which he shall be chosen. SEC. 15. And beit further enacted, That the president, vice president and directors shall hold their offices for the period indicated in the by-laws of said company, not exceeding three years, respectively, and until others are chosen in their place and qualified. In case it shall so happen made on any day appointed by the by-laws of said company, the corporation shall would have been the value thereof if the road had not been built. And upon return into court of such appraisement, and on any day which shall be appointed by the directors. The directors, of whom seven, including the president, shall be a quorum for the transaction of business, shall have full power to make and pre-scribe such laws, rules and regulations as they shall deem needful and proper touch ng the disposition and management of he stock, property, estate and effects of the company, the transfer of shares, the duties and conduct of their officers and ervants touching the election and meet ng of the directors, and all matters whatoever which may appertain to the concerns of said company; and the said board of directors may have full power to fill any vacancy or vancies that may occur from ny cause or causes from time to time in the said board. And the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to earry into effect the object of the company, and to do all acts and things touching the location and construction of said

Sec. 16. And be it further enacted. That t shall be lawful for the directors of said company to require payment of the sum of ten per centum cash assessment upon all subscriptions received of all subscrib-ers, and the balance thereof at such times and in such proportions and on such conditions as they shall deem to be necessary to complete the said road and telegraph ine within the time in this act prescribed. Sixty days' previous notice shall be given of the payments required, and of the time and place of payment, by publishing a notice once a week in one daily newspaper in each of the cities of Boston, New York Philadelphia and Chicago; and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by such person shall be forfeited absolutely to the use of the company, and also any payment or payments that shall have been made on account thereof, subject to the condition that the board of

Suc. 17. And be it further enacted. That the said company is authorized to accept may be granted to or conferred upon said company by the Congress of the United States, by the Legislature of any State, or by any corporation, person or persons; and said corporation is authorized to hold and enjoy any such grant, donation, loan,

from time to time increase the amount completed as aforesaid: Provided, That hereof as they may deem proper. The not more than ten sections of land per any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims to damages against ten per centum paid within two years after any land, all claims the land of the land of the land of the land of the passage and approval of this act, it shall be null and void.

SEC. 20. And be it further enacted, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the Government at all times (particu larly in time of war) the use and benefit of the same for postal, military and other purposes, Congress may, at any time, having due regard for the rights of said Northern Pacific Railroad Company, add to, alter, amend or repeal this act. Approved, July 2, 1864.

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induced disease.

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