

THE
STATUTES AT LARGE

THE UNITED STATES,

FROM

DECEMBER, 1873, TO MARCH, 1875,

AND

RECENT TREATIES, POSTAL CONVENTIONS, AND EXECUTIVE PROCLAMATIONS.

EDITED, PRINTED, AND PUBLISHED UNDER THE AUTHORITY OF
AN ACT OF CONGRESS, AND UNDER THE DIRECTION
OF THE SECRETARY OF STATE.

VOL. XVIII.—PART 3.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1875.

Breaking fences, &c., and driving cattle, &c., on to lands of U. S. reserved for public use.

Permitting cattle, &c., to enter through inclosures of such lands.

Punishment.
Proviso.

SEC. 3. That if any person or persons shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States, reserved or purchased as aforesaid, and shall drive any cattle, horses, or hogs upon the lands aforesaid for the purpose of destroying the grass or trees on the said grounds, or where they may destroy the said grass or trees, or if any such person or persons shall knowingly permit his or their cattle, horses, or hogs to enter through any of said inclosures upon the lands of the United States aforesaid, where the said cattle, horses, or hogs may or can destroy the grass or trees or other property of the United States on the said land, every such person or persons so offending, on conviction, shall pay a fine not exceeding five hundred dollars, or be imprisoned not exceeding twelve months: *Provided*, That nothing in this act shall be construed to apply to unsurveyed public lands and to public lands subject to pre-emption and homestead laws, or to public lands subject to an act to promote the development of the mining resources of the United States, approved May tenth, eighteen hundred and seventy-two.

Approved, March 3, 1875.

March 3, 1875.

CHAP. 152.—An act granting to railroads the right of way through the public lands of the United States.

Right of way, materials, station-grounds, &c., granted to railroads.

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 of the United States is hereby granted to any railroad company duly organized under the laws of any State or Territory, except the District of Columbia, or by the Congress of the United States, which shall have filed with the Secretary of the Interior a copy of its articles of incorporation, and due proofs of its organization under the same, to the extent of one hundred feet on each side of the central line of said road; also the right to take, from the public lands adjacent to the line of said road, material, earth, stone, and timber necessary for the construction of said railroad; also ground adjacent to such right of way for station-buildings, depots, machine shops, side-tracks, turn-outs, and water-stations, not to exceed in amount twenty acres for each station, to the extent of one station for each ten miles of its road.

Rights of several railroads through cañon, pass, or defile.

Crossing at grade.

Wagon roads, rights of.

SEC. 2. That any railroad company whose right of way, or whose track or road-bed upon such right of way, passes through any canyon, pass, or defile, shall not prevent any other railroad company from the use and occupancy of the said canyon, pass, or defile, for the purposes of its road, in common with the road first located, or the crossing of other railroads at grade. And the location of such right of way through any canyon, pass, or defile shall not cause the disuse of any wagon or other public highway now located therein, nor prevent the location through the same of any such wagon road or highway where such road or highway may be necessary for the public accommodation; and where any change in the location of such wagon road is necessary to permit the passage of such railroad through any canyon, pass, or defile, said railroad company shall before entering upon the ground occupied by such wagon road, cause the same to be reconstructed at its own expense in the most favorable location, and in as perfect a manner as the original road: *Provided*, That such expenses shall be equitably divided between any number of railroad companies occupying and using the same canyon, pass, or defile.

Private lands and possessory claims, how condemned.

1864, c. 216, s. 3,
v. 13, p. 357.

SEC. 3. That the legislature of the proper Territory may provide for the manner in which private lands and possessory claims on the public lands of the United States may be condemned; and where such provision shall not have been made, such condemnation may be made in accordance with section three of the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the

same for postal, military, and other purposes, approved July first, eighteen hundred and sixty-two," approved July second, eighteen hundred and sixty-four.

SEC. 4. That any railroad-company desiring to secure the benefits of this act, shall, within twelve months after the location of any section of twenty miles of its road, if the same be upon surveyed lands, and, if upon unsurveyed lands, within twelve months after the survey thereof by the United States, file with the register of the land office for the district where such land is located a profile of its road; and upon approval thereof by the Secretary of the Interior the same shall be noted upon the plats in said office; and thereafter all such lands over which such right of way shall pass shall be disposed of subject to such right of way: *Provided*, That if any section of said road shall not be completed within five years after the location of said section, the rights herein granted shall be forfeited as to any such uncompleted section of said road.

Profile of road claiming benefits, when to be filed.

Disposal of lands subject to right of way.

Forfeiture of right.

Application of this act.

SEC. 5. That this act shall not apply to any lands within the limits of any military, park, or Indian reservation, or other lands specially reserved from sale, unless such right of way shall be provided for by treaty-stipulation or by act of Congress heretofore passed.

SEC. 6. That Congress hereby reserves the right at any time to alter, amend, or repeal this act, or any part thereof.

Right to alter, amend, &c.

Approved, March 3, 1875.

CHAP. 153.—An act to amend sections one thousand six hundred and seventy-five, one thousand six hundred and seventy-six, one thousand six hundred and eighty-one, and one thousand six hundred and eighty-two of the Revised Statutes of the United States.

March 3, 1875.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one thousand six hundred and seventy-five of the Revised Statutes be amended so as to read as follows:

R. S., 1675, p. 293, amended.

"SEC. 1675. Ambassadors and envoys extraordinary and ministers plenipotentiary shall be entitled to compensation at the rates following, per annum, namely:

Ambassadors, envoys, ministers plenipotentiary.

"Those to France, Germany, Great Britain, and Russia, each, seven-thousand five hundred dollars.

"Those to Austria, Brazil, China, Italy, Japan, Mexico, and Spain, each, twelve thousand dollars.

"Those to all other countries, unless where a different compensation is prescribed by law, each, ten thousand dollars.

"And, unless when otherwise provided by law, ministers resident and commissioners shall be entitled to compensation at the rate of seventy-five per centum, *chargés d'affaires* at rate of fifty per centum, and secretaries of legation at the rate fifteen per centum, of the amounts allowed to ambassadors, envoys extraordinary, and ministers plenipotentiary to the said countries respectively; except that the secretary of legation to Japan shall be entitled to compensation at the rate of twenty-five hundred dollars per annum.

Ministers resident, commissioners, *chargés d'affaires*, Secretaries.

"The second secretaries of the legations to France, Germany, and Great Britain shall be entitled to compensation at the rate of two thousand dollars each per annum."

Second secretaries.

That section one thousand six hundred and seventy-six of the said Revised Statutes be amended so as to read as follows:

R. S., 1676, p. 294, amended.

"The agent and consul-general at Cairo shall be entitled to compensation at the rate of three thousand five hundred dollars per annum."

Agent and consul-general at Cairo.

That section one thousand six hundred and eighty-one be amended so as to read as follows:

R. S., 1681, p. 294, amended.

"The minister resident to Uruguay, when also accredited to Paraguay, shall be entitled to compensation at the rate of ten thousand dollars per annum."

Uruguay, minister to.