

## United States to N.P.Ry.Co.

Patent No.246

Northern Pacific Railway Lands, Acts July 1, 1898, and May 17, 1905. Seattle, Spokane, North Yakima, Vancouver, Walla Walla and Waterville Districts, Washington.

The United States of America, To all to whom these presents shall come Greeting:

Whereas by act of Congress approved July 2nd 1864, entitled, An Act granting lands to aid in the construction of a Railroad and Telegraph line from Lake Superior to Puget's Sound, on the Pacific Coast by the Northern Route, and the Joint Resolution of May 31 1870, there was granted to the Northern Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and branch, to the Pacific Coast, "every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any state, and whenever on the line thereof, the United States have full title, not reserved, sold, granted or otherwise appropriated and free from pre-emption or other claims or rights, at the time the line of said road is definitely fixed, and a plat thereof filed in the office of the Commissioner of the General Land Office, and,

Whereas it is further provided that "whenever, prior to said time, any of said sections, or part of sections, shall have been granted, sold reserved, occupied by homestead settlers or pre-empted or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections, and

Whereas Official statements from the Secretary of the Interior have been filed in the General Land Office, showing that the commissioners appointed by the president, under the provisions of the fourth section of the first named act have reported to him that the said Northern Pacific Railroad ~~#####~~ and Telegraph line and Branch, excepting that portion between Wallula Washington and Portland, Oregon, declared forfeited by act of September 29, 1890, have been constructed and fully completed and equipped in the manner prescribed by the act relative thereto, and the same accepted, and" Whereas there has been filed in the office of the Secretary of the Interior evidence showing that the Northern Pacific Railway Company is the lawful successor in interest of the Northern Pacific Railroad company as to all lands within the limits of the grant made to the said Northern Pacific Railroad company by the act of July 2, 1864 and all subsequent legislation, and" Whereas by act of Congress approved July 1, 1898 (30 Stat., 597-620), authority is given the Northern Pacific Railroad Company, or its successors in interest under certain conditions expressed therein, to relinquish to the United States certain lands within either the granted or indemnity limits of its grant and to select in lieu thereof, "an equal quantity of public lands, not mineral or reserved and not valuable for stone, iron, or coal, and free from valid adverse claims or not occupied by actual settlers at the time of such selection, situated within any State or Territory into which such railroad grant extends, and it is provided that "patents shall issue for the land so selected as though it had been originally granted, and"

Whereas by act of Congress approved May 17/1906 (34 Stat. 197) the provisions of the act of July 1/1898, aforesaid, were extended to include any bona fide settlement or entry made subsequent to January 1 1898, and prior to May 31/1905, in accordance with the erroneous decision of the Land Department respecting the withdrawal on general route of the Northern Pacific Railroad between Wallula, Washington, and Portland, Oregon, where the same has not since been abandoned, but restricted lieu selections to the State where the private holdings are situated, and Whereas the following described lands have been selected by the duly authorized agent of the Northern Pacific Railway Company, under the provisions of the Act of July 1/1898, as extended by the act of May 17, 1906, aforesaid, and the lands given as bases therefore are within the limits of the grant, lie