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1820, April 24, 03 Stat. 566, Act Making Further Provision for Sale of Public Land

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BY AUTHORITY OF CONGRESS.

THE

Public Statutes at Large

OF THE

UNITED STATES OF AMERICA,

FROM THE

ORGANIZATION OF THE GOVERNMENT IN 1789, TO MARCH 3, 1845.

ARRANGED IN CHRONOLOGICAL ORDER.

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS
ON THE SAME SUBJECT,

AND

COPIOUS NOTES OF THE DECISIONS

OF THE

Courts of the United States

CONSTRUING THOSE ACTS, AND UPON THE SUBJECTS OF THE LAWS.

WITH AN

INDEX TO THE CONTENTS OF EACH VOLUME,

AND A

FULL GENERAL INDEX TO THE WHOLE WORK, IN THE CONCLUDING VOLUME.

TOGETHER WITH

The Declaration of Independence, the Articles of Confederation, and
the Constitution of the United States;

AND ALSO,

TABLES, IN THE LAST VOLUME, CONTAINING LISTS OF THE ACTS RELATING TO THE JUDICIARY,
IMPOSTS AND TONNAGE, THE PUBLIC LANDS, ETC.

EDITED BY

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The rights and interest of the United States in the stereotype plates from which this work is printed, are hereby recognised, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 3, 1845.

VOL. III.

BOSTON:
CHARLES C. LITTLE AND JAMES BROWN.
1850.
SIXTEENTH CONGRESS. Sess. I. Ch. 51. 1820.

CHAP. LL.—An Act making further provision for the sale of the public lands.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of July next, all the public lands of the United States, the sale of which is, or may be authorized by law, shall, when offered at public sale, to the highest bidder, be offered in half quarter sections; and when offered at private sale, may be purchased, at the option of the purchaser, either in entire sections, half sections, quarter sections, or half quarter sections; and in every case of the division of a quarter section, the line for the division thereof shall run north and south, and the corners and contents of half quarter sections which may thereafter be sold, shall be ascertained in the manner, and on the principles directed and prescribed by the second section of an act entitled, “An act concerning the mode of surveying the public lands of the United States,” passed on the eleventh day of February, eighteen hundred and five; and fractional sections, containing one hundred and sixty acres, or upwards, shall, in like manner, as nearly as practicable, be sub-divided into half quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury; but fractional sections, containing less than one hundred and sixty acres, shall not be divided, but shall be sold entire: Provided, That this section shall not be construed to alter any special provision made by law for the sale of land in town lots.

Sect. 2. And be it further enacted, That credit shall not be allowed for the purchase money on the sale of any of the public lands which shall be sold after the first day of July next, but every purchaser of land sold at public sale thereafter, shall, on the day of purchase, make complete payment therefor; and the purchaser at private sale shall produce, to the register of the land office, a receipt from the treasurer of the United States, or from the receiver of public moneys of the district, for the amount of the purchase money on any tract, before he shall enter the same at the land office; and if any person, being the highest bidder, at public sale, for a tract of land, shall fail to make payment therefor, on the day on which the same was purchased, the tract shall be again offered at public sale, on the next day of sale, and such person shall not be capable of becoming the purchaser of that or any other tract offered at such public sales.

Sect. 3. And be it further enacted, That from and after the first day of July next, the price at which the public lands shall be offered for sale, shall be one dollar and twenty-five cents an acre; and at every public sale, the highest bidder, who shall make payment as aforesaid, shall be the purchaser; but no land shall be sold, either at public or private sale, for a less price than one dollar and twenty-five cents an acre; and all the public lands which shall have been offered at public sale before the first day of July next, and which shall then remain unsold, as well as the lands that shall thereafter be offered at public sale, according to law, and remain unsold at the close of such public sales, shall be subject to be sold at private sale, by entry at the land office, at one dollar and twenty-five cents an acre, to be paid at the time of making such entry as aforesaid; with the exception, however, of the lands which may have reverted to the United States, for failure in payment, and of the heretofore reserved sections for the future disposal of Congress, in the states of Ohio and Indiana, which shall be offered at public sale, as hereinafter directed.

Sect. 4. And be it further enacted, That no lands which have reverted, or which shall hereafter revert, and become forfeited to the United States for failure in any manner to make payment, shall, after the first day of July next, be subject to entry at private sale, nor until the same shall have been first offered to the highest bidder at public sale; and all such

Lands offered at public sales, and unsold, subject to private sale, at 1 dollar 25 cts. per acre. Exceptions.

Lands reverted, &c. to be offered at public, before private sales. Sale of lands
lands which shall have reverted before the said first day of July next, and which shall then belong to the United States, together with the sections, and parts of sections, heretofore reserved for the future disposal of Congress, which shall, at the time aforesaid, remain unsold, shall be offered at public sale to the highest bidder, who shall make payment therefor, in half quarter sections, at the land office for the respective districts, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose; and all lands which shall revert and become forfeited for failure of payment after the said first day of July next, shall be offered in like manner at public sale, at such time, or times, as the President shall by his proclamation designate for the purpose:

Provided, That no such lands shall be sold at any public sales hereby authorized, for a less price than one dollar and twenty-five cents an acre, nor on any other terms than that of cash payment; and all the lands offered at such public sales, and which shall remain unsold at the close thereof, shall be subject to entry at private sale, in the same manner, and at the same price with the other lands sold at private sale, at the respective land offices.

Sec. 5. And be it further enacted, That the several public sales authorized by this act, shall, respectively, be kept open for two weeks, and no longer; and the registers of the land office and the receivers of public money shall, each, respectively, be entitled to five dollars for each day's attendance thereon.

Sec. 6. And be it further enacted, That, in every case hereafter, where two or more persons shall apply for the purchase, at private sale, of the same tract; at the same time, the register shall determine the preference, by forthwith offering the tract to the highest bidder.

Approved, April 24, 1820.

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Statute I.

May 1, 1820.

Act of March 2, 1809, ch. 28.

Unexpended moneys to be carried to the surplus fund.

Balances of moneys drawn, after the object has been effected, to be repaid to the treasury; &c.

Secretaries of War and Navy to lay before Congress, annually, a statement of appropriations, &c.

Secretaries to estimate the probable demands, and the balance to be deducted, &c.

Accounts to be annually rendered.