

NUMBER X.

Jan'y 27, 1870.

A Joint Resolution asking for a modification of the Homestead Law, so called.

Whereas, The congress of the United States by an act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twentieth, one thousand eight hundred and sixty-two, did grant the right of making one homestead entry upon any of the vacant government lands, and upon certain conditions specified therein;

Preamble.

And whereas, By an act amendatory thereof, approved March twenty-first, one thousand eight hundred and sixty-four, the provisions of said act were so modified as to relieve persons enlisted in the military and naval service of the United States of the performance of certain preliminary acts, such as attendance at the local land offices, and permitted them to make their selections and complete their entries through agents designated for that purpose;

And whereas, Certain persons pretending to be the agents of the government and to be fully advised of the proper construction to be placed upon such amendatory act, caused numbers of such enlisted persons to believe that they were excused of the necessity of occupancy and cultivation of the premises entered by them during the terms of their enlistment and for six months thereafter;

And whereas, The land department at Washington have since decided that such enlisted persons could not hold the lands so entered by them, unless the families of such persons or some member thereof, continued in possession and cultivation thereof to the end of their enlistment;

And whereas, A large number of this class of entries have been made in this state, and prior to the promulgation of such decision, and upon false assurances as to their rights in the premises;

And whereas, The valuable right of homestead has been exhausted in such persons, and the fees and commissions

paid by them lost under a misapprehension of their duties under the law, and they are without remedy as the homestead act is now construed; therefore,

Be it Resolved by the Legislature of the State of Minnesota:

That our senators and representatives in congress be respectfully requested to procure, if possible, such a modification of the homestead law as will relieve such enlisted persons of a forfeiture of their homestead rights, and to permit them to make other entries or else reinstate in the lands covered by their original entries where the same can be done without prejudice to the rights of other parties, and upon such terms and conditions as may be regarded equitable in the premises.

Asking for a modification of the homestead law.

Approved January 27, 1870.

STATE OF MINNESOTA,
OFFICE OF THE SECRETARY OF STATE, }
Saint Paul, June 1, 1870.

I hereby certify that the foregoing laws and joint resolutions have been carefully compared with the originals on file in this office, and that the same are true and correct copies thereof. Certificate.

HANS MATTSON, Secretary of State.