

CHAP. LXXXIV. — *An Act to amend the Act approved September twenty-seven, eighteen hundred and fifty, to create the office of Surveyor-General of the Public Lands in Oregon, etc., and also the Act amendatory thereof, approved February nineteen [fourteenth] eighteen hundred and fifty-three.*

July 17, 1854.

1850, ch. 76.  
1853, ch. 69.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the donations hereafter to be surveyed in Oregon and Washington Territories, claimed under any of the provisions of the act to create the office of Surveyor-General of the Public Lands in Oregon, etc., approved September twenty-seven, eighteen hundred and fifty, shall in no case include a town site, or lands settled upon for purposes of business or trade, and not for agriculture; and all legal subdivisions included in whole or in part in such town sites, or settled upon for purposes of business or trade, and not for agriculture, shall be subject to the operations of the act of May twenty-three, eighteen hundred and forty-four, "for the relief of citizens of towns upon lands of the United States, under certain circumstances," whether such settlements were made before or after the surveys: *Provided, however,* That the period of two years' occupancy required of settlers before they can purchase the lands claimed by them under the provisions of the first section of the act of February fourteen, eighteen hundred and fifty-three, above mentioned, shall be, and the same is hereby, reduced to one year.

Donations, hereafter surveyed, not to include town sites or lands settled for business or trade.  
1850, ch. 76.

1844, ch. 17.

Proviso: can purchase after one year's occupancy.

1853, ch. 69.

SEC. 2. *And be it further enacted,* That the proviso to the fourth section of the act of twenty-seventh September, eighteen hundred and fifty, above mentioned, by which all contracts for the sale of lands claimed under that law, before the issue of the patents therefor, are declared void, shall be, and the same is hereby, repealed: *Provided,* That no sale shall be deemed valid, unless the vendor shall have resided four years upon the land.

Part of fourth section of the act 1850, ch. 76, repealed.

Proviso.

SEC. 3. *And be it further enacted,* That the preëmption privilege granted by the act of fourth September, eighteen hundred and forty-one, shall be, and the same is hereby extended to the lands in Oregon and Washington Territories, whether surveyed or unsurveyed, not rightfully claimed, entered, or reserved, under the provisions of this act, or the acts of which it is amendatory, nor excluded by the terms of the said act of eighteen hundred and forty-one, with the exception of unsurveyed lands as above mentioned; and all settlers on unsurveyed lands in said Territories shall give notice to the Surveyor-General, or other duly authorized officer, of the particular tract claimed under this section, within six months after the survey of such lands is made and returned. And all persons claiming donations under this act, or the acts of which it is amendatory, shall in like manner give notice to the Surveyor-General, or other duly authorized officer, of the particular lands claimed as such donations, within thirty days after being requested to do so by such officer; and failing such notice in either case, the claimant or claimants shall forfeit all right and claim thereto: *Provided, however,* That the time limited by the sixth section of the act of eighteen hundred and fifty-three, in which claimants under the act of eighteen hundred and fifty are required to give notice of their claims, shall be, and the same is hereby extended to the first of December, eighteen hundred and fifty-five, except in cases where the Surveyor-General shall request them so to do, as above provided.

Preëmption privilege of act, Sept. 4, 1841, ch. 16, extended to Oregon and Washington Territories.

1841, ch. 76.

Notice of claims — to whom and when to be given.

Proviso.  
1853, ch. 60.

1850, ch. 76.

SEC. 4. *And be it further enacted,* That, in lieu of the two townships of land granted to the Territory of Oregon by the tenth section of the act of eighteen hundred and fifty, for universities, there shall be reserved to each of the Territories of Washington and Oregon two townships of land of thirty-six sections each, to be selected in legal subdivisions, for university purposes, under the direction of the Legislatures of said Territories, respectively.

Grants to Washington and Oregon for university.

1850, ch. 76.

Land granted to orphans whose parents, if living, would be entitled to a donation.

How set off.

How vested in case of death.

This act to be extended to lands in Oregon and Washington Territories.

Register and Receiver to be appointed; their duties, powers, and compensation.

Washington Territory made a surveying district.

Surveyor-General — how appointed; his powers, duties, and fees.

SEC. 5. *And be it further enacted*, That in any case where orphans have been, or may be, left in either of the said Territories, whose parents, or either of them, if living, would have been entitled to a donation under this act, or either of those of which it is amendatory, said orphans shall be entitled to a quarter-section of land on due proof being made to the satisfaction of the Surveyor-General, subject to the decision of the Secretary of the Interior. Said land to be set off to them by the Surveyor-General in good agricultural land, not reserved, or otherwise appropriated, under any law of Congress; and, in case of the death of either or any of said orphans, after their lands shall have been designated by the Surveyor-General, the right or rights of the deceased shall vest in the survivor or survivors.

SEC. 6. *And be it further enacted*, That all the provisions of this act, and the acts of which it is amendatory, shall be extended to all the lands in Oregon and Washington Territories; and, for the purpose of carrying said acts into effect in said Territories, the President shall be, and he is hereby, authorized to appoint a Register and Receiver for each of said Territories, whose powers, duties, obligations, and responsibilities, shall be the same as are now prescribed by law for other land officers and for the Surveyor-General of Oregon, so far as they apply to such officers. They shall keep their offices at such place as the President shall, from time to time, direct; and their compensation shall be twenty-five hundred dollars each, per annum and office rent; but they shall be entitled to no fees or other emoluments of any kind whatsoever, except the Receiver's actual and necessary expenses in depositing; and, on satisfactory proof that either of said officers, or any other officer, has charged or received fees or other rewards not authorized by law, he shall be forthwith removed from office.

SEC. 7. *And be it further enacted*, That the Territory of Washington shall be erected into a separate surveying district, and the President of the United States is hereby authorized to appoint a Surveyor-General for the same, who shall hold his office at such place as the President may direct, and the location thereof may be changed from time to time, if, in the judgment of the President, the public interest should require it, and the powers, duties, obligations, responsibilities, and emoluments of the said Surveyor-General shall be the same as are now prescribed by law for the Surveyor-General of Oregon.

APPROVED, July 17, 1854.

July 17, 1854. CHAP. LXXXV. — *An act making further Appropriations for continuing the Construction of Roads in the Territory of Minnesota, in accordance with the Estimates made by the War Department.*

Appropriations for roads. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums of money be, and they are hereby appropriated for continuing the construction of roads in the Territory of Minnesota, to wit:

For the continuation of the road from Point Douglas, on the Mississippi River, to the mouth of the St. Louis River, of Lake Superior, in Wisconsin, twenty thousand dollars;

For the continuation of the road from Point Douglas to Fort Gaines, now Fort Ripley, ten thousand dollars;

For the continuation of the road from the mouth of Swan River to the Winnebago Agency, five thousand dollars;

For the continuation of the road from Wabashaw to Mendota, fifteen thousand dollars;

How expended. The continuation of the construction of said roads to be made under the direction of the Secretary of War, pursuant to contracts to be made

Proviso.

by him, or under his direction: *Provided*, That so much of any former