

STATUTE I.

May 24, 1828.

Act of May
26th 1824, ch.
173, continued
in force.

Claims to be
decided upon.

To be rati-
fied.

So much of
the said act, as
subjects the
claimants to the
payment of
costs, in any
case where the
decision may be
in favour of
their claims,
repealed.

Where any
claim, founded
on concession,
&c., shall be
adjudged
against and re-
jected.

CHAP. XC.—*An Act to continue in force for a limited time, and to amend an act, entitled "An act to enable claimants to lands within the limits of the state of Missouri and territory of Arkansas, to institute proceedings to try the validity of their claims."* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the state of Missouri and territory of Arkansas, to institute proceedings to try the validity of their claims," shall be, and the same hereby is, continued in force: that is to say, for the purpose of filing petitions in the manner prescribed by that act, to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants to obtain a final decision on the validity of their claims in the courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time above specified; the said act shall be continued in force to, and until, the twenty-sixth day of May, in the year one thousand eight hundred and thirty, and no longer; and the courts having cognisance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs of the Spanish government, for two years, from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight, and all the claims authorized by that act, to be heard and decided, shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

SEC. 2. *And be it further enacted,* That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be and the same is hereby repealed, and the costs shall abide the decision of the cause as in ordinary causes before the said court; and so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmations had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall, in no wise, affect the right or title, either in law or equity, of adverse claimants of the same land.

SEC. 3. *And be it further enacted,* That where any claim, founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil, the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, so soon as the land shall be surveyed and subdivided by the United States, of the quarter section on which the improvement shall be situate, and so much of every other quarter section which contains any part of the improvement, as shall be within the limits of the rejected claim.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

Legislature
of the state of

CHAP. XCI.—*An Act to authorize the legislature of the state of Indiana to sell the lands heretofore appropriated for the use of schools in that state.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the legislature of the

(a) See notes of the act of May 26, 1824, ch. 154.