

Proviso.

road be begun within two years and completed within six years thereafter: *And provided, moreover,* That if the said road shall at [any] time after its completion be discontinued or abandoned by the said company, the grants hereby made shall cease and determine.

APPROVED, March 3, 1849.

March 3, 1849. CHAP. CXVII. — *An Act to grant the Right of Way to the Mobile and Ohio Railroad Company.*

Right of way through the lands of the U. S. granted to the Mobile and Ohio Railroad Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the right of way is hereby granted to the Mobile and Ohio Railroad Company for the railroad contemplated by said company to be constructed from Mobile to its northern terminus on the Ohio or Mississippi Rivers, at or near the mouth of of the Ohio, and the said company is hereby authorized to locate said road through any of the public lands of the United States which may lie on the route which may be selected for the location of said road; and the said company is hereby authorized to survey and mark through the said public lands the track of said road one hundred feet in width, and, furthermore, an additional quantity of twenty-five feet in width on each side of said road along the same, which land shall be reserved from sale, and the title whereof shall be vested in the State wherein such land shall lie, for the use of said railroad company forever, and for no other use whatever.

Said company may take from the public lands such materials as are necessary.

SEC. 2. *And be it further enacted,* That the said Mobile and Ohio Railroad Company shall have the privilege, and the same is hereby granted to them, to cut and use all such timber, and to use all earth, stone, sand, gravel, mineral, and other materials on the public lands of the United States, which may be necessary for the construction or repair of said road, and to build bridges, or construct buildings, truss work, or other erections, such as the same may require, and use such water as may be wanted, and cross such streams as shall be necessary for the completion and use of said road: *Provided,* That the said railroad company, when the said railroad shall be completed, shall carry the mails of the United States on such terms as the Postmaster-General shall be able to contract, for similar services, with other railroad companies.

Proviso, as to transportation of mails of the U. S.

APPROVED, March 3, 1849.

March 3, 1849. CHAP. CXIX. — *An Act to authorize the Citizens of Ozark County, Missouri, to enter less than a Quarter Section of Land for the Seat of Justice in said County.*

Citizens of Ozark county authorized to enter a lot of land for seat of justice for said county.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the county of Ozark, in the State of Missouri, may enter by preëmption less than a quarter section of land, to be taken by legal subdivision. Said entry, except as to quantity, shall be made according to the provisions of the act of Congress, approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An Act granting to the counties or parishes of each State and Territory of the United States in which the public lands are situated, the right of preëmption to quarter sections of land for seats of justice within the same."

1824, ch. 169.

APPROVED, March 3, 1849.