

March 3, 1871. CHAP. CXXXIX. — *An Act to authorize the Establishment of certain free public Highways in the District of Columbia, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper municipal authorities of the District of Columbia are hereby authorized and directed, within sixty days from and after the passage of this act, to locate, construct, and maintain a free public highway on and over that part of the Columbia turnpike road which leads from the boundary of the city of Washington to the boundary of the District of Columbia towards the village of Bladensburg, in the State of Maryland, and which is now commonly called the Bladensburg turnpike road, and which is described in the act of Congress approved April twentieth, eighteen hundred and ten, incorporating the president, directors, and company of the Columbia Turnpike Roads as the line in the most direct and practicable route from the capital to Baltimore; and for the purpose aforesaid the said municipal authorities shall have power to take any real estate or franchise of the said president, directors, and company of the Columbia Turnpike Roads Company necessary for the construction and maintenance of said free public highway, and no more.

Authorities of the District of Columbia to construct a free public highway over part of the Columbia turnpike road, and may take real estate, &c.;

1810, ch. 26. Vol. ii. p. 570.

over road of Rockville and Washington Turnpike Company.

1819, ch. 21. Vol. iii. p. 482.

SEC. 2. That the proper municipal authorities aforesaid shall, within the time aforesaid, locate, construct, and maintain a free public highway on and over the turnpike road in the District of Columbia leading from the boundary of the city of Washington, and beginning at or near the end of Seventh Street of said city, and extending to the boundary of the District of Columbia towards Brookville, Maryland, authorized by the act of Congress approved February fifteenth, eighteen hundred and nineteen, entitled "An act to authorize the president and managers of the Rockville and Washington Turnpike Company of the State of Maryland to extend and make their turnpike road to or from the boundary of the city of Washington, in the District of Columbia, through said District to the line thereof"; and for the purpose aforesaid the said proper municipal authorities shall have power to take any real estate or franchise belonging to said turnpike company which may be necessary for the construction and maintenance of said free public highway, and no more.

Compensation for damages, how to be determined.

SEC. 3. That just compensation shall be made to the aforesaid companies for the real estate and franchise so taken, and which compensation shall be ascertained in the following manner: immediately after the said proper municipal authorities shall have taken any of said real estate and franchises, the marshal of the District of Columbia shall in each case summon a jury of twelve men, who shall, under oath, and after due notice given to the companies interested, and also to the said municipal authorities, proceed, under the direction of one of the justices of the supreme court of the District of Columbia, to assess the damages due to each of said companies, which said damages shall be paid by the said District of Columbia, who are hereby authorized to levy a sufficient tax for that purpose, in the following proportions: one tenth of said damages by the county of and nine tenths by the city of Washington.

Jury.

Tax therefor and how apportioned.

Value of franchise.

SEC. 4. That in fixing the measure of damages, and in fixing the present value of the franchise of either of said turnpike companies, the jury may take into consideration the question whether such franchise has been forfeited by such company.

APPROVED, March 3, 1871.

March 3, 1871. CHAP. CXL. — *An Act to enable the Jackson, Lansing, and Saginaw Railroad Company to change the northern Terminus of its Road from Traverse Bay to the Straits of Mackinaw, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Jackson, Lansing,

and Saginaw Railroad Company, a corporation organized and existing under the laws of the State of Michigan, and to which the said State granted a portion of the land grant made to aid in the construction of a railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse bay, by an act entitled "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," approved June three, eighteen hundred and fifty-six, be, and hereby is, empowered and authorized to change the northern terminus of its railroad from Traverse bay to some point on or near the straits of Mackinaw, in said State of Michigan, and to change the location of the incomplete portion of its railroad, so as to obtain the most direct and suitable practicable route from Saginaw river to the straits of Mackinaw: *Provided*, That such change shall lessen the length of said line by rendering it more direct: *And provided further*, That no change in the location of said line of railroad shall have the effect or be construed to work any change in the land grant made to aid in the construction of said road: *And provided also*; That such new location shall be made within the limits of such land grant until the northern limit of said grant is passed.

Jackson, Lansing, and Saginaw Railroad Company may change its northern terminus, and alter its location.

1856, ch. 44.
Vol. xi. p. 21.

Proviso.

SEC. 2. That only the lands embraced within the limits of the said grant as the same was originally located under said act of Congress of June three, eighteen hundred and fifty-six, shall pertain to said railroad, or be applicable to aid in the building of the same, whether it be constructed on such new or improved location, or on the said original location. But all the lands within the limits of said grant now remaining unsold, and of the character described and embraced in said act of Congress, whether heretofore listed and certified by the commissioner of the land office as inuring under said grant or not, shall belong to and be applicable to aid in the construction of said railroad, whether built on said improved or said original location, and the said company, on completing its said railroad, or any portion thereof, within the time and in the manner required by law, namely, on or before June third, eighteen hundred and seventy-three, the time limited in the act of Congress of July third, eighteen hundred and sixty-six, on such new or improved line, shall be entitled to the same amount of said lands for each mile of said railroad so constructed as if the same had been built on the line originally located under said act: *Provided*, That said company shall not be entitled to any of said lands for that part of its said new or improved line situate to the northward of the limits of its said land grant, and between that point and the straits of Mackinaw; but the right of way for said railroad over the public lands on its new or improved location is hereby granted.

Only lands within the original location shall pertain to the railroad.

Such lands shall be applied to aid in the construction of the railroad.

1866, ch. 158.
Vol. xiv. p. 78.

Proviso.

APPROVED, March 3, 1871.

CHAP. CXLI.—*An Act to provide for a Building suited to the Use of the Post-Office, the Pension and Revenue Officers, and the judicial Officers of the United States, in the City of Trenton, New Jersey.*

March 3, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a suitable building, fire proof, at Trenton, New Jersey, for the accommodation of the post-office, United States circuit and district courts, pension and internal-revenue offices; and for this purpose there is hereby appropriated, out of any money in the treasury not otherwise appropriated, one hundred thousand dollars, to be expended under the direction of the Secretary of the Treasury, who shall cause proper plans and estimates to be made, so that no expenditure shall be made or authorized for the full completion of said building beyond the amount

Public building to be built at Trenton, N. J., for court house, post-office, &c.

Appropriation.