

**CHAP. 32.**—An act for the relief of John T. Smith.

Jan. 30, 1875.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized to nominate, and, by and with the advice and consent of the Senate, to appoint, upon the retired list of the Navy, with the rank of first assistant engineer, John T. Smith, now a second assistant engineer on the active list of the Navy.

Authority to appoint John T. Smith first assistant-engineer on retired list of Navy.

Approved, January 30, 1875.

**CHAP. 33.**—An act for the payment of interest on three-sixty-five bonds of the District of Columbia.

Feb. 1, 1875.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one hundred and eighty-two thousand and five hundred dollars, in currency or so much thereof as may be necessary, be, and is hereby, appropriated for the payment of the interest on the bonds of the District of Columbia, known as three-sixty-five bonds, due on February first, eighteen hundred and seventy-five, issued under the act entitled "An act for the government of the District of Columbia, and for other purposes," approved June twentieth, eighteen hundred and seventy-four; said interest to be paid by the Treasurer of the United States, or the assistant treasurer of the United States in New York, on surrender of the proper coupons: *Provided,* That the said sum hereby appropriated shall be considered and adjusted as a part of the proper proportional sum to be paid by the United States toward the expenses of the government of the District of Columbia, and toward the payment of the interest on the funded debt of the District.

Appropriation.

Payment of interest on three-sixty-five bonds of D. C., due Feb. 1, 1875.

1874, c. 337; *ante*, p. 116.

Approved, February 1, 1875.

**CHAP. 34.**—An act to grant title to certain lands in the Territory of Arizona.

Feb. 5, 1875.

Whereas, certain lands in Santa Cruz Valley, county of Pima, and Territory of Arizona, have for many years been occupied and possessed by persons of Mexican birth, who became citizens of the United States under the treaty of Guadalupe Hidalgo and the Gadsden treaty; and whereas the said persons desire to secure patents for said lands in the small and irregular tracts in which they were originally taken up under Mexican authority, and have been held and cultivated to the present time, and they cannot do so under the existing land laws of the United States; Therefore,

Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all the right and title of the United States to the land embraced in sections two, eleven, and fourteen, and the east half of sections three, ten and fifteen of township fourteen south, range thirteen east, Gila and Salt River meridian, in the county of Pima, Territory of Arizona, be, and the same are hereby, relinquished and granted to the person or persons who have been in the actual bona-fide occupancy or possession of said land, by themselves or their ancestors or grantors for twenty years next preceding the date of the passage of this act; and it shall be the duty of the register and the receiver of the United States land-office for the district in which said land lies, to hear and determine, subject to the approval of the Commissioner of the General Land Office, the rights of the parties claiming under this act; and for that purpose the said register and the said receiver shall have power to summon witnesses, administer oaths, and take testimony relative to such occupancy or possession: *Provided,* That no claim as aforesaid shall be of any validity under this act unless it shall have been duly filed with the said register and the

Relinquishing certain lands in Pima County, Arizona, to certain occupants.

Facts to be determined by register and receiver.

Claim to be filed within one year.

Grant not to extend to reservations, nor affect adverse rights.

said receiver within one year after the passage of this act: *And provided further*, That this grant shall not extend to any reservation of the United States, nor prejudice any valid adverse right or claim, if such exist, to said land, or any part thereof, nor preclude a judicial examination and adjustment thereof.

SEC. 2. That whenever it shall have been determined by the said register and the said receiver, or on appeal by the Commissioner of the General Land Office or Secretary of the Interior that any tract has been occupied as aforesaid, it shall be the duty of the surveyor-general for said Territory to cause the said claims to be surveyed in accordance with the lines of such occupancy, and to furnish approved plats of the same, upon the receipt and approval of which said plats, and the field-notes thereof by the Commissioner of the General Land Office, patents shall issue as in other cases.

SEC. 3. That any part or parts of said designated lands that are not shown, to the satisfaction of the Commissioner of the General Land Office, to have been so occupied for twenty years, shall be held by him as open to settlement under the provisions of the preëmption or homestead laws of the United States, and patents may be issued therefor for any number of acres not exceeding one hundred and sixty that parties complying with said legal provisions may desire to hold: *Provided*, That all existing occupants who have settled on said lands within a period of less than twenty years shall have the prior right to acquire the same under the homestead laws of the United States.

Approved, February 5, 1875.

Survey of claims.

Patent; when to be issued

Lands not occupied for twenty years to be open for settlement.

Prior right of occupants for less than twenty years.

Feb. 5, 1875.

**CHAP. 35.**—An act granting the right of way and depot-grounds to the Oregon Central Pacific Railway Company through the public lands of the United States, from Winnemucca, in the State of Nevada, to the Columbia River, via Portland, in the State of Oregon.

Grant of right of way and depot-grounds to Oregon Central Pacific Railway Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of aiding in the construction of a railway and telegraph-line from a point at or near Winnemucca, on the Central Pacific Railroad, in the State of Nevada; thence northwesterly to and across Goose Lake Valley, and by way of Sprague River Valley, to the waters of the Middle Fork of the Willamette River, in the Cascade Mountains; thence down said river, on the north side, to Springfield; thence crossing to and continuing upon the west side of said river to the waters of the Columbia River, via Portland, Oregon, there is hereby granted to the Oregon Central Pacific Railway Company, organized under and by virtue of the laws of the State of Oregon on the sixteenth day of September, eighteen hundred and seventy-four, and to their successors and assigns, a strip of land, one hundred feet wide, on each side of the central line of said road, through the public lands, and the necessary lands for depots, stations, side-tracks, and other needful uses in operating said road and telegraph, not exceeding twenty acres at any one place: *Provided*, That the locations for depots, stations, and side-tracks shall not exceed for the whole line of said road more than one location of twenty acres for every ten miles of the same, and when made upon surveyed lands shall conform to the Government surveys thereof: *And provided further*, That the State or States, within the limits of which said road or any part thereof shall be hereafter situated, shall have the power to regulate and limit the cost of transportation of persons or freight over the same.

Limitation of grant for depot-grounds, &c.

Power of States to regulate cost of transportation.

Plat and proof of located sections of twenty miles, when to be filed.

SEC. 2. That said company shall, within six months after the location of any section of twenty miles or more of their said road, if the same be upon surveyed lands, and if upon unsurveyed lands, then within six months after the survey thereof by the United States, file a plat of such located section, together with proof thereof, with the register of the land-office for the district wherein said located section may be situated,