

# The Pacific Railway Act, July 1, 1862

(U. S. Statutes at Large, Vol. XII, p. 489 ff.)

An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean. . . .

Be it enacted, That [names of corporators]; together with five commissioners to be appointed by the Secretary of the Interior... are hereby created and erected into a body corporate... by the name... of "The Union Pacific Railroad Company" ... ; and the said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain and enjoy a continuous railroad and telegraph... from a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, to the western boundary of Nevada Territory, upon the route and terms hereinafter provided...

Sec. 2. That the right of way through the public lands be... granted to said company for the construction of said railroad and telegraph line; and the right... is hereby given to said company to take from the public lands adjacent to the line of said road, earth, stone, timber, and other materials for the construction thereof; said right of way is granted to said railroad to the extent of two hundred feet in width on each side of said railroad when it may pass over the public lands, including all necessary grounds, for stations, buildings, workshops, and depots, machine shops, switches, side tracks, turn tables, and water stations. The United States shall extinguish as rapidly as may be the Indian titles to all lands falling under the operation of this act...

Sec. 3. That there be... granted to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of mails, troops, munitions of war, and public stores thereon, every alternate section of public land, designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad, on the line thereof, and within the limits of ten miles on each side of said road... Provided That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company...

Sec. 5. That for the purposes herein mentioned the Secretary of the Treasury shall... in accordance with the provisions of this act, issue to said company bonds of the United States of one thousand dollars each, payable in thirty years after date, paying six per centum per annum interest... to the amount of sixteen of said bonds per mile for each section of forty miles; and to secure the repayment to the United States... of the amount of said bonds... the issue of said bonds... shall ipso facto constitute a first mortgage on the whole line of the railroad and telegraph...

Sec. 9. That the Leavenworth, Pawnee and Western Railroad Company of Kansas are hereby authorized to construct a railroad and telegraph line... upon the same terms and conditions in all respects as are provided [for construction of the Union Pacific Railroad]... The Central Pacific Railroad Company of California are hereby authorized to construct a railroad and telegraph line from the Pacific coast... to the eastern boundaries of California, upon the same terms and conditions in all respects [as are provided for the Union Pacific Railroad].

Sec. 10 ...And the Central Pacific Railroad Company of California after completing its road across said State, is authorized to continue the construction of said railroad and telegraph through the Territories of the United States to the Missouri River... upon the terms and conditions provided in this act in relation to the Union Pacific Railroad Company, until said roads shall meet and connect...

Sec. 11. That for three hundred miles of said road most mountainous and difficult of construction, to wit: one hundred and fifty miles westerly from the eastern base of the Rocky Mountains, and one hundred and fifty miles eastwardly from the western base of the Sierra Nevada mountains... the bonds to be issued to aid in the construction thereof shall be treble the number per mile hereinbefore provided... and between the sections last named of one hundred and fifty miles each, the bonds to be issued to aid in the construction thereof shall be double the number per mile first mentioned...

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