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FIRST REPORT
OF THE
PRESIDENT AND DIRECTORS
OF THE
CEDAR RAPIDS
AND
Missouri River Rail Road,
EMBRACING
INFORMATION IN REGARD TO ITS LAND GRANT OF 900,000 ACRES :
AND ALSO,
A PLAN FOR THE EARLY COMPLETION OF A DIRECT
THROUGH LINE OF RAIL ROAD BETWEEN
CHICAGO AND THE MISSOURI RIVER.

June, 1860.

BEACH & BARNARD, BOOK & JOB PRINTERS, 14 S. CLARK STREET.
CHICAGO.

FIRST REPORT

OF THE

COMMISSIONERS OF THE

LAND OFFICE

IN RESPONSE TO A RESOLUTION

PASSED BY THE HOUSE OF

REPRESENTATIVES, JANUARY 18, 1846

AND BY THE SENATE, FEBRUARY 18, 1846

AND BY THE HOUSE OF REPRESENTATIVES, MARCH 18, 1846

AND BY THE SENATE, APRIL 18, 1846

AND BY THE HOUSE OF REPRESENTATIVES, MAY 18, 1846

AND BY THE SENATE, JUNE 18, 1846

AND BY THE HOUSE OF REPRESENTATIVES, JULY 18, 1846

AND BY THE SENATE, AUGUST 18, 1846

AND BY THE HOUSE OF REPRESENTATIVES, SEPTEMBER 18, 1846

AND BY THE SENATE, OCTOBER 18, 1846

AND BY THE HOUSE OF REPRESENTATIVES, NOVEMBER 18, 1846

AND BY THE SENATE, DECEMBER 18, 1846

OFFICERS

OF THE

Cedar Rapids & Missouri River Rail Road.

L. B. CROCKER, Oswego, N. Y.,.....	PRESIDENT.
G. M. WOODBURY, Marshalltown, Iowa,.....	VICE PRESIDENT.
JOHN WEARE, Cedar Rapids, ".....	TREASURER.
W. W. WALKER, Cedar Rapids, ".....	CHIEF ENGINEER & SECRETARY.

EXECUTIVE COMMITTEE:

L. B. CROCKER,.....	G. M. WOODBURY,
JOHN F. ELY,.....	CHAS. WALKER,
THOS. D. ROBERTSON.	

CONSULTING ENGINEERS:

MILO SMITH,.....Supt C., I. & N. R. R.	E. B. TALCOTT,.....Supt G. & C. U. R. R.
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BOARD OF DIRECTORS:

CHARLES WALKER,.....Chicago, Ill.	L. B. CROCKER,.....Oswego, N. Y.
JOHN WENTWORTH, " "	JOHN WEARE,....Cedar Rapids, Iowa.
THOS. D. ROBERTSON,.....Rockford, "	L. C. SANDERS, Boonsboro, Boone Co. "
OAKES AMES, .....Boston, Mass.	JAS. HAWTHORN, Nevada, Story " "
G. M. WOODBURY, Marshalltown,	R. M. RIPPEY,...Jefferson, Green " "
Marshall Co., Iowa.	JOHN F. ELY, .....Cedar Rapids, "
C. E. WHITING,...Onawa, Monono Co., "	J. W. DENISON, Denison, Crawford Co. "
JAS. McQUINN,. Linwood, Benton " "	E. RUGGLES,...Butlerville, Tama " "

CHAPTER

THE HISTORY OF THE

OF THE

OF THE

OF THE

OF THE

THE
PRESIDENT AND DIRECTORS
OF THE
Cedar Rapids and Missouri River Rail Road,

SUBMIT TO THE PUBLIC THE FOLLOWING

Considerations in favor of an IMMEDIATE and EARNEST EFFORT
to prosecute and complete a DIRECT LINE OF RAIL ROAD
COMMUNICATION BETWEEN CHICAGO AND THE MIS-
SOURI RIVER.

FIRST; That this company was organized to construct a railroad from Cedar Rapids, in Iowa, to the Missouri River, as an extension of the line of the Galena and Chicago Union, and the Chicago, Iowa and Nebraska roads, now completed between Chicago and Cedar Rapids, upon the basis of the lands granted by Congress, to aid in the construction of this road across the State of Iowa, on or near the line of the 42nd parallel of latitude.

That Congress in the act referred to, approved May 15th, 1856, gave to the State of Iowa, in trust, the unsold alternate sections or parts of sections of land situated within fifteen miles of the line of road that should be constructed on or near said 42nd parallel, and authorized the State to use the same for such purpose—which act will be found in "Schedule A." hereto annexed.

That the State of Iowa, by an act of the General Assembly of that State, approved July 14th, 1856, granted the lands, referred to, to the Iowa Central Air Line Railroad Company upon the following express conditions, viz: "That in case said railroad company shall fail to have completed and finished seventy-five miles of its road within three years from the first day of December next, thirty miles in addition each year thereafter for five years, and the remainder of

the whole line of road in one year thereafter, or on the first day of December, 1865, then, and in that case, it shall be competent for the State of Iowa to resume all rights conferred by this act upon the company so failing, and to resume all rights to the lands hereby granted and remaining undispossessed of by the company so failing to have the length of road completed in manner and time as aforesaid."

That on the 14th day of June, 1859, the said Iowa Central Air Line Company having built no road and having failed entirely to carry out the first conditions of the grant, and it being evident that no compliance could be made within the time limited by the act of the Legislature, the Cedar Rapids and Missouri River Railroad Company was duly organized under the articles of association of which a copy, marked "Schedule B." is hereto annexed.

That on the 17th day of March, 1860, the Legislature of Iowa, by an act, a copy of which is hereto annexed marked "Schedule C.," resumed the said grant, and terminated the rights and interests of the Iowa Central Air-line Company thereto, under the grant of July 14th, 1856, above referred to.

That on the 26th day of March, 1860, the Legislature, by an act, a copy of which is hereto annexed marked "Schedule D.," granted said lands to this Company.

That on the 13th day of June instant, this Company, by a resolution of its Board of Directors, in due form, accepted the grant of the lands aforesaid, and authorized its President and Secretary to execute said acceptance and cause the same to be placed on file in the office of the Secretary of State, a copy of which, together with the Secretary's certificate of the filing thereof, is annexed to this report, marked "Schedule E."

The constitution of the State of Iowa, article 8, provides that corporations shall be created by general and not by special act of the Legislature.

The Legislature, by the code, article 10, chapter 43, a copy of which is set forth in "Schedule F," have provided the mode in which corporations for pecuniary profit, including railroads, shall be organized, and also as to the privileges and liabilities of such corporations.

The following provisions, applicable to corporations, exist in the code of Iowa, in sections No. 752, 753 and 2096 :

SEC. 752—Any of the franchises contemplated in this chapter is subject to execution, and shall be sold as real property and be subject to the same rights and consequences, except that the purchaser may take immediate possession of the property.

SEC. 753—The sale of any such franchise carries with it all the materials, implements and works of whatsoever kind necessary for, or ordinarily used in the exercise of such franchise.

SEC. 2096—Deeds of Trust of real or personal property may be executed as securities for the performance of contracts, and sales made in accordance with the terms are valid ; or they may be treated like mortgages, and foreclosed by action, like mortgages in the District Court.

It will appear by the foregoing statements, and by reference to the schedules annexed, that this Company will be entitled to the benefits of the lands conveyed by said act of Congress, by complying with the conditions imposed by that act and the act of the Legislature ; and that the privileges and rights conferred upon this Company by the Legislature are ample and sufficient, and that the requisite proceedings to give a legal and valid existence to the company have been complied with.

The lands to which this company will be entitled, under the laws aforesaid, embrace, it is believed, over 900,000 acres, applicable to the construction of this road.

The first sixty miles of road, west from Cedar Rapids, will receive the specific and full quantity of 120 sections of land to every 20 miles of completed road, or 3,840 acres for each mile of road ; and the remaining lands will be divided equally between the full sections of 20 miles each of completed road, from the point then reached to the Missouri river ; — not exceeding 120 sections to each 20 miles, or 3,840 acres per mile. It is believed that this last portion of the road, as well as the five miles which the law requires to be constructed between Cedar Rapids and the town of Marion, will receive its full complement of land, or 3,840 acres per mile.

The report of the Chief Engineer is herewith submitted, marked "Schedule G," by which it will appear that the country through which the line runs is fertile, well watered and timbered, and remarkably adapted to the construction of a railroad of easy grade

and small cost, which will soon yield fair returns on the investment, independent of the revenue from its valuable lands; and that as an extension of the line of the Galena and Chicago Union, and the Chicago, Iowa and Nebraska roads, now completed from Chicago to Cedar Rapids, it will open to the Missouri River and the Valley of the Platt, the great pathway of travel to Pike's Peak and the Pacific; a direct through-line of more than 100 miles shorter than the present traveled route or any that has any prospect of being opened for many years to come, and about 55 miles shorter than any other projected line.

These lands are all within fifteen miles of the preliminary line surveyed by the late Iowa Central company, and embrace all the sections and parts of sections, designated by odd numbers, remaining unsold at the time said line was run, in 1856;—all of which are specified and colored on a map with great care, for examination, in the General Land Office at Washington, to be selected and applied by the Secretary of the Interior, from time to time, as the proper evidence shall be furnished that any twenty continuous miles of said road have been constructed by this company.

Isolated sections and parts of sections are found, scattered along, through each county, from the Mississippi to the valley of the Des Moines river—embracing, it is believed, from one to two hundred thousand acres;—and in the valley, within five miles of that river, and along its banks on each side for thirty miles, are one hundred and ten thousand acres—which, by reason of their not having been offered for sale by the General Government before they were granted for this object by the act of Congress of May 1856, are now an almost unbroken body of land, of great value, which will command ready sales at from five to ten dollars per acre, whenever the construction of the road shall be secured.

The remaining lands lying between the Des Moines and Missouri rivers, embracing some 650,000 acres, are all well watered, and, with the exception of those in one county, are also well timbered, and all fertile and of the first quality for agricultural purposes. Those especially, upon the "Western Slope," so called, and within thirty or forty miles of the Missouri river, are reported as unsurpassed by any in the State. Indeed, the lands in the valley of the Missouri

are generally admitted to be superior to those in the valley of the Mississippi.

The alternate sections of land reserved by the Government, which were unsold at the time of this grant, have been held at \$2.50 per acre, but these have now all been taken up east of the Des Moines river and near the Missouri, and the few remaining will be immediately taken when the progress of this road is secured, and it cannot be doubted that the lands which appertain to this grant can be sold during the progress of the work, at prices which will average as high as four if not five dollars per acre.

The lands if sold —

At \$5.00	per acre	will give	\$19,200	per mile.
" 4.00	" "	" "	15,360	" "
" 3.00	" "	" "	11,520	" "
" 2.50	" "	" "	9,600	" "

It is ascertained that the road can be constructed by contract with responsible parties, to be completed in all respects ready for the cars, with station houses, water tanks, and ballasted complete for \$15,000 per mile, and a considerable portion of this payable in the stock of the company.

The Chicago, Iowa and Nebraska Railroad have, by resolution of its Board, proposed to equip and run the road as fast as completed for a fair and reasonable share of the gross receipts on its business, which, it is understood, will be about one half its earnings. Such an arrangement will save the necessity of providing for rolling stock and equipment, during the early stages of the enterprise, and leave the company to apply its means exclusively to the work of extension without impairing its business or revenues.

The officers of the company, under a careful examination of the character of the country through which the road will run, the cost of its construction, the business which it will command, the value and demand for its lands, the great collateral interests it will protect and advance, are impressed with the firm and deliberate conviction that the enterprise, viewed simply as an investment, is one of extraordinary merit and promise in itself; that the prospective value of its lands is about equal to the cost of the road, ready for the cars, and that the revenues which will very soon if not immediately be realized from its business, will also pay a fair income on the small

sum it will cost; that though it may not at present give good returns on thirty or forty thousand dollars per mile, which has been the usual cost of such roads; yet it will do so on a cost of fifteen or sixteen thousand, independent of its lands, and that its lands will besides, very nearly if not quite, refund to the subscriber the cost of his investment.

But even if the present estimate shall prove fallacious; if it be found that with the road in progress or completed, the lands to which the company will be entitled will then sell for only \$2.50 per acre, the price now realized by the Government for its alternate sections *without a road*; it will still be seen that this lowest price will repay the stock subscription which the company require and propose to raise for its construction. For, three thousand eight hundred and forty acres, per mile, at \$2.50 per acre, will yield \$9,600, and every \$100 subscribed upon this basis will represent a little farm of forty acres of as good land as any in the world, and each \$1,000 of stock will represent four hundred acres, it being assumed that the road completed cannot, under any possible contingencies fail to be worth the \$6,000 per mile, which will be required, besides the stock subscription above spoken of. It is proposed to execute a small mortgage and issue bonds sufficient to raise this \$6,000 per mile, which, with the above-mentioned stock subscription will complete the road, ready for the cars.

It has been found to be a just, wise and sound policy in practice, for Western roads receiving the business of another, tributary to it, to pay 10 per cent. of its gross receipts on the business of such tributary road, as a consideration for gathering it in small quantities from numerous stations along its line, and delivering it in carloads without transshipment. The Chicago, Iowa & Nebraska road has such an arrangement with the Galena & Chicago Union, by which it receives this per centage on its business destined for Chicago. By resolution of its Board, the Chicago, Iowa & Nebraska Co., have agreed to allow this road a like per centage, and to apply it to pay the interest upon its mortgage bonds, above referred to, which, if allowed on the 218 miles of road between Cedar Rapids and Chicago will, it is believed, very soon, if not immediately, fully provide for the interest on the only incumbrance which will rest upon the road, if the stock subscription of \$9,600 per mile is obtained.

It may also be proper to add that, with a view to increase the value and facilitate the sale of such mortgage bonds, the Chicago, Iowa & Nebraska Co. has, by resolution of its Board, agreed to receive one-third of its pay for carrying all the business and passengers from this road over theirs, for a period of six years, in the mortgage bonds mentioned above; and the stockholders of the Galena & Chicago Union Co., at their late annual meeting, authorized their board of Directors to do the same—by which a considerable portion of the bonds required would, in this way, be absorbed during the work of construction.

But, if the great advantages secured by this munificent land grant, shall fail to overcome the repugnance which at the present time exists so universally in the public mind against all railroad investments in the West, without regard to their merits; still, there are four great collateral interests so deeply involved in the accomplishment of this measure, and so dependent upon it for their own protection and advancement, that they cannot afford to neglect or reject it, knowing as they must, that if this rich legacy of lands is not made available in the hands of this Company to advance and establish their own interests, it will be made available in the hands of great rival and competing interests, to circumscribe and diminish the revenues they now enjoy.

FIRST, The resident population and owners of land along the line have a vast collateral interest in the completion of the road through to the Missouri. Their prospective welfare, and the value of their homes and firesides, are all involved in the success of this undertaking, and realizing this, they will do much to prepare the road-bed for the iron, and to secure the construction of the road.

SECOND, The stockholders in the Chicago, Iowa & Nebraska road, and

THIRD, The stockholders in the Galena & Chicago Union Co. have all a common and great collateral interest in the extension of their line through to the Missouri. They have now 218 miles of completed road between Chicago and Cedar Rapids, and this extension cannot fail, both to establish forever their present revenues, and add immensely to their future business.

The importance of this policy and measure of extension, to both of these roads, is more fully explained and set forth in a communi-

cation from the President of this Company, to the Directors and Stockholders of the Galena & Chicago Union Co., which, together with their resolutions of concurrence and approval of the general plan and policy it proposed, and the order that it be printed and copies transmitted to their stockholders, accompanied by a letter from the Board, recommending this measure of extension as important to the interests of that Company, and urging a subscription to the stock and bonds of this Company—will accompany this report.

The resolutions also, of the Chicago, Iowa and Nebraska Company, pledging its co-operation and support and that of its stockholders, to carry out this policy of extension, will be found in the same schedule.

The FOURTH and greatest interest of all, in the immediate extension of this line to the Missouri, and the one which has been least understood and appreciated, is the City of Chicago.

While the importance of this work, and the advantages which such a road through to the Missouri will immediately secure to all of these four interests are admitted, yet few, if any, who have not carefully examined the natural and artificial currents of trade and travel, and considered the commercial changes such a road will produce, are at all aware of the vast concentration of new and profitable business which will be secured by it to this great emporium of the West.

If these four great interests can be combined and united to establish and carry out the measure with vigor and energy, and each and all will give it their co-operation and material support, the work will be soon accomplished without any heavy burden upon either, and its benefits be immediately felt by all.

It will give a new impulse to every department of business, and establish for all time a new and enlarged basis upon which to maintain and advance the prosperity and welfare of the city.

The great metropolis of the West holds her proud position only by the sagacity, enterprise and capital of her citizens. The laurels she has won in the world of commerce have long excited the envy and ambition of cities which seek to become her rivals and her peers.

Milwaukee and Racine by their railroad lines between the

lakes and the Mississippi are already drawing largely from her business.

St. Louis, standing in her strength by the mouth of the Missouri, and aroused to ceaseless energy by the encroachments already made upon the dominions of her commerce by her northern rival, and bound by the strong ties of interest to the Southern States and connected with them by the great current of the Mississippi, now boldly seeks to appropriate exclusively to herself, through natural and artificial channels, the rapidly increasing commerce of the upper Missouri and the rich mineral developements of the golden fields of Kansas. That she has been triumphantly successful in this — that she has by her courage and enterprise gained riches and strength from contributions drawn from this field of her commerce, which Chicago should have controlled for herself; that while one has stood up strong with the resources of this trade to support her, the other has without them been forced to yield to the pressure of the times, may in no small degree be attributed to her neglect of this great commercial avenue direct from Chicago west to the Missouri, by which the valley of the Platt and the plains of Nebraska and Kansas would be made directly tributary to her growth and commercial prosperity.

It cannot be denied that the bold and hardy pioneers who are pouring across the plains to develop the golden regions of the Rocky Mountains, are sons of the north, who own commercial allegiance to this northern emporium, and reluctantly pay tribute for their costly outfits to an all absorbing city of strangers, and if Chicago, therefore, has now the ambition or the energy to win back this golden prize for her own commercial advantage; if she is not contented to settle down in self-complacency with the idea that she never has, and will never need, to build a railroad, and console herself that Providence has endowed her with a locality which will secure her forever from the encroachments of rival interests; she will carefully examine the merits of this enterprise, presented for her consideration, and decide whether she will make this rich land grant legacy to the Cedar Rapids and Missouri River Railroad available, as a basis, upon which she may with safety and with great ad-

vantage unite with these other collateral interests to extend this short western line of road directly to the Missouri.

It will open at once to her citizens a great trade with a broad belt of the richest portion of the State through central and western Iowa, which can never be diverted from her; it will make her the great central point of outfit and the emporium of trade, travel and commerce with the golden regions of the West, and by this timely movement will secure to herself the eastern terminus of the Pacific Railroad, whenever one shall be projected and successfully undertaken from any section in this country.

No other line of road than this can be so readily or cheaply constructed; no other can so fully secure the advantages referred to. On the north, the roads from Milwaukee and Racine would attract trade and travel from the Dubuque and Pacific, and on the south the Des Moines river road to Keokuk, would draw largely upon the business of that valley, from any other road but this, to St. Louis, while the Mississippi and Missouri and the Burlington roads will divert vast portions of the trade of Iowa to New York, by more southern and shorter routes; while no cut-off can be found from any portion of this road, from which the distance, either to Chicago or New York, would not be vastly increased.

If, then, the time has arrived when a direct road from Chicago to the Missouri is required, to protect or advance her great commercial and manufacturing interests, it is surely no less important that the *best* line which the physical conformation of the country will permit, be selected, as that to which she should give her support.

The undersigned, therefore, after careful examination, submits this enterprise upon its merits, asking for it the consideration it deserves from the citizens of Chicago, as well as from all the parties interested in the measure, and from the public at large, with the fullest confidence that this, above all others, will meet their approval and sanction, and receive their material aid and support, as the shortest line which can be possibly attained—the one which can be most speedily completed, at the least cost, and which will give the best returns.

L. B. CROCKER, President

Cedar Rapids and Missouri River Railroad.

SCHEDULE A.

IOWA LAND BILL.

A Bill making a grant of Lands to the State of Iowa, in alternate sections, to aid in the construction of certain Railroads in said State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be and is hereby granted to the State of Iowa, for the purpose of aiding in the construction of railroads from Burlington, on the Mississippi river, to a point on the Missouri river, near the mouth of Platte river; from the city of Davenport, via Iowa City and Fort Des Moines, to Council Bluffs; from Lyons City, northwesterly to a point of intersection with the main line of the Iowa Central Air Line Railroad, near Maquoketa; thence on said main line, running as near as practicable to the forty-second parallel, across the State of Iowa to the Missouri River; from the city of Dubuque to a point on the Missouri river, near Sioux City, with a branch from the mouth of the Tete Des Morts, to the nearest point on said road, to be completed as soon as the main road is completed to the point, every alternate section of land, designated by odd numbers, for six sections in width on each side of said roads. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or any parts thereof, granted as aforesaid, or the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land, in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the rights of pre-emption have attached as aforesaid; which lands (thus selected in lieu of those sold, and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections, by odd numbers as aforesaid, and

appropriately as aforesaid,) shall be held by the State of Iowa, for the use and purpose aforesaid: *Provided*, That the land to be so located shall, in no case, be further than fifteen miles from the lines of said roads, and selected for and on account of each of said roads: *Provided further*, That the lands hereby granted for and on account of said roads severally, shall be exclusively applied in the construction of that road, for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved from the operations of this act, except so far as it may be found necessary to locate the routes of said railroads through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land, which by such grant shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than the double minimum price of the public lands when sold; nor shall any of said lands become subject to private entry, until the same have been first offered at public sale at the increased price.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof, for the purpose aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say, that a quantity of land not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads, may be sold; and when the Governor of said State shall certify to

the Secretary of the Interior, that any twenty continuous miles of any of said roads is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of such roads may be sold; and so, from time to time, until said roads are completed; and if any of said roads are not completed in ten years, no further sale shall be made, and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads, under the direction of the Post Office Department, at such price as Congress may, by law, direct: *Provided*, That until such price is fixed by law, the Postmaster General shall have the power to determine the same.

Approved May 15th, 1856.

SCHEDULE B.

ARTICLES OF INCORPORATION OF THE

Cedar Rapids and Missouri River Rail Road.

WE, whose names are hereto subscribed, do hereby associate ourselves together as an Incorporation, under and by virtue of the Forty-third Chapter of the Code of Iowa, entitled "Corporations for Pecuniary Profit," approved February 5th, A. D. 1851, and do hereby declare ourselves a body corporate in law, to be known as the CEDAR RAPIDS AND MISSOURI RIVER RAILROAD, and have adopted the following articles of incorporation:

ARTICLE FIRST. The name of this Company shall be the Cedar

Rapids and Missouri River Railroad, and the principal place for transacting business shall be at Cedar Rapids, Linn county, Iowa.

ART. 2. The general nature of the business of the Corporation shall be the construction, operation and use of a railroad with a double or single track, and with all necessary appendages, appurtenances, branches and extensions. The main trunk or continuous line of said road, is to commence at or near Cedar Rapids aforesaid, on the Cedar river, and run thence westerly, as nearly as practicable or expedient, on the forty-second parallel, across the State to the Missouri river.

ART. 3. The capital stock of this corporation shall be Six Millions of Dollars, and may be increased by the Board of Directors. The stock shall be divided into shares of one hundred dollars each.

ART. 4. Every person owning one share or more of stock, shall be considered a member of this Corporation, and shall at all regular meetings of the stockholders, be entitled to one vote for every share of the stock he may own.

ART. 5. At least one per-cent. of the stock shall be paid at the time of subscribing, and the Board of Directors may, after three hundred thousand dollars in stock is subscribed, order such installments to be paid in on all shares, as they may deem necessary for the speedy prosecution of the work. But, until the first division of the road, from Cedar Rapids to Iowa river is completed, no installment shall exceed ten per cent. at any one time, and shall not be ordered oftener than once in three months. Notice of such installment required, shall be inserted in such newspapers published in the counties through which the road may have been located, as the Board of Directors may select. If any installments of stock should not be paid, the Board may declare such stock and the payments thereon forfeited.

ART. 6. This incorporation shall commence on the 15th day of June, A. D. 1859, and continue for fifty years, and may be renewed or dissolved by law.

ART. 7. The officers of this Company shall consist of a Board of Fifteen Directors, and seven of whom shall constitute a quorum. The Directors shall be elected annually by the stockholders, on the second Wednesday of June after the year 1859. Said Directors shall continue in office until their successors are elected; they shall

select from their own number the President, Vice President and Treasurer of the Company, and shall fill all vacancies in their Board.

ART. 8. The affairs of this Company shall be conducted by said Directors, and they are, as a Board, hereby invested with the power and authority necessary to carry out the object of this incorporation, as limited by these articles; *Provided*, they shall not have the power of subjecting this company to debts exceeding in the aggregate three millions of dollars, until the capital stock of the company is increased.

ART. 9. The Board shall appoint from their number an Executive Committee, composed of the President, Vice President and three other members, whose duty it shall be, under the general direction of the Board and between the meetings thereof, to manage the affairs of the company; a majority of the committee shall constitute a quorum to attend to business. All proceedings of the committee at any of their meetings, shall be recorded in the Book of Records, by the Secretary, when present; if the Secretary is not present the minutes shall be signed by the committee and filed with the Secretary, who shall enter the same.

ART. 10. Said Board shall employ a suitable person to act as Secretary of said company, to keep a correct and full account of its affairs, which shall at all times be subject to the inspection of any stockholder. Said Board are authorized to employ such other clerks managers and agents as they may deem essential to the good of the company.

ART. 11. The Treasurer shall, before entrusted with funds, give bonds and security to the satisfaction of the Board of Directors, for the safe keeping of all monies subject to the order of said Board, and for the faithful performance of his duties.

ART. 12. The private property of the stockholders shall not be subject to the debts of the company.

ART. 13. Certificates of stock shall be issued to all subscribers, with an endorsement of the amount paid thereon. Such certificates shall only be assignable on the books of the company, under such regulations as the Board may adopt.

ART. 14. All bonds for loans and certificates of stock, shall be signed by the President and countersigned by the Secretary.

ART. 15. These articles may be amended at any meeting of the

stockholders, after thirty days notice, specifying the proposed amendment is published in the papers along the line of the road; *Provided*, that two-thirds of all the stock subscribed shall favor said amendment. The articles may also be amended by the unanimous vote of all the Directors.

ART. 16. No person shall be elected a Director of this company who is not a stockholder.

ART. 17. The Board of Directors shall have power to borrow money necessary for the construction of the work herein contemplated, and pay such rates of interest therefor as may be agreed, to cause the same to be secured, by bond or mortgage or other instrument of writing necessary therefor, and all bonds, mortgages and deeds shall be signed by the President or Vice President and Secretary of the company.

ART. 18. The first division of the road may be permanently surveyed and located, and the right of way secured as soon as two hundred thousand dollars of stock is subscribed.

ART. 19. The affairs of this company shall be conducted by the following corporate Directors until others shall be elected in their place as herein provided, viz: John Bertram and Oakes Ames, of Boston, Mass.; L. B. Crocker, of Oswego, N. Y.; Charles Walker and John Wentworth, of Chicago, Ills.; Robert M. Rippey, of Green county, Iowa; L. C. Sanders, of Booone county, Iowa; James Hawthorn, of Story county, Iowa; G. M. Woodbury, of Marshall county, Iowa; James R. Graham, of Tama county, Iowa; A. D. Stephens, of Benton county, Iowa; John Weare and John F. Ely, of Linn county, Iowa; W. C. Salisbury, of Tama county, Iowa; and J. W. Denison, of Crawford county, Iowa.

Approved, adopted and subscribed by the undersigned, this 14th day of June, A. D. 1859.

L. B. CROCKER,
W. C. SALISBURY,
S. D. CARPENTER,
A. D. STEPHENS,
N. C. WEITING,
T. V. W. YOUNG,
CHARLES WALKER,

JOHN WEARE,
JAMES HAWTHORN,
ROBERT M. RIPPEY,
W. W. WALKER,
JAMES ALLMAN,
THOMAS SCHOLFIELD,
JOHN BERTRAM,

WILLIAM GREEN,
JOHN F. ELY,
JAMES R. GRAHAM,
JAMES J. CHILD,
H. C. HENDERSON,
JACKSON ORR,
T. T. DAVIS.

A true copy. Attest:

W. W. WALKER, Sec'y C. R. and M. R. R. R.

BY - LAWS
OF THE
CEDAR RAPIDS & MISSOURI RIVER RAILROAD.

ART. 1. The President shall be the executive officer, and shall exercise the general supervision of the officers and agents and general affairs of the company, as directed from time to time by the Board of Directors or the Executive Committee. The Vice President shall, in the absence of the President, discharge the duties of the President.

ART. 2. The Secretary shall keep the minutes and records of the doings of the Board of Directors and its committees. He shall have charge and custody of the common seal of the company, of all deeds, releases, contracts and documents, and all books of accounts, and books of transfer of the company, except the Treasurer's book of receipts and disbursements. He shall enter the amount of all bills and demands audited and allowed by the Executive Committee, and keep an account with each person or firm with whom the company may have dealings, and shall preserve in proper order all letters, vouchers and papers not pertaining to other officers or departments; all of which shall be subject at all times to the inspection of the Board of Directors, the Executive Committee or any member thereof.

ART. 3. The Treasurer shall receive all monies due or belonging to the company, from time to time, on subscriptions, assessments, installments or otherwise, and give proper vouchers therefor, and shall forthwith deposit the same in the name of the company, in some safe bank, unless otherwise directed by the Executive Committee or Board of Directors. He shall keep a correct account of the same in the company's books provided for that purpose, and shall make a full and correct account of receipts and disbursements at the end of each month, or oftener if required to do so. His books of accounts, vouchers and papers shall at all times be subject to the inspection of the Board of Directors, the Executive Commit-

tee, or any member thereof. No money deposited in bank in the name of the company, shall be drawn therefrom, except by drafts or checks signed by the Treasurer, and all checks or drafts drawn on bank shall be made payable to the order of the person in whose favor such demand shall have been allowed and audited by the Executive Committee.

ART. 4. At each annual meeting of the stockholders, it shall be the duty of the President to present a full and detailed statement of the affairs and doings of the company, and the Secretary and the Treasurer are required to report to him all matters pertaining to their respective offices, in reasonable time for him to make such report.

ART. 5. The books of transfer shall be closed for ten days next previous to the annual election. All transfers of stocks shall be made in the usual form, by the stockholders signing in proper person or by attorney, in a book provided for the purpose, a declaration of sale or transfer, setting forth the number of shares transferred, the person to whom, and the time when the same are so transferred, and at the time of such transfer the old certificate of shares so transferred shall in all cases have the names of the parties to whom a new certificate or certificates are to be issued endorsed thereon, and shall be cancelled before issuing such new certificate or certificates. All certificates of stock issued by this company shall be signed by the President or Vice President, and countersigned by the Secretary.

ART. 6. No officer of this company, agent or servant, shall receive any greater sum for his salaries, commissions or otherwise, than shall be duly allowed or agreed to be paid by the Executive Committee, or voted to be allowed and paid by the direction of the Board.

ART. 7. The yeas and nays may be demanded by any one member, on the passage of any question by the Board, and being so demanded may not be refused.

ART. 8. The foregoing By-Laws may be altered, amended or abolished, by a majority of all Directors at any regular meeting.

SCHEDULE C.

THE RESUMPTION ACT.

CHAPTER XXXIX.

An Act to resume all rights conferred upon the Iowa Central Air Line Railroad Company, by an Act approved July 14th, 1856, and to repeal certain Laws in relation thereto.

WHEREAS, by the Act of Congress, approved May 15th, 1856, there were granted to the State of Iowa certain lands to aid in the construction of certain Railroads in said State upon certain terms, conditions and restrictions under which said land might be disposed of, and —

WHEREAS, the General Assembly of the State of Iowa, by an Act approved July 14th, 1856, accepted said grant of lands upon the terms, conditions, and restrictions contained in said Act of Congress, and contracted with the Iowa Central Air Line Railroad Company for the sale, upon certain terms, of that portion of said lands granted by said Act of Congress to aid in the construction of a Railroad from Lyons City north-westerly to a point of intersection with the main line of the Iowa Central Air Line Railroad near Maquoketa, thence on said main line running as near as practicable to the 42d parallel across the said State to the Missouri river, in consideration of the undertakings on the part of said Company, and subject to the conditions and restrictions contained in said Act and the Act of Congress aforesaid, and

WHEREAS, the said Iowa Central Air Line Railroad Company has wholly failed to perform on their part the conditions of said acts, and has utterly failed to construct any part of said Railroad as required by law and by the terms of the contract, and has failed to complete and equip any portion of said road, thereby at the option of said State annulling all their rights to the lands, and privileges under and by virtue of said acts by reason whereof the State of Iowa has the right to resume all said rights and privileges and all the rights in relation

to said lands so as aforesaid conferred upon said Company by said State, and

WHEREAS, no part of said lands have been actually conveyed by this State to said Company, nor by said Company disposed of pursuant to the provisions of said acts; and inasmuch as the interest of the State in said lands and the construction of the road, to aid which said lands were granted by Congress, as also the good faith of the State in executing the trust confided to it by Congress, require that the State should resume said rights and privileges and all rights to the lands aforesaid. Now, therefore,

SEC. 1.—*Be it enacted by the General Assembly of the State of Iowa*, that all rights to the lands, interests, powers and privileges heretofore conferred or intended to be, upon the Iowa Central Air Line Railroad Company by an act approved July 14, 1856, entitled "an act to accept of the grant, and carry into execution the trust conferred upon the State of Iowa by an act of Congress, entitled 'an act making a grant of lands to the State of Iowa in alternate sections to aid in the construction of certain Railroads in said State, approved May 15, 1856,'" be, and the same hereby are absolutely and entirely resumed by the State.

SEC. 2. The fourth section of said act, approved July 14, 1856, and all other acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its publication in the Daily Iowa State Register, and Daily Iowa State Journal, published at the City of Des Moines.

JOHN EDWARDS,

Speaker of the House of Representatives.

NICHOLAS J. RUSCH,

President of the Senate.

Approved March 17, 1860.

SAMUEL J. KIRKWOOD.

I hereby certify that the foregoing is a true copy from the original on file in my office.

ELIJAH SELLS,

Secretary of State.

SCHEDULE D.

ACT GRANTING THE LANDS

TO THE

Cedar Rapids & Missouri River Rail Road.

An Act to carry into execution the trust conferred upon the State of Iowa in respect to the lands granted by an Act of Congress approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City across the State of Iowa, and near the forty-second parallel to the Missouri River.

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa, That so much of the lands, interests, rights, powers, and privileges as have been or may be granted and conferred in pursuance of the Act of Congress, entitled "an act making a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of Railroads in said State, approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City, north-westerly, to a point of intersection with the main line of the Iowa Central Air Line Railroad, near Maquoketa; thence on said main line, running as near as practicable to the forty-second parallel, across the State of Iowa to the Missouri river, are hereby disposed of, granted, and conferred to and upon the Cedar Rapids & Missouri River Railroad Company, a body corporate, created and existing under the laws of the State of Iowa. Provided however that no portion of the grant of land provided for in this Act shall be applied to the liquidation of any debt or obligation heretofore made or contracted by the said Cedar Rapids & Missouri River Railroad Company, or of the Chicago, Iowa & Nebraska Railroad Company. Provided further that it is hereby declared to be the true intent and meaning of this Act that the State of Iowa according to the conditions herein specified, conveys and grants to the Cedar Rapids & Missouri River Railroad Company, its right, title to, and interest in the aforesaid lands, and nothing more, and in no event shall*

said Company have any claim or recourse against the State for any defect in the title or conveyance of said lands.

SEC. 2. The grant by this act conferred upon said Company is made upon the express condition, that in case said Company shall fail to have completed and equipped forty miles of its road along the route aforesaid, and west from some convenient point on the Cedar River, near the 42d parallel, within one year from the first day of December next after the passage of this act, thirty miles in addition, each year thereafter, for two years, and the remainder of their whole line of road in two years thereafter, or by the first day of December, 1865, then and in that case it shall be competent for the State of Iowa to resume all rights conferred by this act upon said Company so failing, and to resume all rights to the lands hereby granted and remaining undisposed of by the Company so failing to have the length of road completed in manner and time as aforesaid.

SEC. 3. The provisions of the ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth sections of the first Chapter of the laws of Iowa, passed at the Extra Session of the Fifth General Assembly, and approved July 14th, 1856, so far as the same are applicable to this Company under the provisions of this act, and the one hundred and eighty-second Chapter of the laws of this State, enacted by the Sixth General Assembly, and approved January 28th, 1857, and the the eighty-fifth Chapter of the laws of this State enacted by the Seventh General Assembly, and approved March 20th, 1858, so far as said enactments are not inconsistent with the provisions of this act, be, and the same are hereby made applicable to this Company, receiving the benefits of the grant hereby conferred. And it is further provided that said Railroad shall be and remain a public highway for the use of the Government of the United States free from toll or other charges upon the transportation of any property or troops of the United States. And if the said Company shall accept this grant upon the condition aforesaid, which acceptance shall appear by an express writing, under the seal of the said corporation, with the signatures of the President and Secretary, and shall be filed in the office of the Secretary of the State of Iowa, within ninety days after the approval of this act by the Governor, it shall take the same with the condi-

tions imposed and incumbrances specified in this act; and shall in no event have any claim or recourse whatever upon the State of Iowa for a misapplication of said grant, incumbrances, or conditions in this act imposed.

SEC. 4. It is hereby further provided, that the said Cedar Rapids & Missouri River Railroad Company shall be entitled to the full amount of land authorized by said act of Congress, as the work progresses, for the first three sections of road, of twenty miles each, which shall be constructed by said Company; but thereafter, as the work progresses, they shall be entitled to an equal pro rata apportionment of the lands remaining subject to appropriation in aid of this work, to be ascertained by a division of the quantity of land so remaining, by the number of whole sections, of twenty miles each, extending from the point of construction then reached to the Missouri River.

SEC. 5. It is further expressly provided, that this act shall not be so construed as to give title to any portion of said lands to the Company accepting the provisions hereof, otherwise than as the work progresses, and as provided in the act of Congress aforesaid, conferring the lands upon the State of Iowa, namely: when they shall have completed each section of twenty miles of road aforesaid, they shall be entitled to the amount of land apportioned thereto, and not before; and they shall not become entitled to the first one hundred and twenty sections authorized by act of Congress, until such first section of their road shall have been completed, at which time they shall become entitled to the first apportionment of land. Nor shall this act be so construed as in any manner to prevent the General Assembly of this State from resuming, upon failure of either of the conditions named in the second section of this act, all lands to which the said Company shall not have then become entitled by completion of one or more sections as aforesaid of said road.

SEC. 6. And it is further expressly provided, that said Company shall build or cause to be built before the first day of January, 1861, a Railroad of like gauge and equal in quality to the Chicago, Iowa & Nebraska Railroad, from Pearl street, in Lyons City, to a point of intersection with the said Chicago, Iowa & Nebraska Railroad, within the corporate limits of Clinton City, with such

switches and side tracks as the business of said town of Lyons may require; and to operate or cause to be operated the same by running passenger and freight cars, of the same class, with those used by the Chicago, Iowa & Nebraska Railroad, in close connection forever with all regular trains at any time run on said Chicago, Iowa & Nebraska Railroad, without occasioning any unnecessary delay to freight or passengers, shall never exceed the regular charges for like service on the Chicago, Iowa & Nebraska Railroad; the intent and meaning of this section being to secure to the citizens of Lyons the same privileges and benefits of a railroad connection that are enjoyed by any other place on said Chicago, Iowa & Nebraska Railroad; and it is hereby expressly provided that no lands shall be certified by the Governor to said Cedar Rapids & Missouri River Railroad Company until they have complied with all the requirements of this section.

SEC. 7. Said Company shall not commence to build or construct said road, at any point further west from the Mississippi River than the town of Marion, in Linn county, Iowa, and the Governor of the State shall not certify any of the lands herein transferred to said Company, until that portion of the road between said town of Marion and the City of Cedar Rapids, together with so much more of said road as to make in the aggregate at least twenty miles shall be completed, equipped and operated by said Company or its successors.

SEC. 8. *And be it further enacted*, that it shall be deemed felony for the President and Directors, or managers of the said Railroad Company, accepting the grant of land to be conveyed by this act, to wilfully misapply any of the lands herein granted to any other purpose than the carrying into effect the true meaning of this act, and the President, Directors, or Managers of said Railroad Company who may be guilty of any such wilfull misapplication of the lands herein granted, shall be liable to a fine of not less than five thousand dollars, or imprisonment in the county jail not less than twelve months and not more than three years, or both such fine and imprisonment at the discretion of the Court before whom any case may be tried.

SEC. 9. It is further expressly provided, that if said Cedar Rapids & Missouri River Railroad Company shall fail or refuse to

accept of this grant upon the conditions hereby imposed, and in time and manner as aforesaid, the Census Board of this State is hereby authorized, by proper writing with the seal of State affixed thereto, to confer the same upon such party or company as shall in their judgment be competent to carry out the enterprise hereinbefore provided for in good faith, and which shall accept the grant by a proper written instrument duly executed and attested, and shall file the same in the office of the Secretary of this State subject to all the preceeding sections of this act, and the same shall in that case be applicable to such grantee, subject to all the foregoing terms and conditions of this act, as fully as if named and originated herein.

SEC. 10. This act shall take effect and be in force from and after its publication in the Iowa State Register, and in the Iowa State Journal.

JOHN EDWARDS,
Speaker of the House of Representatives.

NICHOLAS J. RUSCH,
President of the Senate.

Approved March 26th, 1860.

SAMUEL J. KIRKWOOD.

SCHEDULE E.

CERTIFICATE OF ACCEPTANCE.

To his Excellency, SAMUEL J. KIRKWOOD,

Governor of the State of Iowa:

The Cedar Rapids and Missouri River Railroad, hereby certify and declare that they assent to and accept of the provisions of an Act of the General Assembly of the State of Iowa, approved March 26th, A. D. 1860, entitled "An Act to carry

into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an Act of Congress, approved May 15th, A. D. 1860, to aid in the construction of a Railroad from Lyons City, across the State of Iowa, and near the 42d parallel to the Missouri river;" and this certificate is presented in compliance with the requirements of said Act, and particularly of the third section thereof.

In witness whereof, and in pursuance of a resolution of the Board of Directors, passed on the 13th day of June, A. D. 1860, the said Cedar Rapids and Missouri River Railroad have caused their corporate seal to be hereto affixed, and the names of the President and Secretary to be signed to this certificate, this 13th day of June, A. D. 1860.

L. B. CROCKER, President
Cedar Rapids and Missouri River Railroad.

W. W. WALKER, Sec'y C. R. & M. R. R. R.

[L. S.]

STATE OF IOWA, SS.

I, Elijah Sells, Secretary of State of the State of Iowa, hereby certify that the Cedar Rapids and Missouri River Railroad Company have this day filed in my office their written acceptance, signed by the President and Secretary of said company, and attested by the seal thereof, of the grant conferred upon said company by the law of the eighth General Assembly of this State, approved by the Governor on the 26th day of March, 1860, and in compliance with the terms of the third section thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Iowa. Done at the city of Des Moines, this 19th day of June, A. D. 1860.

ELIJAH SELLS, Sec'y of State.

By JOHN M. DAVIS, Deputy.

[L. S.]

SCHEDULE F.

CODE OF IOWA.—TITLE X.—OF CORPORATIONS.

Chapter 43.—Corporations for Pecuniary Profit.

673. Any number of persons may associate themselves and become incorporated for the transaction of any lawful business, including the establishment of ferries, the construction of canals, railways, bridges, or other works of internal improvement, but such incorporation confers no power or privilege not possessed by natural persons, except as hereinafter provided.

674. Among the powers of such body corporate are the following:

First. To have perpetual succession.

Second. To sue and be sued by its corporate name.

Third. To have a common seal, which it may alter at pleasure.

Fourth. To render the interests of the stockholders transferable.

Fifth. To exempt the private property of its members from liability for corporate debts, except as herein otherwise declared.

Sixth. To make contracts, acquire and transfer property, possessing the same powers in such respects as private individuals now enjoy.

Seventh. To establish by-laws and make all rules and regulations deemed expedient for the management of their affairs, in accordance with law, and not incompatible with any honest purpose.

675. Previous to commencing any business, except that of their own organization, they must adopt articles of incorporation, which must be recorded in the office of the Recorder of Deeds of the county where the principal place of business is to be, in a book kept therefor.

676. Corporations for the constructions of any work of internal improvement must, in addition, also file a copy of such

articles in the office of the Secretary of State, and have the same recorded by him in a book kept for such purposes. Such articles of incorporation must fix the highest amount of indebtedness or liability to which the corporation is at any one time to be subject, which must in no case, except in that of the risks of insurance companies, exceed two-thirds of its capital stock.

677. A notice must be published for four weeks in succession, in some newspaper as convenient as practicable to the principal place of transacting business.

678. Such notice must contain :

First. The name of the corporation and the principal place of transacting business.

Second. The general nature of the business to be transacted.

Third. The amount of capital stock authorized, and the times and conditions on which it is to be paid.

Fourth. The time of the commencement and termination of the corporation.

Fifth. By what officers or persons the affairs of the company are to be conducted, and the time at which they will be elected.

Sixth. The highest amount of indebtedness or liability to which the corporation is at any time to subject itself.

Seventh. Whether private property is to be exempt from the corporate debts.

679. The corporation may commence business as soon as the articles are filed in the office of the Recorder of Deeds, and their doings shall be valid if the publication in a newspaper is made, and a copy filed in the office of the Secretary of State, when such filing is necessary, within three months from such filing in the Recorder's office.

680. Corporations for the construction of any work of internal improvement may be formed to endure fifty years. Those formed for other purposes cannot exceed twenty years in duration ; but in either case they may be renewed from time to time for periods not greater respectively than was at first admissible, provided three-fourths of the votes cast at any regular election for that purpose be in favor of such renewal,

and provided also that those thus wishing a renewal will purchase the stock of those opposed to the renewal, at its fair current value.

SCHEDULE G.

CHIEF ENGINEER'S REPORT.

*To the Hon. L. B. CROCKER,
President of Cedar Rapids and Missouri River Railroad:*

SIR: I have the honor to submit to you, and through you to the Board of Directors, the following report:

In accordance with the directions of your Executive Committee, I organized a party, and during the month of May made a preliminary survey of that portion of your line between Cedar Rapids and Marshalltown, in Marshall county—a distance of 71 miles.

The line commences on the west bank of the Cedar river, opposite the terminus of the Chicago, Iowa and Nebraska Railroad, and runs thence about three miles in a south-west direction to the valley of Prairie creek. It then follows this creek and one of its tributaries, a distance of 28 miles, in a nearly due west course. The work on this portion of the line is remarkably light—but little being required besides throwing out the ditches.

From this point the line passes about 22 miles to the valley of the Iowa river, across a country which is quite broken, and heavy work is encountered in crossing the summits, at three different places. The line runs thence to Marshalltown, 18 miles, in a very direct course, bearing a little north of west and following the Iowa river valley all the way, except for

about four miles west of Butlerville, where the river makes a large bend to the northward.

The line passes through or near the towns of Irving, Redman, Toledo, Butlerville, Le Grand and Marshalltown.

The following is a summary of the estimate of the cost of the 71 miles of road, complete in all respects, and ready for the rolling stock:

Right of way and Station grounds.....	\$10,000
Grading and bridging.....	300,632
Iron.....	355,000
Chairs and spikes.....	56,800
Ties.....	71,000
Track laying and ballasting.....	71,000
Fencing.....	50,481
Buildings.....	37,600
Engineering, rents, interest, &c.....	41,487
Total.....	<u>\$994,000</u>

At the present prices for labor and materials, the road can be built for cash at the above figures, and probably at something less—but to provide for all possible contingencies, I have added one and four-tenths per cent to the above estimate, which gives for the total cost of the 71 miles, \$1,065,000, or \$15,000 per mile.

In case the proposition of the Chicago, Iowa and Nebraska Company to equip and operate the road for a per centage of the earnings, should not be accepted by this company, \$2,000 per mile additional would be required to furnish rolling stock for this division.

The maximum grade on this line, going west, is $55\frac{1}{2}$ feet per mile, and coming east no grade exceeds 40 feet per mile. The curves are light, all having, with two or three exceptions, radii of 2,855 feet. An abundance of excellent timber for ties is found along the entire route.

While this route possesses several important advantages, I would not at present advise that it be adopted as a final location. A very feasible, and perhaps a cheaper and better route will be

found by going more directly west from Cedar Rapids, and following the divide between the waters of Cedar river and Prairie creek. I would recommend that this line be surveyed, and also that some side lines from the present one be examined with the instruments.

In making the present survey and estimates, I have been greatly assisted by Messrs. R. M. Rippey and S. Counover, to whose skill and ability I bear cheerful testimony.

I have procured from various sources, reliable data, obtained by a preliminary survey made by the late Iowa Central Company, of that portion of the line between Marshall and the Des Moines river, a distance of about 50 miles.

The country is very similar in character to that along the first 71 miles of the line, and the cost of grading and bridging will average very nearly the same per mile. I feel confident, therefore, that the cost of the first 121 miles of your road will not exceed \$15,000 per mile.

From the information I have been able to obtain in regard to the surveys made by the late Iowa Central Company, of that portion of the line between the Des Moines and the Missouri rivers, I am of the opinion that an equally feasible route can be there obtained, but yet I have not sufficient data at hand to justify a detailed estimate.

In reference to your entire line of road, I beg leave to submit the following brief remarks :

The line extends from Cedar Rapids, the terminus of the Chicago, Iowa and Nebraska Railroad, in a due west course near the 42d parallel of latitude, to Onawa, on the Missouri river, a distance of 233 miles, according to the survey of the late Iowa Central Company. It passes through the following counties, which form a portion of those generally known as the "Central Tier," viz: a part of Linn, through Benton, Tama, Marshall, Story, Boone, Greene, Carroll, Crawford and Monona.

The Chicago, Iowa and Nebraska Railroad, running directly east from Cedar Rapids 81 miles, connects your line with the Mississippi river and the Fulton line of the Galena and Chicago Union, which is the only railroad running due west from Chicago. A substantial bridge has recently been completed across the eastern channel of

the Mississippi river at Clinton, and arrangements will be completed during the present month, for the trans-shipment of loaded cars across the western channel, which is only some 700 feet wide. You will be able, therefore, to send loaded cars from the Missouri river to Chicago, and if desirable to more eastern cities, without breaking bulk.

Your road and its connections with Chicago, being due east and west roads, enables you to reach any given longitude crossed by your line, in from 30 to 40 miles less distance from Chicago than any other road now built or projected, as will be seen by reference to the map accompanying this report.

The following statement shows the comparative distances from Chicago to the Missouri river, and various points west, by the different traveled and projected routes :

Via. Dunleith and Dubuque and Pacific Railroad.

Chicago to Mississippi river,	. . . . .	190	
" Missouri river,	. . . . .	320	510
" Fort Laramie,	. . . . .	480	990

Via. Clinton and Cedar Rapids and Missouri River Road.

Chicago to the Mississippi,	. . . . .	137	
" Cedar Rapids,	. . . . .	81	218
" Missouri river,	. . . . .	233	450
" Fort Laramie,	. . . . .	453	903

Via. the Same Route.

Chicago to the Missouri,	. . . . .	450	
" Fort Kearney,	. . . . .	165	615
" Mouth of South Platte,	. . . . .	118	733
" Denver City and Auraria,	. . . . .	240	973

Via. Davenport, and Miss. and Mo. Road.

Chicago to the Mississippi,	. . . . .	183	
" " Missouri,	. . . . .	300	483
" Fort Kearney,	. . . . .	187	670
" Mouth of South Platte,	. . . . .	118	788
" Denver City and Auraria,	. . . . .	240	1028

Via. the Same Route.

Chicago to Missouri river.	. . . . .	483	
" Fort Laramie,	. . . . .	504	987

Via. Hannibal, and H. and St. Jo. Road.

Chicago to the Mississippi,	293	
" " Missouri,	206	509
" Fort Kearney,	251	760
" Mouth of South Platte,	118	
" Denver City and Auraria,	240	1108

Via. the Same Route.

Chicago to the Missouri,	509	
" Fort Laramie,	568	1077

Difference in favor of the Cedar Rapids and Missouri River Road to the Missouri river.

Over Dubuque and Pacific road,	60
" Mississippi and Missouri,	33
" Hannibal and St. Joseph,	59

To Fort Laramie.

Over Dubuque and Pacific road,	87
" Mississippi and Missouri,	84
" Hannibal and St. Joseph,	174

To Denver City.

Over Mississippi and Missouri road,	55
" Hannibal and St. Joseph,	125

It should be stated that these distances east of the Missouri are taken from the reports of the various companies, and those west of the Missouri are from the report of Capt. Marcy, U. S. A.

The difference in the cost of constructing these different projected roads—owing to the physical conformation of the country—will be immensely in favor of your line, as in fact it has thus far been, on those portions of these through lines already completed.

It is a fact now well established, that in this section of the country, east and west roads are generally far the best investments. Emigration and the business which follows it, moves in the same latitude as that from whence it starts.

If a road can be *well* built, at a small cost, on the shortest possible line between its termini, through a fertile and well settled country, which is tributary to some great commercial centre from whence it starts, and more than all, if it forms a link in a great through line, and can therefore draw the larger portion of its business over

its entire road—such a road may confidently be relied upon as a paying investment. Your line combines all these requisites to an unusual extent.

The country between Cedar Rapids and the Missouri river is rolling prairie, frequently intersected by beautiful valleys and swift running streams of living water. Timber and stone are found in abundance along most of the line.

The valuable grant of land recently bestowed upon your company—exceeding 900,000 acres—embracing a large amount of excellent coal and timber land, all lying within 15 miles on either side of the line, with good management will probably repay the entire cost of building the road from Cedar Rapids to the Missouri river. A large portion of the reserved government sections have already been taken up without the advantages of a railroad, at the advanced price of \$2.50 per acre.

The unsurpassed fertility of the soil, the very general distribution and abundance of timber and stone, and the numerous streams furnishing an unlimited amount of water power, have all tended to the rapid development of the counties traversed by the line of your road, and I feel entirely safe in stating as the result of my own observation, that the country along the line between the Cedar and Des Moines rivers, a distance of 121 miles, is to-day more thickly settled, and its resources are more fully developed than the country between the Mississippi and Cedar rivers, along the Chicago, Iowa and Nebraska road was, at the time that road was commenced.

The following statistics, taken from the census returns, show the very rapid increase of population in these counties during the past seven years, and also the valuation of property for the year 1859 :

	Population 1852.	Population 1859.	Valuation, 1859.
Linn	6,890.	17,720.	\$5,216,497.
Benton	1,237.	8,053.	2,876,617.
Tama	262.	5,348.	1,885,923.
Marshall	710.	5,713.	2,133,227.
Story	214.	3,826.	1,183,156.
Boone	1,024.	4,018.	1,487,980.
Totals in 6 Counties,	10,037.	44,678.	\$14,783,400.

The four western counties of Greene, Carroll, Crawford and

Monona, between the Des Moines and Missouri rivers, had no inhabitants in 1852. The census of 1859 gives them a population of 2,985, and a valuation of \$2,585,885.

The total population, therefore, of the counties traversed by your line, in 1859 was 47,663, and the valuation \$17,269,284.

It will be observed that the above table, as well as the one given below, is made out for those counties only, through the centre of which your road runs. This tier of counties embraces a belt of country only 24 miles wide. Even with the Dubuque and Pacific road completed on the north, and the Mississippi and Missouri on the south, it is fair to estimate that with the advantages possessed by your line in distance and grades, that an additional belt of country 24 miles in width, or 12 miles adjoining these counties on the north, and 12 on the south, will be tributary to your road.

These tables, therefore, give the returns from only about one-half of the country, and business which will be tributary to your road.

The following table gives the number of bushels of wheat and corn raised, and the number pounds of butter and cheese made, value of cattle and hogs sold, and the value of the general and domestic manufactures in each county along the line:

	Bush. Wheat.	Bush. Corn.	Lbs. Butter and Cheese.	Value of Cattle and Hogs sold.	Value of General and Domestic Manufact's.
Linn.....	122,360	854,577	337,467	\$122,259	\$318,886
Benton.....	67,460	378,420	143,469	49,991	118,710
Tama.....	28,837	256,697	120,239	50,281	22,539
Marshall.....	25,287	34,515	111,944	46,097	33,396
Story.....	4,837	88,207	69,039	37,053	21,661
Boone.....	4,316	132,109	93,018	26,571	21,561
Greene.....	1,867	78,480	16,929	9,353	1,118
Carroll.....	2,186	32,805	1,956	739	No Returns.
Crawford.....	853	20,470	8,600	10,345	4,347
Monona.....	1,579	43,445	15,371	7,501	6,200
Total.....	259,582	1,919,725	922,032	\$360,190	\$548,418

The above table is from the census of 1859, and gives the returns of the crop of 1858, which it should be remembered, was an unprecedented wet season and the crops of that year, particularly wheat, were considered almost a total failure.

Besides, there was then and is now, little inducement for the farmers of most of these counties to raise more than is needed for

home consumption, since the cost of hauling their produce to market nearly or quite equals the price they receive for it.

The commencement of work on the road will give a strong impulse to business and emigration, and the increase in population and wealth will be even more rapid than it has been in the past few years.

The great coal field of Iowa is traversed by your line for a distance of more than 100 miles. The coal is easily mined—the top veins in many places being above the beds of the streams and very near the surface of the ground. It has been mined at several points sufficiently to test its good quality and inexhaustable quantity.

Iron ore, hydraulic cement and gypsum are also found on the line of the road.

Although the prospects of your road for a large way business are so flattering, yet its importance as a link in a great through line should be kept constantly in view.

It cannot only be much more cheaply built, with much lighter grades, and with 30 to 60 miles less distance from Chicago and the East, than any other road across the State, but reaching the Missouri river, as it does, in the latitude of Chicago, the Platte valley and the great South Pass, it cannot fail to become a most important link in the great chain of roads which will soon stretch across the continent.

A company has already been organized (the Decatur and South Pass Air Line Co.) to extend your line from Decatur, on the Missouri river, 82 miles westward to the great north bend of the Platte river.

This line, as well as a line up the Platte valley as far as Fort Laramie, has been surveyed and both are reported to be unusually favorable for the construction of a railroad, at a small cost. The Platte valley is the route now traversed by more than four-fifths of all the Pike's Peak and overland California emigration; and as immense as it is at present, the business of that valley is destined to increase every day.

By the uniform tersimony of many who are well acquainted with the business of the Platte valley, I am warranted in advancing the opinion, that were your road completed to the Missouri river at the present time, it would pay a reasonable per cent on its cost.

The importance of its early completion, in advance of other lines, and before the channels of trade and travel shall have become in any manner fixed, cannot be easily over estimated.

Respectfully submitted,

W. W. WALKER, Chief Engineer.

Cedar Rapids, Iowa, June 13th, 1860.

RESOLUTIONS

OF THE

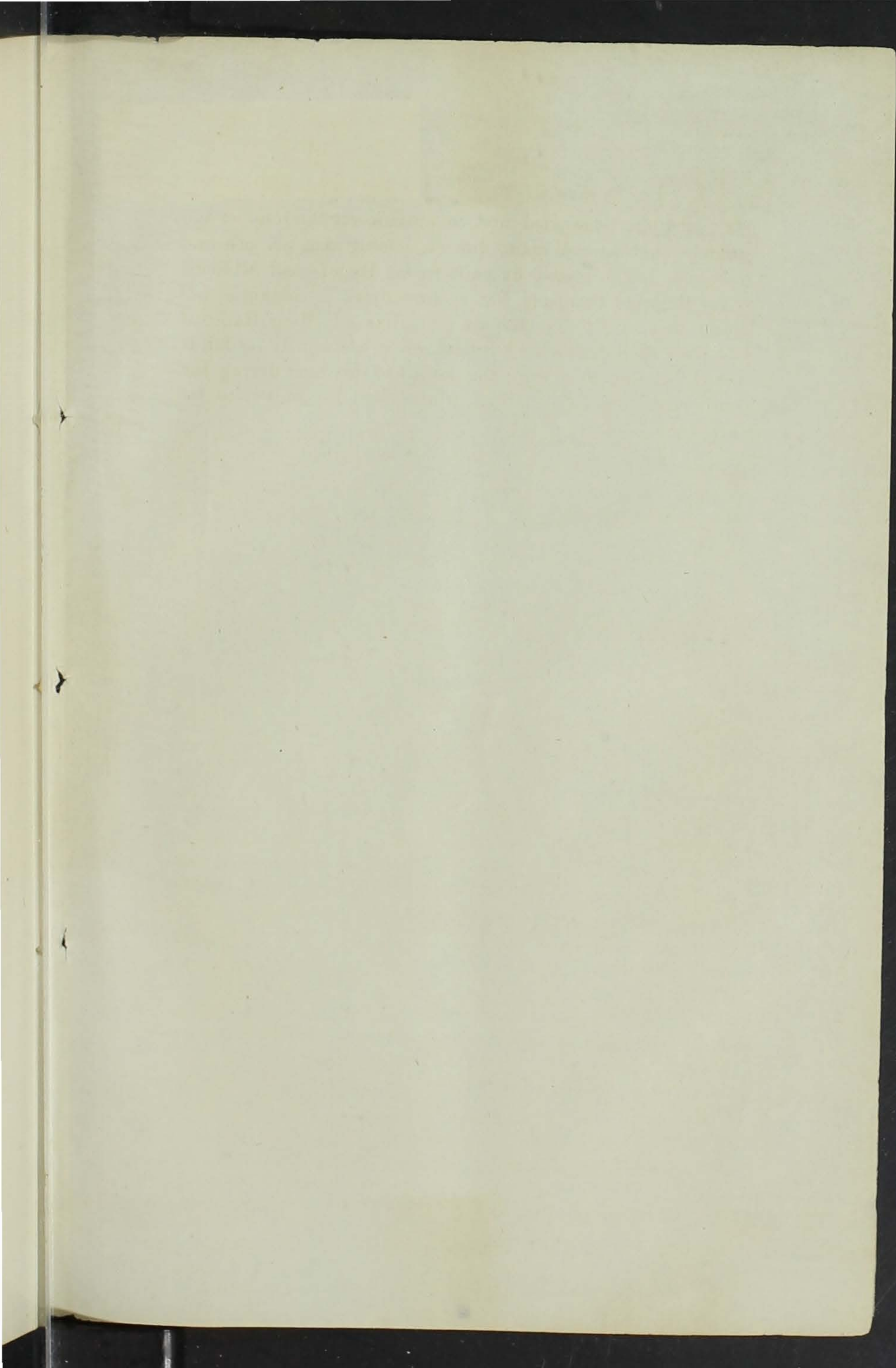
Chicago, Iowa and Nebraska Railroad Company.

At a meeting of the Board of Directors of the Chicago, Iowa and Nebraska Railroad Company, held June 11th, 1860, the following resolutions were adopted:

Resolved: That this company will unite and co-operate with the Galena and Chicago Union Railroad Company, in entering into a contract with the Cedar Rapids and Missouri River Railroad Company, agreeing to take one third of its receipts for the freight of the business of that road over this--in the first mortgage bonds of that road—for a period of not exceeding six years.

Resolved; That when the Cedar Rapids and Missouri River Railroad shall have completed twenty miles of road, west from Cedar Rapids, this company will enter into a contract with that company, by which this company will pay 10 per cent. on the gross receipts of the freight of the business received of that road and passing over this road or any portion thereof, and which shall have passed over twenty miles of that road, such

per centage to be applied first to provide for the interest and sinking fund agreed upon, due or coming due on any first mortgage bonds issued by said Cedar Rapids and Missouri River Railroad Company, but such contract to contain a condition that said Cedar Rapids and Missouri River Railroad Company shall deliver its business, going eastwardly (as far as it may be able to control the same,) to this road during the continuance of such a contract, which shall be limited to 1st July, 1866.



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