

LANDS GRANTED TO STATE FOR RAILROAD PURPOSES (EXCERPT)
Act 197 of 1883

322.453 Patents; issuance; acreage, limitation; proofs acceptable; precedence; conflicting claims; improvement, possession; right to patent, effect.

Sec. 3.

Any person who shall have purchased in good faith by deed or contract any of said lands of the said Augustus D. Griswold, William R. Bowes, trustee, or his successor, or Amos Gould, or of the grantees of either of them, previous to the 29th day of January, A.D. 1881, shall have patent issued to them for the lands described by their respective purchases but not to exceed 160 acres. The proofs to be made under this section shall be by production of the original instrument, or of a certified copy of the record thereof: Provided, That no deed of purchase from Amos Gould shall be received or admitted under this section by said commissioner of the state land office unless the same shall have been properly recorded in the office of the register of deeds of the county where any of the lands in such conveyance described are situated previous to the first day of March, A.D. 1882: unless such evidence of purchase be by land contract proved by at least 3 witnesses to have been executed and delivered before January first, 1881: And provided further, That the party holding by deed or contract all 3 of the titles known as the Griswold, Bowes and Gould titles, as specified in this act, to any of these lands, shall be entitled to prove the same and receive patent therefor as aforesaid: And provided further, That any person holding the first mentioned 2 of such titles shall have preference over the holder of any 1 title by deed or contract and shall be entitled to prove the same and receive patent therefor as aforesaid; and in case any of said land is claimed by different parties deriving their respective titles from the said Griswold, Bowes, or Gould, or all or any 2 of them, then patents shall issue, as provided in this act, to said parties as joint owners: And provided further, That no claim under this section shall be allowed where the same shall conflict with the claims of actual settlers as provided in the preceding sections: And provided further, That any person who has resided upon any of these lands provided for in this section previous to the first day of January A.D. 1883, and has made valuable improvements thereon, and has continued in such possession since said first day of January, A.D. 1883, may make proof of such residence and improvements as provided for in section 2 of this act, within 3 months after this act shall take effect, and pay into the state treasury for the benefit of the purchaser entitled to such land under the provisions of this section as hereinbefore provided; or in case of there being no such purchaser entitled thereto, then for the benefit of the state the sum of 1 dollar and 25 cents per acre therefor, whereupon said commissioner of the state land office shall issue patent for such land to such resident, but for no larger quantity to any 1 claimant than 160 acres.

History: 1883, Act 197, Eff. Sept. 8, 1883 ;-- How. 5466c ;-- CL 1897, 1424 ;-- CL 1915, 638 ;-- CL 1929, 5987 ;-- CL 1948, 322.453