

Proof and payment. within six months from the date of this act; and proof and payment shall be made within one year from the date of such filing; but where such mining premises may be on lands hereafter to be surveyed, such declaratory statement shall be filed within three months from the return to the district land-office of the official township plat; and proof and payment shall be made within one year from the date of such filing.

Town or city sites on the public lands. SEC. 2. *And be it further enacted,* That in the case of any city or town which, at the passage of this act, may be existing on the public lands, in which the lots therein may be variant as to size from the limitation fixed in the said act of first July, eighteen hundred and sixty-four, and in which the lots and buildings as municipal improvements shall cover an area greater than six hundred and forty acres, such variance as to size of lots or excess in area shall prove no bar to such city or town claim, under said act of first July, eighteen hundred and sixty-four, effect to be given to this act according to such regulations as may be prescribed by the Secretary of the Interior: *Provided,* That the minimum price of each said lots in any such town or city, which may contain a greater number of square feet than the maximum named in the act to which this is an amendment, shall be increased to such reasonable amount as the Secretary of the Interior may by rule establish: *Provided, further,* That where mineral veins are possessed, which possession is recognized by local authority, and to the extent so possessed and recognized, the title to town lots to be acquired shall be subject to such recognized possession and the necessary use thereof: *Provided, however,* That nothing contained herein shall be so construed as to recognize any color of title in possessors for mining purposes as against the government of the United States.

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No title recognized in possessors for mining purposes.

APPROVED, March 3, 1865.

March 3, 1865. CHAP. CVIII. — *An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act making a Grant of alternate Sections of Public Lands to the State of Michigan, to aid in the Construction of certain Railroads in said State, and for other Purposes.'"*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of an act entitled "An act to amend an act entitled 'An act making a grant of alternate sections of public lands to the State of Michigan, to aid in the construction of certain railroads in said state, and for other purposes,'" which said amendatory act was approved June seventh, eighteen hundred and sixty-four, be, and the same is hereby, amended so as to make the last proviso in said section to read as follows, to wit: *Provided, further,* That the time specified in the fourth section of the act hereby amended, for the completion of said road, shall be, and the same is hereby, extended eight years.

Time for completing a certain railroad in Michigan extended.

APPROVED, March 3, 1865.

March 3, 1865. CHAP. CIX. — *An Act to authorize the Issuing of Patents for certain Lands in the Town of Stockbridge, State of Wisconsin, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon satisfactory proof being made that any occupant[s] of unpatented land in the town of Stockbridge, Calumet County, in the State of Wisconsin, which has, by treaty or otherwise, been allotted to any individual members of the Stockbridge or Munsee tribe of Indians, are the purchasers, grantees, or assignees of such members of said tribes, the President of the United States be authorized to issue patents for the land so occupied to such purchasers, grantees, or assignees, respectively: *Provided,* That in case of conflicting claims to any of the lots of land the commissioner of the general land-office is authorized, to hear the proofs of the respective claimants, and to decide which of such claimants are justly entitled to said land, and patents shall be issued in accordance with such decision.

Patents may issue for certain lands in Stockbridge, Wisconsin.

Conflicting claims.

SEC. 2. *And be it further enacted*, That patents issued according to this act shall vest in the patentee title to the land described in such patent, in fee simple, subject to any valid lien or incumbrance thereon created by said patentee or those under whom he claims.

Patents to vest the fee subject to valid liens.

SEC. 3. *And be it further enacted*, That the lots of land in said town of Stockbridge belonging to the United States, not hereinbefore directed to be patented, shall be attached to and form a part of the Menasha land district, and if, in the opinion of the commissioner of the general land-office, it shall be for the public interest, the same may be sold at the minimum price of three dollars per acre for lots fronting on Lake Winnebago, five dollars per acre for the two tiers of lots fronting on the military road, one tier of lots on each side thereof, and two dollars and fifty cents per acre for the residue of said land to actual settlers thereon possessing the qualifications requisite to acquire preëmption rights, who shall prove to the satisfaction of the register of the land-office at Menasha, Wisconsin, that he or she has made improvements to the value of not less than fifty dollars, and is actually residing upon the land; the time of paying the purchase price may be extended for a period not exceeding one year from the passage of this act: *Provided*, That no such actual settler shall be permitted to preëmpt more than two contiguous lots on which he or she has made improvements of the value of not less than one hundred dollars. The lands not sold within one year as hereinbefore provided, shall be brought into market and sold at not less than the minimum prices fixed by this act.

Lands in Stockbridge not patented to form part of the Menasha land district.

May be sold.

Time of payment extended to certain purchasers.

Not more than two contiguous lots can be pre-empted.

Lands when to be brought into market.

APPROVED, March 3, 1865.

CHAP. CX. — *An Act to quiet Titles in Favor of Parties in actual Possession of Lands situated in the District of Columbia.* March 3, 1865.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all deeds heretofore recorded in the land records of the District of Columbia, which have been executed and acknowledged by femmes covert (their husbands having signed and sealed the same) for conveying any real estate, or interest therein, situated in said district; and all acknowledgements of deeds heretofore recorded, as aforesaid, which have been made by femmes covert (whether they have executed the deed or not) for the purpose of releasing their claims to dower in the lands described therein, situated as aforesaid, in which acknowledgements the form prescribed by law has not been followed; and all deeds heretofore recorded, as aforesaid, which have been executed and acknowledged by an attorney-in-fact, duly appointed for conveying real estate situated in said district; and all deeds heretofore recorded, as aforesaid, executed and acknowledged, or only acknowledged by such attorney-in-fact, for conveying real estate situated in said district, as to which the acknowledgement was made before officers different from those before whom proof of the power of attorney was made, and as to which the power of attorney was proved before only one justice of the peace; and all deeds heretofore executed and recorded as aforesaid for the purpose of conveying land situated in said district, acknowledged out of the District of Columbia, before a judge of a United States court, or before two aldermen of a city, or the chief magistrate of a city, or before a notary public; and all deeds heretofore executed and recorded as aforesaid for the purpose of conveying land situated in said district, acknowledged by an attorney-in-fact, duly appointed, or by an officer of a corporation, duly authorized, who has acknowledged the same to be his act and deed, instead of the act and deed of the grantor or of the corporation; and all deeds heretofore executed and recorded as aforesaid for the purpose of conveying land situated in said district to which there is not annexed a legal certificate as to the official character of the officer or officers taking the acknowledgment, shall be, and the same are hereby, declared to be of

Quieting of land-titles in the District of Columbia.

Defective acknowledgments cured.