Survey of northern and northwestern lakes.

For survey of northern and northwestern lakes, including Lake Superior, fifty thousand dollars.

Sites for permanent sea-coast defences.

Purchase not to be made until, &c.

For purchase of sites now occupied and lands proposed to be occupied for permanent sea-coast defences, provided that no such purchase shall be made except upon the approval of its expediency by the Secretary of War, and of the validity of title by the Attorney-General, thirty-five thousand dollars.

Approved, June 12, 1866.

June 12, 1866.

CHAP. CXVI. — *An Act authorizing documentary Evidence of Titles to be furnished to the Owners of certain Lands in the City of St. Louis.*

Preamble.
1812, ch. 99.
Vol. ii. p. 748.
Vol. ii. p. 812, *note.*
Vol. xi. pp. 294, 442.
Vol. xii. p. 85.

Whereas within the city of Saint Louis, in the State of Missouri, there are many lots, tracts, pieces, and parcels of land which were confirmed by the act of Congress of June the thirteenth, eighteen hundred and twelve, on the ground of inhabitation, possession, or cultivation of the same prior to December the twentieth, eighteen hundred and three, and in some cases there is no adequate documentary evidence of said confirmations; and in consequence of the death of the ancient witnesses, who knew the facts of said inhabitation, possession, or cultivation, the owners of said lands, in said cases where there is no adequate documentary evidence of said confirmations, are without complete evidence of title to the same, as against the United States; and whereas persons holding grants and confirmations of lands in said city of Saint Louis, under other acts of Congress heretofore passed, may, in some cases, be without perfect documentary evidence of said grants or confirmations by the United States, and difficulties may hereafter arise therefrom, to the great injury of such persons: Therefore —

District court may decree the title of the United States in certain lots in St. Louis to the person having the best claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court of the United States for the eastern district of Missouri is hereby authorized, by proper decree, to declare released, granted, relinquished, and conveyed by the United States, in fee simple and in full property, all of the right, title, and interest of the United States in and to any lot, tract, piece or parcel of land within the city of Saint Louis, in the State of Missouri, to the person or persons having the best claim or claims to the same; but nothing in this act shall authorize said court to declare released, granted, relinquished, and conveyed, as aforesaid, any land within any wharf, street, lane, avenue, alley, or other public thoroughfare, or within the boundaries of any land which has been heretofore granted or assigned by the United States for the use or support of schools, or within the boundaries of any land heretofore lawfully confirmed or lawfully granted by the United States, where full, sufficient, and complete documentary evidence of such confirmation or grant now exists of record.

Certain property not to be released.

Not where full documentary evidence exists.

Proceedings to obtain a decree.

Sec. 2. *And be it further enacted*, That every person desiring a *a* decree in his or her favor, under this act, shall file a petition in said district court, asking for such decree, and describing the land for which said decree is desired; and the United States and all persons claiming such land adversely to said petitioner (if there be any such adverse claimants) shall be made defendants in said cause; and if any party to any such cause shall be a minor under the age of twenty-one years, a guardian ad litem shall be appointed by said court for said minor; and said district court shall have full and complete power, jurisdiction, and authority to hear, try, and determine all questions arising in said cause relating to the claim of the petitioner, the extent, locality, and boundaries of said claim, and all other matters connected therewith or concerning the same; and said district court shall also have power to make, prescribe, and enforce such rules and regulations as may be necessary and proper to carry this act into full and complete execution.

Who to be made defendants.

Minors.

Authority of district court.

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United States made a party by delivery of copy of petition and process thereon to, &c.

SEC. 3. *And be it further enacted*, That a copy of every petition which shall be filed under this act, and a copy of the writ or process thereto attached, shall be delivered to the district attorney of the United States for said eastern district of Missouri, by the United States marshal for said district, which said delivery shall make the United States a party to the cause specified in such petition, without any other or further proceedings, notice, service, writ or process whatever; and said district attorney shall make such defence therein for the United States as in his opinion the public interest may require; but no answer or other pleadings filed by said attorney in such cause shall be required to be verified by oath or affirmation.

Defence, answer, pleadings.

Surveys, &c., to be made of lands sought to be released, at expense of petitioner.

SEC. 4. *And be it further enacted*, That for the purpose of more completely describing, identifying, and defining the boundaries, situation, and locality of any lot, tract, piece or parcel of land sought to be released, granted, relinquished and conveyed under this act, the said district court shall have power to cause an accurate survey, plat, and description thereof to be made by a competent person at the expense of the petitioner; and all of the expenses and costs of all suits and other proceedings under this act shall be paid by the respective petitioners, and the payment thereof may be enforced by execution or otherwise.

Costs of suits

Effect of decree.

SEC. 5. *And be it further enacted*, That every decree which shall be rendered under this act in favor of any petitioner shall be deemed a full, sufficient, and complete release, grant, relinquishment, and conveyance, in fee simple and in full property, to such petitioner, and to his or her heirs and assigns, forever, of all the right, title, and interest of the United States in and to the land described in such decree.

Transcript of final decree, &c., to be sent to commissioner of general land office.

SEC. 6. *And be it further enacted*, That whenever said district court or the circuit court shall render a final decree under this act, concerning any lot, tract, piece or parcel of land, such court shall cause to be transmitted to the commissioner of the general land office a full, true, and complete transcript of said final decree, and of the description or survey of said land.

Appeal to circuit court within one year.

SEC. 7. *And be it further enacted*, That any party to any final decree rendered by said district court in any suit or cause commenced under this act may appeal from said final decree of said district court to the circuit court of the United States for the district of Missouri, at any time within one year from the time of the rendition of said final decree, and not after that time; and on the granting of said appeal, a full, true, and complete transcript of said final decree, and of the petition, and all other pleadings and proceedings in said cause, and of the evidence therein, shall be transmitted to said circuit court. And when said appeal shall have been completed, said circuit court shall have full and complete jurisdiction over said cause, and may allow the pleadings to be amended if necessary, and may admit new parties if necessary, and shall hear, try, and determine said cause de novo, without regarding any error, defect, or other imperfection in the proceedings of said district court, and shall render such final decree therein as the facts and the justice of said cause may require.

Transcript of petition, &c.

Jurisdiction of circuit court.
Amendments.
New parties.

Decree.

Question may be certified to supreme court of the United States when, &c.

SEC. 8. *And be it further enacted*, That in case of any difference of opinion between the judges of the said circuit court upon any question arising in any such cause, the same may be certified to the supreme court of the United States, for its decision thereon as in other cases.

Title of the United States in wharves, streets, &c., in St. Louis, conveyed to the city.

SEC. 9. *And be it further enacted*, That all of the right, title, and interest of the United States in and to all of the wharves, streets, lanes, avenues, alleys, and other public thoroughfares which are situate, lying, and being within the corporate limits of the city of St. Louis, in the State of Missouri, shall be, and the same are hereby, granted, relinquished, and conveyed by the United States, in fee simple and in full property, to the said city of St. Louis, and to the successors and assigns forever of said city: *Provided, however*, That no individual rights or titles acquired previously hereto shall be in any manner impaired or prejudiced hereby.

Proviso.

APPROVED, June 12, 1866.