

PUBLIC ACTS OF THE FORTY-FIRST CONGRESS

OF THE

UNITED STATES,

Passed at the Third Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fifth day of December, A. D. 1870, and was adjourned without day on Saturday the fourth day of March, A. D. 1871.

ULYSSES S. GRANT, President. SCHUYLER COLFAX, Vice-President and President of the Senate. JAMES G. BLAINE, Speaker of the House of Representatives.

CHAP. I. — *An Act to enlarge the Jurisdiction of the probate Courts in Idaho Territory.* Dec. 13, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the probate courts of the Territory of Idaho, in their respective counties, in addition to their probate jurisdiction, be, and they are hereby, authorized to hear and determine all civil causes wherein the damage or debt claimed does not exceed the sum of five hundred dollars, exclusive of interest, and such criminal cases arising under the laws of the Territory as do not require the intervention of a grand jury: *Provided,* That they shall not have jurisdiction in any matter in controversy, when the title, boundary, or right to the peaceable possession of land may be in dispute, or in chancery or divorce cases: *And provided further,* That in all cases an appeal may be taken from any order, judgment, or decree of said probate courts to the district court.

Probate courts in Idaho to have jurisdiction in certain civil and criminal cases;

but not in land, chancery, or divorce cases.

Appeals.

SEC. 2. *And be it further enacted,* That all acts and parts of acts inconsistent with this act are hereby repealed: *Provided,* That this act shall not affect any suit pending in the district courts of said Territory at the time of its passage.

Repealing clause.

Pending suits.

APPROVED, December 13, 1870.

CHAP. II. — *An Act granting to the Utah Central Railroad Company a Right of Way through the public Lands for the Construction of a Railroad and Telegraph.* Dec. 15, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way through the public lands be, and the same is hereby, granted to the Utah Central Railroad Company, a corporation created under the laws of the legislative assembly of the Territory of Utah, its successors and assigns, for the construction of a railroad and telegraph from a point at or near Ogden City, in the Territory of Utah, to Salt Lake City, in said Territory; and the right, power, and authority *is* [are] hereby given to said corporation to take from the public lands adjacent to the line of said road material of earth, stone, timber, and so forth, for the construction thereof. Said way is granted to said railroad to the extent of two hundred feet in width on

Right of way through public lands granted to Utah Central Railroad Company for railroad and telegraph;

materials for construction; extent of grant.