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Letter from the Secretary of the Interior, transmitting, in answer to the Senate resolution of June 2, 1884, report of Commissioner of the General Land Office relative to the appointment of commissioners to examine sections of the Northern Pacific Railroad.

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Recommended Citation

S. Exec. Doc. No. 187, 48th Cong., 1st Sess. (1884)

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In answer to the Senate resolution of June 2, 1884, report of Commissioner of the General Land Office relative to the appointment of commissioners to examine sections of the Northern Pacific Railroad.

JUNE 20, 1884.—Referred to the Committee on Public Lands and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, June 19, 1884.

SIR: In answer to Senate resolution of the 2d instant, requesting the President to communicate to the Senate information concerning the appointment of commissioners since July 4, 1877, to examine sections of the Northern Pacific Railroad, their acceptance, and the dates thereof; also as to the issue of patents for lands since said date; also as to the withdrawal of lands for said road, I have, by the direction of the President, the honor to submit the report of the Commissioner of the General Land Office on the subject. This report sets forth all the sections of said road examined since said date, with one exception. On the 26th of March last the President appointed A. N. Cole, E. R. Wadsworth, and A. McDonald commissioners to examine 25 miles of said road, beginning in the city of Tacoma, in the NW. $\frac{1}{4}$ of Sec. 4, T. 20 N., R. 3 E., Willamette meridian, and ending at a point near South Prairie, in the NW. $\frac{1}{4}$ of Sec. 18, T. 19 N., R. 6 E., all in Washington Territory.

Mr. McDonald having declined the appointment, Mr. J. Hyatt Smith was commissioned in his stead on the 30th March last.

The commissioners submitted their report on said section the 23d April last, and recommended its acceptance.

In view of objections to the acceptance of said section and the discussion in Congress of the question of the rights of the Northern Pacific Railroad Company, I deemed it proper not to submit said report to the President, and it now remains on the files of my office.

Very respectfully,

H. M. TELLER,
Secretary.

The PRESIDENT OF THE SENATE PRO TEMPORE.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 17, 1884.

SIR: I am in receipt, through reference by you, on the 10th instant, for report of Senate resolution passed on the 2d instant, referred to the Department by the President on the 3d instant, requesting the President "to communicate to the Senate any information possessed by him, or in the possession of any of the Executive Departments, concerning the appointment of commissioners since July 4, 1877, in respect of examining sections of the Northern Pacific Railroad and the acceptance of any of such sections, together with the dates of the acceptance of such sections, respectively, and whether patents for lands have been issued to said company in respect of any part of said road completed since July 4, 1877, and, if so, to what extent, and whether any public lands are now reserved from sale or other disposal by reason of the building of said road, or any part of the same, and, if so, to what extent."

In reply, I have the honor to report that the following sections of the Northern Pacific Railroad have been examined and accepted since July 4, 1877.

1. From a point on the west bank of the Missouri River opposite the town of Bismarck, Dak., to a point 100 miles west thereof. Examined by Zebulon B. Sturgus, A. B. Nichols, and C. W. Slagle, commissioners, appointed July 10, 1880. Accepted by the President August 16, 1880.

2. From a point 100 miles west of the Missouri River to the Little Missouri River, a distance of 50 miles. Examined by C. W. Slagle, O. P. G. Clarke, and A. B. Nichols, commissioners, appointed November 9, 1880. Accepted by the President December 20, 1880.

3. From a point on the Little Missouri River, Dakota, to a point in Montana 75 miles west of said river. Examined by David C. Shepard, Barnabas Burns, and Ezekiel Clark, commissioners, appointed October 6, 1881. Accepted by the President November 18, 1881.

4. From the point last named to a point on the east bank of the Yellowstone River, 250 miles west of the Missouri River, a distance of 25 miles. Examined by David C. Shepard, Barnabas Burns, and Ezekiel Clark, commissioners, appointed October 14, 1881. Accepted by the President November 18, 1881.

5. From a point near Wallula, Wash., to a point a short distance beyond Eight-Mile Prairie, Idaho, a distance of 200 miles. Examined by Thomas T. Minor, C. W. Slagle, and Henry H. Gorringer, commissioners, appointed October 6, 1881. Accepted by the President November 26, 1881.

6. From a point near Eight-Mile Prairie to a point about 3 miles south of Sand Point, Lake Pend d'Oreille, Idaho, a distance of 25 miles. Examined by Thomas T. Minor, C. W. Slagle, and Henry H. Gorringer, commissioners, appointed November 2, 1881. Accepted by the President December 6, 1881.

7. From a point on the Yellowstone River, about one and a half miles west of O'Fallon's Creek, to a point on the west bank of Cañon Creek, 7 miles west of the town of Billings, Mont., and 450 miles west of the Missouri River, a distance of 200 miles. Examined by Harvey W. Scott, John P. Sanborn, and Arthur B. Johnson, commissioners, appointed August 17, 1882. Accepted by the President September 16, 1882.

8. From Northern Pacific Junction, near Thomson, Minn., to a point in Superior City, Wis., a distance of 25 miles. Examined by Harvey

W. Scott, John P. Sanborn, and Arthur B. Johnson, commissioners, appointed August 31, 1882. Accepted by the President September 16, 1882.

9. From a point about 3 miles south of Sand Point, Idaho, to a point on the west bank of Clark's Fork of the Columbia River, about 5 miles south of Elk Creek, Montana, and 275 miles east of Wallula Junction, Wash., a distance of 50 miles. Examined by Henry Blackstone, James C. Reed, and Horace B. Fry, commissioners, appointed August 17, 1882. Accepted by the President October 9, 1882.

10. From the 275th to the 300th mile east of Wallula Junction, Wash., a distance of 25 miles, in Montana. Examined by Henry Blackstone, James C. Reed, and Horace B. Fry, commissioners, appointed September 20, 1882. Accepted by the President October 20, 1882.

11. From a point on the west bank of Cañon Creek, 7 miles west of the town of Billings, to a point on the Yellowstone River, in Montana, 500 miles west of the Missouri River, a distance of 50 miles. Examined by Commissioners Waterman Smith and John S. Pillsbury, appointed October 21, 1882, and William H. Comstock, appointed November 4, 1882. Accepted by the President December 5, 1882.

12. From a point 500 miles west of the Missouri River to a point on the south bank of the Yellowstone River, west of Little Boulder Creek, and opposite the old Crow Agency, a distance of 50 miles. Examined by Waterman Smith, John S. Pillsbury, and William H. Comstock, commissioners, appointed November 16, 1882. Accepted by the President December 5, 1882.

13. From a point in the town of Bismarck, on the east bank of the Missouri River, to a point on the west bank of said river, in the town of Mandan, Dak. (bridge line), a distance of 4.58 miles. Examined by Waterman Smith, John S. Pillsbury, and William H. Comstock, commissioners, appointed November 29, 1882. Accepted by the President December 5, 1882.

14. From a point at or near Beaver Creek Crossing, Montana, 300 miles east of Wallula Junction, Wash., to a point 325 miles east of said junction, a distance of 25 miles. Examined by William C. Church, David W. Stormont, and A. C. Gibbs, commissioners, appointed November 28, 1882. Accepted by the President February 12, 1883.

15. From a point on the south bank of the Yellowstone River, opposite the old Crow Agency, to a point about one mile west of the West Gallatin River, Montana, and 600 miles west of the Missouri River, a distance of 50 miles. Examined by Messrs. Aaron H. Cragin, Albert Ordway, and G. P. Keese, commissioners, appointed April 2, 1883. Accepted by the President May 8, 1883.

16. From a point about one mile west of the West Gallatin River to a point on the east bank of the Missouri River, about three miles east of where the line of the road crosses Sixteen-Mile Creek, Montana, and 625 miles west of the Missouri River, at Bismarck, a distance of 25 miles. Examined by Aaron H. Cragin, Albert Ordway, and G. P. Keese, commissioners, appointed April 25, 1883. Accepted by the President May 12, 1883.

17. From a point about three miles east of Thompson's River, Montana, to a point near the mouth of the Missoula River, 350 miles east of Wallula Junction, Wash., a distance of 25 miles. Examined by Isaac Brandt, John Kelly, and William B. Dean, commissioners, appointed April 2, 1883. Accepted by the President May 29, 1883.

18. From a point near the mouth of the Missoula River to a point on the Flathead River nearly opposite the mouth of the Jocko River,

Montana, 375 miles east of Wallula Junction, Wash., a distance of 25 miles. Examined by Isaac Brandt, John Kelly, and William B. Dean, commissioners, appointed April 25, 1883. Accepted by the President June 9, 1883.

19. From a point on the east bank of the Missouri River, about 3 miles above the mouth of Sixteen Mile Creek to a point in the NE. $\frac{1}{4}$ of Sec. 32, T. 10 N., R. 2 W., Montana, 675 miles west of the Missouri River at Bismarck, Dak., a distance of 50 miles. Examined by C. L. Perkins, William A. Paton, and Benjamin Butterworth, commissioners, appointed June 6, 1883. Accepted by the President July 10, 1883.

20. From a point opposite the mouth of the Jocko River, to a point 2 miles west of the eastern boundary of the Flathead Indian Reservation, Montana, 400 miles east of Wallula Junction, Wash., a distance of 25 miles. Examined by C. L. Perkins, William A. Paton, and Benjamin Butterworth, commissioners, appointed June 6, 1883. Accepted by the President July 21, 1883.

21. From the point last named to a point on the right bank of the Missoula River, about one-half mile west of the Big Flathead River, Montana, 425 miles east of Wallula Junction, Wash., a distance of 25 miles. Examined by Byron Andrews, Dudley F. Phelps, and William H. Bridgman, commissioners, appointed July 12, 1883. Accepted by the President August 27, 1883.

22. From the point last named to a point 450 miles east of Wallula Junction, Wash., a distance of 25 miles. Examined by Henry Thompson, John I. Davenport, and Gerrit H. Smith, commissioners, appointed July 31, 1883. Accepted by the President September 7, 1883.

23. From a point about 6 miles east of the town of Helena, Mont., to a point about one mile east of the eastern portal of Mullan Tunnel, 700 miles west of the Missouri River, at Bismarck, Dak., a distance of 25 miles. Examined by Henry Thompson, John I. Davenport, and Gerrit H. Smith, commissioners, appointed July 31, 1883. Accepted by the President September 7, 1883.

24. From a point about one mile east of Mullan Tunnel, Montana, 700 miles west of the Missouri River at Bismarck, Dak., to a point on the right bank of the Hellgate River, about three miles west of McCarty's Bridge, 450 miles east of Wallula Junction, Wash., a distance of 75 miles. Examined by D. D. S. Brown, George G. Wright, and William S. Furay, commissioners, appointed August 23, 1883. Accepted by the President October 4, 1883.

25. From a point on the Columbia River, in the State of Oregon, opposite the town of Kalama, Wash., to a point in the city of Portland, Oreg., a distance of 36.30 miles. Examined by W. H. Beard, Alonzo Bell, and Robert M. Galloway, commissioners, appointed August 23, 1883. Accepted by the President October 4, 1883.

26. From a point in Superior City, Wis., eastwardly, to a point in the southwest $\frac{1}{4}$ of Sec. 13, T. 47 N., R. 10 W., 4th principal meridian, Wisconsin, a distance of 25 miles. Examined by Hezekiah Watkins, Frank H. Trusdell, and John C. Wyman, commissioners, appointed January 11, 1884. Accepted by the President, January 31, 1884.

27. Twenty-five miles of the branch line in Wash., commencing at a point on the Columbia River, opposite the town of Ainsworth, thence in a westerly direction to a point on the south bank of the Yakima River, in the southwest $\frac{1}{4}$ of Sec. 11, T. 9 N., R. 26 E., Willamette Meridian. Examined by Hezekiah Watkins, Frank H. Trusdell, and John C. Wyman, commissioners, appointed December 17, 1883. Accepted by the President January 31, 1884.

So far as this office is advised, the foregoing, aggregating 1,340.88 miles (1,315.88 of the main line, and 25 of the branch line), includes all the sections of said road which have been examined and accepted since July 4, 1877.

Referring to that portion of the resolution which relates to the issue of patents, I have to state that no patents whatever have been issued to the Northern Pacific Railroad Company for lands opposite that portion of its railroad completed since July 4, 1877.

Respecting the reservation of lands for the benefit of said company, I have to state that the vacant lands in odd-numbered sections are withdrawn from settlement and entry for its benefit, as follows:

For 20 miles on each side of the line of general route from the mouth of the Montreal River, Wisconsin, to a point about nine miles west thereof.

This portion of the road has not been definitely located, consequently the lands within the "indemnity" limits are not withdrawn.

For 40 miles on each side of the line of definite location, commencing at the point last named and extending through the States of Wisconsin and Minnesota to the Red River of the North.

For 50 miles on each side of the line of definite location, commencing at the point last named and extending through the Territories of Dakota and Montana to the southern boundary of the Flathead Indian Reservation, in the latter Territory.

For 40 miles on each side of the line of general route, commencing at the point last named and extending through the Territories of Montana and Idaho to a point on the eastern boundary of Washington Territory. This portion of the withdrawal has not been adjusted to the line of definite location, and hence the lands within the "indemnity" limits are not withdrawn.

For 50 miles on each side of the line of definite location, commencing at the point last named and extending to Wallula Junction, Wash.

For 40 miles on each side of the line of general route extending from the point last named, along the north bank of the Columbia River, to Kalama, Wash. This portion of the road has not been definitely located (or constructed), and for that reason the lands within the "indemnity" limits are not withdrawn.

For 50 miles on each side of the line of definite location from Kalama to Tacoma, Wash.

For 40 miles on each side of the line of general route of the branch line, in Washington Territory, commencing at a point on the main line in T. 15 N., R. 32 E., and extending westwardly to the town of Tacoma. The withdrawal for the branch line has not been adjusted to the line of definite location, and hence the "indemnity" lands along said line are not withdrawn. The greater portion of the branch line has not been constructed.

The foregoing contains all the information on file or of record in this office touching the subject-matter of the resolution.

The resolution is herewith returned.

Very respectfully, your obedient servant,

N. C. McFARLAND,

Commissioner.

Hon. H. M. TELLER,
Secretary of the Interior.

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