July 1, 1870.

CHAP. CCII. — *An Act to confirm the Title of the Heirs of Gervacio Nolan, deceased, to certain Lands in the Territory of Colorado.*

Grant of certain lands in New Mexico to Gervacio Nolan confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant to Gervacio Nolan, late of the valley of Taos, deceased, approved by the surveyor-general of New Mexico October eighth, eighteen hundred and sixty-one, and designated as number forty-eight in the transcript of private land claims in New Mexico, transmitted to Congress by the Secretary of the Interior on the twelfth day of May, eighteen hundred and sixty-two, but being now within the limits of the Territory of Colorado, is hereby confirmed to the extent of eleven square leagues.

Exterior lines how to be adjusted.

SEC. 2. *And be it further enacted*, That the exterior lines of said claim of eleven leagues as confirmed by this act shall be adjusted according to lines of the public surveys as near as practicable, but in a compact form, and the claims of all actual settlers falling within the limits of the located claim above referred to shall be adjusted to the extent which will embrace their several settlements upon their several claims being established either as pre-emptions or homesteads according to law, and for the aggregate of the *arears* [areas] of claims so established under the pre-emption or homestead acts, the heirs of said Nolan, or their legal representatives, shall be entitled to locate a like quantity of public lands, not mineral, according to the lines of the public surveys, and not to exceed one hundred and sixty acres in one section: *Provided*, That such location shall be made within the bounds of the original grant by the order of Cornelio Vigil to Gervacio Nolan.

Claims of actual settlers. Location in lieu of claims established under the homestead, &c. acts.

Lines of public surveys to be run.

SEC. 3. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office to cause the lines of the public surveys to be run in the regions where a proper location would place the said Nolan claim, and the expense of the same shall be paid out of any moneys in the treasury not otherwise appropriated; but before the confirmation provided for by this act shall become legally effective, the heirs of the said Gervacio Nolan, or their legal representatives, shall pay the cost of so much of said surveys as inures to their benefit respectively, and that all actual settlers whose claims may be adjusted as valid shall have a right to enter their improvements by a strict compliance with the pre-emption or homestead laws.

Heirs of Nolan to pay the actual settlers' cost.

Surveyor-general to furnish plats to claimants, when, &c.

SEC. 4. *And be it further enacted*, That upon the adjustment of said claim of the heirs of Gervacio Nolan, according to the provisions of this act, it shall be the duty of the surveyor-general of the district to furnish properly approved plats to said claimants, or their legal representatives, which shall be evidence of title, the same to be done according to such instructions as may be given by the commissioner of the general land office: *Provided, however*, That when said lands are so confirmed, surveyed, and patented, they shall be held and taken to be in full satisfaction of all further claims or demands against the United States.

Proviso.

Claimants to select, &c. claims in three months after notice of survey, and furnish description of location.

SEC. 5. *And be it further enacted*, That immediately upon running the lines provided for in the second section of this act the surveyor-general of the district shall notify the said heirs of Gervacio Nolan, or their legal representatives, of the fact of such survey being made, and said claimants shall, within three months after notice of such survey, select and locate their said claims according to the provisions of this act, and shall, within said time furnish the surveyor-general with a description of such location, specifying the lines of the same, and the party failing to make such selection and location in such manner and within such time shall be deemed and held to have abandoned their claim, and their rights and equities under this act shall cease and terminate.

APPROVED, July 1, 1870.

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