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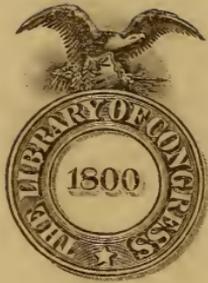
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LAWS OF STATES

CEDING JURISDICTION OVER AND RELINQUISHING TITLE TO

LIGHT-HOUSE SITES.



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LIGHT-HOUSE ESTABLISHMENT, U. S.

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LAWS OF STATES

CEDING

JURISDICTION OVER AND RELINQUISHING TITLE

TO

LIGHT-HOUSE SITES.



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STATE GENERAL LAWS CEDING JURISDICTION OVER, AND RELINQUISHING TITLE TO, LIGHT-HOUSE SITES.

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EXTRACTS FROM THE LAWS OF THE STATE OF MAINE,

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

AN ACT authorizing the United State of America to take and hold lands within this State for the purpose of erecting light-houses thereon.

SECTION 1. *Be it enacted by the senate and house of representatives in legislature assembled,* That whenever the Congress of the United States shall have made, or shall hereafter make, an appropriation for building a light-house, or light-houses, in the State of Maine, and the agent of the United States and the owner or owners of any tract or tracts of land which shall be found necessary and convenient for the said light-houses cannot agree in a sale and purchase thereof, or whenever it is not known to the agent of the United States who is the owner of the land required, or whenever such land is owned by minors, or by several persons in common and undivided, in all such cases the agent of the United States may apply to the supreme court or the court of common pleas, holden within the county where such land lies, who may and shall appoint a committee of three disinterested freeholders to determine a just equivalent to the owner or owners of such lands, which committee shall be sworn before some justice of the peace for the faithful discharge of their trust, and shall forthwith proceed to view, set off, and appraise such tract or tracts of land, and shall make return of their doings to the same court, and which award and return being accepted by the court, and the amount of such appraisement being paid to the owner or

owners of the land appraised and set off by such committee, or if the owner or owners shall not appear, or shall refuse to receive the same, to such person or corporation, for the use of the owner or owners, as the same court shall order, the tract or tracts of land so appraised and set off shall be vested in the United States, and shall and may be taken, possessed, and appropriated for the purposes aforesaid: *Provided*, That all charges of such application and appraisement shall be paid by the United States: *And provided*, That the land which may be set off for the purposes of this act shall not exceed the quantity of ten acres, in the whole, for each light-house, including and reckoning therewith any land purchased for the same: *Provided*, That nothing herein contained shall authorize the United States to take and hold the dwelling-house of any person without his or her consent: *Provided, also*, That the justices of said supreme judicial court and court of common pleas shall not proceed to appoint said committee until all persons known to be interested shall have been personally notified of the pendency of any such petition fourteen days at least before the action of said courts thereon. And whenever the person or persons interested in any such application are unknown to the said agent of the United States, public notice shall be given by causing an attested copy of said petition to be published in some public newspaper, printed in the county where the land which the United States wish to possess and occupy as aforesaid may be situated, if any there be, otherwise in the State paper, three weeks successively, the last publication to be at least thirty days prior to the sitting of said court; and if any person or persons interested as aforesaid shall appear and object to the appointment of such committee, and insist upon having his or their damages assessed and appraised by a jury, then the said courts shall cause a jury to be summoned for that purpose, agreeably to the provisions of the first section of an act entitled "An act directing the method of laying out and making provision for the repair and amendment of highways," passed March the second,

in the year of our Lord one thousand eight hundred and twenty-one. And any committee so appointed, and any jury so summoned, shall give reasonable notice to all persons known to be interested of the time when they will view and examine the premises described in any such application, for the purpose of estimating and appraising the value thereof and giving them an opportunity to be heard in relation to the damages they may sustain by reason of the same premises being taken and appropriated to the use aforesaid.

SEC. 2. *Be it further enacted,* That this act shall take effect from and after the passing of the same.

[This act passed January 29, 1835.]

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REVISED STATUTES OF MAINE.

CHAPTER II.

*Sovereignty of the State.—Lands ceded to the United States.—Coast Survey.—Seat of Government.*

SECTION 1. The jurisdiction and sovereignty of the State extend to all places within the boundaries thereof, subject only to such rights of concurrent jurisdiction as are granted over any places ceded by the State to the United States.

SEC. 2. Civil, criminal, and military processes, lawfully issued by an officer of the State, may be executed in places ceded to the United States, over which a concurrent jurisdiction has been reserved for such purposes.

SEC. 3. The governor, with consent of the council, may, reserving such jurisdiction, cede to the United States for purposes named in its Constitution any territory not exceeding ten acres, and not including any public or private burying-ground, dwelling-house, or meeting-house, without consent of the owner, or any highway.

SEC. 4. If compensation for such land is not agreed upon, the estate may be taken for the intended purpose by payment of a fair compensation, to be ascertained and deter-

mined in the same manner and by proceedings similar to those provided for ascertaining the damages in locating highways in chapter eighteen.

(In the index this act is referred to as "Cession of lands to the United States for light-houses, forts, and arsenals, and compensation therefor.")

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EXTRACTS FROM THE LAWS OF THE STATE OF MASSACHUSETTS.

COMMONWEALTH OF MASSACHUSETTS.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

AN ACT to provide for the acquisition of title by the United States of lands for light-house purposes, and to cede jurisdiction thereof.

*Be it enacted by the senate and house of representatives in general court assembled, and by the authority of the same, as follows :*

SECTION 1. Jurisdiction is hereby ceded to the United States over any tracts of land within this commonwealth necessary for the purpose of erecting light-houses, beacon-lights, range-lights, or light-keepers' dwellings, when the United States shall have acquired title thereto; and if the agent or agents of the United States and the person or persons owning or interested in any such tract cannot agree upon the purchase or the price to be paid for their interest therein, the said agent or agents may apply by petition to the superior court for the county in which the tract lies, describing said tract and praying to have a valuation thereof made by a jury; and the court, after due notice to the owner or owners of such tract and to all parties interested therein, to be given in such manner as the court may order, is hereby empowered and required to hear the parties and finally determine the value of said tract, by a jury; and if any person or persons other than the owner or owners of such tract shall appear and claim any interest in said estate, the value thereof to the owner of the fee and to all persons

interested in said estate shall be ascertained and apportioned in the same manner as is provided for the assessment of damages in section fifty-five of chapter forty-three of the general statutes; and the value aforesaid having been ascertained by the verdict of said jury, and said verdict accepted and recorded by said court, and the amount thereof paid or tendered within one month after final judgment to said owner or owners or persons interested, together with their reasonable costs and expenses, to be taxed by said court, or in case of their neglect or refusal to receive the same, the amount of said verdict, costs, and expenses having been paid into the treasury of this commonwealth for their use and subject to their order, the fee of said tract shall be vested in the United States: *Provided, always,* That this commonwealth shall retain concurrent jurisdiction with the United States in and over the premises aforesaid, so far as that all civil and criminal processes issuing under the authority of this commonwealth may be executed on the premises so purchased, and in any buildings erected or to be erected thereon, in the same way and manner as if this act had not been passed; and exclusive jurisdiction shall revert to and re-vest in this Commonwealth whenever the said premises shall cease to be used for the purposes hereinbefore declared: *And provided, also,* That a suitable plan of each tract purchased as aforesaid shall be filed in the office of the secretary of the commonwealth within one year after the title shall be acquired.

SEC. 2. The trial by jury provided in the first section of this act may be waived, in writing, by the parties or their counsel, filed with the clerk at any time before trial, and all matters shall be heard and determined by the court, and judgment entered as in case of a verdict by a jury.

SEC. 3. This act shall take effect upon its passage.

May 4, 1871. Approved.

WILLIAM CLAFLIN.

## EXTRACTS FROM THE LAWS OF THE STATE OF RHODE ISLAND.

## CHAPTER 938.

AN ACT to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light-stations on the coasts and waters of this State.

*It is enacted by the general assembly as follows :*

SECTION 1. That whenever it shall be made to appear to the superior court of this State or to any judge thereof, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land, and the right of way thereto, within the limits of this State, for the erection of a light-house, beacon-light, range-light, or light-keeper's dwelling, and that the owner or owners of said land are unknown, non-residents, or minors, or from any other cause are incapable of making a perfect title to said lands, or in case the said owners, being residents and capable of conveying, shall, from disagreement in price, or any other cause whatever, refuse to convey said lands to the United States, it shall be the duty of the said court, or any judge thereof, to order notice of the said application to be published in some newspaper nearest to where said lands lie, also in one newspaper published in the cities of Providence and Newport, once in each week for the space of four months, which notice shall contain an accurate description of the said lands, together with the names of the owners, or supposed owners, and shall require all persons interested in said lands to come forward, on a day to be specified in said notice, and file their objections, if any they should have, to the proposed purchase; and at the time specified in said notice, it shall be the duty of the said court, or judge thereof, to impanel a jury, in the manner now provided by law, to assess the value of said lands at their fair market value, and all damages sustained by the owner of the lands so appropriated by reason of such appropriation, which amount, when so assessed, together with the entire costs of said proceedings, shall be paid into the

general treasury of the State; and thereupon the sheriff of the said county, upon the production of the certificate of the general treasurer that the said amount has been paid, shall execute to the United States and deliver to their authorized agent a deed of the said lands, reciting the proceedings in said cause, which said deed shall convey to the said United States a good and absolute title to the said lands against all persons whatsoever.

SEC. 2. That the money so paid into the general treasury shall there remain until ordered to be paid out by said court or either judge thereof.

SEC. 3. In all cases of publication of notice under this act, the court shall require the same proof as in cases of publication of notice under the civil practice act of the State.

Passed March 24, 1871.

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CHAPTER 939.

AN ACT giving the consent of the State of Rhode Island to the purchase by the United States of land within this State for public purposes.

*It is enacted by the general assembly as follows :*

SECTION 1. That the consent of the State of Rhode Island be, and the same is hereby, given to the purchase by the Government of the United States, or under the authority of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the purpose of erecting therein light-houses, beacon-lights, range-lights, and light-keepers' dwellings and other needful public buildings connected therewith; and all deeds, conveyances of title papers for the same, shall be recorded, as in other cases, upon the land records of the town in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal divisions, of any public land belonging to the United States, which may be set apart by the General Government for any or either of the purposes

before mentioned, by an order, patent, or other official document or papers so describing such land. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States and with the acts of Congress in such cases made and provided.

SEC. 2. The lots, parcels, or tracts of land so selected, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Rhode Island.

SEC. 3. All civil and criminal process issued under the authority of this State or any officer thereof may be executed on said lands and in the buildings that may be erected thereon in the same manner as if jurisdiction had not been ceded as aforesaid.

Passed March 24, 1871.

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**EXTRACTS FROM THE LAWS OF THE STATE OF NORTH CAROLINA.**

AN ACT to authorize and empower the Government of the United States to purchase and hold lands in North Carolina for the purpose of erecting light-houses thereon.

SECTION 1. *The general assembly of North Carolina do enact,* That it shall be lawful for the Government of the United States, or any person under the authority of the same, to purchase any tract, piece, or parcel of land from any individual or individuals, bodies politic or corporate, within the boundaries or limits of this State, and hold the same for the purpose of erecting thereon light-houses; that no one tract, piece, or parcel shall contain more than twenty acres.

SEC. 2. That all deeds, conveyances, or other title papers for the same shall be recorded as in other cases in the office of the register of deeds in which the land so conveyed may lie, in the same manner and under the same regulations as other deeds and conveyances are now recorded, and in like manner may be recorded a sufficient description by metes

and bounds, courses and distances, of any tract or tracts or legal division of any public land belonging to the United States which may be set apart by the General Government for the purpose before mentioned, by an order patent or other official document or papers so describing such land.

SEC. 3. That the lots, parcels, or tracts of land so selected, together with the tenements and appurtenances for the purpose before mentioned, shall be exempt from taxation by the State of North Carolina.

SEC. 4. That nothing herein contained shall be so construed as to debar or hinder any of the officers of this State from executing any process or levying any execution within the limits of any tract or parcel of land so held and purchased by the Government of the United States in the same manner as if this act had never been passed.

SEC. 5. That the consent herein and hereby given is in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States and with the acts of Congress in such cases made and provided, and in consideration of the United States building light-houses on the tracts or parcels of land so purchased, or that may be purchased: *And provided also*, That the title to said land so conveyed to the United States shall escheat to the State unless the construction of a light-house be completed thereon within ten years from the date of the conveyance from said grantor.

SEC. 6. That this act shall be in force from and after its ratification.

In general assembly read three times and ratified, this 25th day of January, A. D. 1871.

**EXTRACTS FROM THE LAWS OF THE STATE OF SOUTH CAROLINA.**

AN ACT ceding the jurisdiction of the State of South Carolina to the United States of America over such lands as may be acquired for public purposes by the said United States of America.

SECTION 1. *Be it enacted by the senate and house of representatives of the State of South Carolina now met and sitting in general assembly, and by the authority of the same,* That the jurisdiction of the State of South Carolina is hereby ceded to the United States of America over so much land as shall be necessary for the public purposes of the United States: *Provided,* That the jurisdiction hereby ceded shall not vest until the United States of America shall have acquired the title to the lands by grant or deed from the owner or owners thereof, and the evidences thereof shall have been recorded in the office, where, by law, the title to such land is recorded; and the United States of America are to retain such jurisdiction so long as such lands shall be used for the purposes in this act mentioned, and no longer; and such jurisdiction is granted upon the express condition that the State of South Carolina shall retain a concurrent jurisdiction with the United States in and over the said lands, so far as that civil process in all cases not affecting the real or personal property of the United States, and such criminal or other process as shall issue under the authority of the State of South Carolina against any person or persons charged with crimes or misdemeanors committed within or without the limits of the said lands, may be executed therein in the same way and manner as if no jurisdiction had been hereby ceded.

SEC. 2. That all the lands and tenements which may be granted as aforesaid to the United States shall be and continue, so long as the same shall be used for the purposes in this act mentioned, exonerated and discharged from all taxes, assessments, and other charges which may be imposed under the authority of the State of South Carolina.

Approved February 11, 1871.

## EXTRACTS FROM THE LAWS OF THE STATE OF FLORIDA.

AN ACT to provide for the relinquishment to the United States, in certain cases, title to and jurisdiction over lands for sites of light-houses, and for other purposes, on the coast and waters of this State.

Whereas the Congress of the United States has made appropriations for the construction of certain light-houses not yet built, on the coast and waters of this State, and the wants of commerce may hereafter call for the construction of others; and whereas the laws of the United States require that the said United States shall hold exclusive title to and jurisdiction over all lands to be occupied as sites of public works before any such work can be begun: Therefore,

SECTION 1. *Be it enacted by the senate and house of representatives of the State of Florida in general assembly convened,* That whenever a tract of land, containing not more than four acres, shall be selected by an authorized officer or agent of the United States for the bona fide purpose of erecting thereon a light-house, beacon, marine hospital, or other public work, and the title to the said land shall be held by the State, then, on application by the said officer or agent to the governor of this State, the said executive is hereby authorized to transfer to the United States the title to and jurisdiction over said land; but if the title to the land wanted shall not be held by the State, then, on application of the United States through their officer or agent, after acquiring title thereto, the said executive is hereby authorized to transfer to the United States exclusive jurisdiction over the same: *Provided, always,* That the said transfer of title and jurisdiction is to be granted and made as aforesaid upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the land or lands so to be transferred, and every portion thereof, so far that all process, civil or criminal, issuing under authority of this State, or any of the courts or judicial officers thereof, may be executed by the proper

officer thereof, upon any person or persons amenable to the same, within the limits and extent of the land or lands so ceded, in like manner and to like effect as if this act had never been passed, saving, however, to the United States security to their property within said limits or extent.

SEC. 2. *Be it further enacted*, That the said lands shall hereafter remain the property of the United States, and be exempt from taxation as long as they shall be needed for such purposes.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

Approved January 6, 1855.

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AN ACT supplementary to an act entitled an act to provide for the relinquishment to the United States, in certain cases, of title to and jurisdiction over lands for sites of light-houses, and for other purposes, on the coast and waters of this State.

SECTION 1. *Be it enacted by the senate and house of representatives of the State of Florida in general assembly convened*, That whenever it shall be made to appear to either of the circuit courts of this State, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land within the limits of this State for the erection of a light-house, beacon-light, or range-lights, and that the owners of said lands are unknown, non-residents, or minors, or from any other cause are unable to make a perfect title to said lands, it shall and may be lawful for the judge of the circuit court in which the lands so designated to be purchased shall be situated, to order a notice of the said application to be published in some newspaper nearest to where the said lands lie for the space of three months, which notice shall contain an accurate description of the said lands, together with the names of the supposed owners, and shall require all persons interested in the said lands to come forward and file their objections, if any they should have, to the proposed purchase; and at the expiration of the period provided

in the said notice it shall and may be lawful for the said circuit court to impanel a jury, in the manner now provided by law, to assess the value of said lands, which amount, when so assessed, together with the entire cost of said proceedings, shall be paid into the registry of the court; and thereupon the sheriff of the said court shall execute to the United States a deed of the said lands, reciting the proceedings in the said cause, which said deed shall convey to the said United States a good and absolute title to the said lands against all persons whatever.

SEC. 2. *Be it further enacted*, That the money so paid into the registry of said court shall there remain until paid out by the order of said court to such person or persons as may, by sufficient evidence, entitle themselves to receive the whole or any part thereof.

Approved December 23, 1856.

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EXTRACTS FROM THE LAWS OF THE STATE OF ALABAMA.

REVISED CODE OF ALABAMA.

PART I, TITLE 2, (CHAP. I, Art. 3, pp. 97 and 98.)

SEC. 22. *The United States may acquire lands.*

The United States may acquire and hold lands within the limits of this State, as sites for forts, magazines, arsenals, dock-yards; and other needful buildings, or either of them, as contemplated and provided by the Constitution of the United States, which purchase may be by contract with the owners or as hereinafter provided for.

SEC. 23. *Value of the land, how determined.*

If the agent of the United States and the owner of such lands cannot agree as to the sale and purchase thereof, the chancery court of the district in which such lands lie may, on the application of such agent, ascertain the value of such lands, and decree a conveyance thereof as follows:

1. Reasonable notice of such application must be given to the owners of such lands by personal service.

2. The value of such land must be ascertained by a jury summoned for that purpose under the direction of the chancellor, or by any three persons agreed on by the parties, which jury or persons must be first sworn faithfully and impartially to determine such value.

3. Upon ascertaining the value of such lands, upon evidence or inspection of the same, by such persons appointed, or by the jury under the direction of the chancellor, he must, on the payment of such value to the owner, or into court for his use, and the payment of all costs and expenses of the proceedings, direct a conveyance of such lands, by a certain time specified in such decree, to the United States, for such purposes, and on failure to execute such conveyance within the time specified in such decree, the decree operates as a conveyance.

SEC. 24. *The governor to cede jurisdiction. Restrictions.*

The governor, upon application made to him in writing on behalf of the United States for that purpose, accompanied by the proper evidence of the purchase, describing the lands sought to be ceded, is authorized on the part of the State to cede to the United States jurisdiction over such lands, to hold, use, and occupy the same for the purposes of the cession, and none other. The jurisdiction thus ceded does not prevent the execution on such lands of any process, civil or criminal, under the authority of this State, nor prevent the laws of this State from operating over such land; saving to the United States security to their property within the limits of the jurisdiction ceded, and exemption of the same, and of such lands, from taxation under the authority of this State during the jurisdiction ceded.

EXTRACTS FROM THE LAWS OF THE STATE OF MISSISSIPPI.

AN ACT providing for cession to the United States, in certain cases, of title and jurisdiction over lands for light-house and other purposes.

Whereas the Congress of the United States has appropriated funds for the construction of a light-house on St. Joseph's Island, and for a beacon on the east end of Horn Island, Mississippi, and the wants of commerce may hereafter require the construction of other aids to navigation ; and whereas the laws of the United States require that the said United States shall hold exclusive title and jurisdiction over all sites of public works before such works can be begun : Therefore,

SECTION 1. *Be it enacted by the legislature of the State of Mississippi,* That title and jurisdiction over the small island called St. Joseph's Island, near the east end of the Rigolets, be hereby ceded to the United States for the purpose of erecting and maintaining thereon a light-house ; and that the east point of Horn Island, Mississippi, comprising all that portion east of the meridian drawn at three hundred yards westerly from the east end of the island, be transferred to the United States in like manner and for similar purposes.

SEC. 2. *Be it further enacted,* That whenever hereafter land belonging to the State, not exceeding in area twenty acres, shall be wanted by the United States for the purpose of locating thereon aids to navigation, or other public works, then on application of an authorized agent of the General Government therefor, the governor of this State is hereby authorized to convey to the United States the title to, and jurisdiction over, the said land ; but if the title to the land wanted shall not be held by the State, then, on application of the United States after acquiring title thereto, the executive of this State is hereby authorized to cede to the said United States exclusive jurisdiction over the same: *Provided,* That this section shall apply only to land immediately upon the Gulf of Mexico, and only for works for the protection and improvement of navigation.

SEC. 3. *Be it further enacted*, That all the lands mentioned in this act, after cession, shall remain the property of the United States and be exempt from taxation so long as they may be wanted by the General Government for the said purposes.

Approved January 30, 1856.

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#### EXTRACTS FROM THE LAWS OF THE STATE OF LOUISIANA.

AN ACT giving the consent of the legislature of the State of Louisiana to the purchase by the United States of land within this State for public purposes.

SECTION 1. *Be it enacted by the senate and house of representatives of the State of Louisiana in general assembly convened*, That the consent of the general assembly of the State of Louisiana be, and the same is hereby, given to the purchase by the Government of the United States, or under the authority of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the purpose of erecting thereon light-houses and other needful public buildings whatever, and all deeds, conveyances of title-papers for the same, shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal divisions, of any public land belonging to the United States which may be set apart by the General Government for any or either of the purposes before mentioned, by an order, patent, or other official document or papers so describing such lands. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

SEC. 2. *Be it further enacted*, &c. The lots, parcels, or

tracts of land so selected, together with tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Louisiana.

Approved February 25, 1871.

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AN ACT to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light-stations on the coast and waters of this State.

SECTION I. *Be it enacted by the senate and house of representatives of the State of Louisiana in general assembly convened,* That whenever it shall be made to appear to any one of the district courts of the State, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land, and the right of way thereto, within the limits of this State, for the erection of a light-house, beacon-light, range-light, or light-keeper's dwelling, and that the owner or owners of said land are unknown, non-residents, or minors, or from any other cause are incapable of making a perfect title to said lands; or in case the said owners, being residents and capable of conveying, shall, from disagreement in price, or any other cause whatever, refuse to convey said lands to the United States, it shall be the duty of the said judge of the district court in which the lands so designated to be purchased are situated, to order notice of said application to be published in some newspaper nearest to where said lands lie, also one newspaper published in the city of New Orleans, once in each week, for a space of four months; which notice shall contain an accurate description of said lands, together with the name of the owners, or supposed owners, and shall require all persons interested in the said lands to come forward, on a day to be specified in said notice, and file their objections, if any they should have, to the proposed purchase; and at the time specified in said notice it shall be the duty of the said district court to impanel a jury in the manner now provided by law, to assess the

value of said lands at their fair market value, and all damages sustained by the owner of the lands so appropriated by reason of said appropriation, which amount, when so assessed, together with the entire costs of said proceedings, shall be paid into the parish treasury of said parish in which said proceedings are had; and thereupon the sheriff of the said parish, upon the production of the certificate of the treasurer of said parish that the said amount has been paid, shall execute to the United States, and deliver to their authorized agent, a deed of the said lands, reciting the proceedings in said cause; which said deed shall convey to the said United States a good and absolute title to the said lands against all persons whatsoever.

SEC. II. *Be it further enacted, &c.*, That the money so paid into the parish treasury shall there remain until ordered to be paid out by a court of competent jurisdiction.

SEC. III. *Be it further enacted, &c.* It shall be the duty of the judge directing the money to be paid to a parish treasurer, in accordance with the proceedings of this act, to require of said treasurer a bond in double the amount of money ordered to be paid by him, with two or more sufficient sureties, to be approved by said judge. Said bonds shall be payable to the people of the State of Louisiana, for the use and benefit of such persons, severally, as are entitled to said money; said bonds shall be executed, and approved, and filed with the clerk of said court before receiving said money.

SEC. IV. *Be it further enacted, &c.* In all cases of publication of notices under this act, the court shall require the same proof as in cases of publication of notice under the civil practice act of this State.

Approved February 25, 1871.

## EXTRACTS FROM THE LAWS OF THE STATE OF TEXAS.

AN ACT for ceding to the United States jurisdiction of certain lands in this State for public purposes.

SECTION 1. *Be it enacted by the legislature of the State of Texas,* That the United States be, and they are hereby, authorized and empowered to purchase, acquire, hold, own, occupy, and possess such land or lands within the limits of this State as they shall judge it expedient, and shall seek to occupy and hold as sites on which to erect and maintain light-houses, forts, garrisons, military stations, magazines, arsenals, dock-yards, and other needful buildings, or any of them, as contemplated and provided in the Constitution of the United States; said purchases to be effected either by contract with the owner or owners of said land or lands, or in the manner hereinafter provided.

SEC. 2. *Be it further enacted,* That if the executive officer, or other authorized agent, employed by the United States to make such purchase or purchases, and the owner or owners of the land or lands contemplated to be purchased as aforesaid, cannot contract or agree for the sale and purchase thereof, it shall be lawful for such officer or other agent to apply in writing to the judge of the district court of the county in which such land or lands, or the greater portion thereof, may be situated, to estimate the value of such land or lands in the manner hereinafter, and to order a conveyance of the same to the United States, for the purposes aforesaid: Whereupon it shall be the duty of said judge, and he is hereby authorized and empowered, after reasonable notice given to said owner or owners, their legal representatives or guardians, to hear and finally determine the value of the land or lands in question, by a competent jury under oath, to be summoned by the sheriff or other proper officer of said court for that purpose, or by a committee of three persons, such as shall be agreed upon and appointed by the parties aforesaid. Such committee, if agreed on and appointed as aforesaid, to be duly sworn faithfully and im-

partially to value the land or lands last aforesaid, and the value thereof being thus ascertained to the satisfaction of said judge, after survey thereof duly made under the direction of himself, or by consent of said parties, and after such other proceedings in the premises as he shall deem right and proper, he shall order and decree the same to be conveyed in due form to the United States, to be held, owned, and possessed by them for the purposes aforesaid and none other: *Provided*, That the amount of such valuation, with the reasonable costs of such owner or owners attending such proceedings, shall be paid to him, her, or them, or into said court for his, her, or their use, before execution or record of said conveyance: *And provided, moreover*, That if it shall appear to said judge, upon objections made by said owner, or owners, their representatives or guardians, that the quantity of any given tract, parcel, or extent of land sought to be purchased as aforesaid, is greater than is reasonable, he may, in his discretion, refer the matter of such objection to the governor of this State for his determination.

SEC. 3. *Be it further enacted*. That if the executive officer, or other authorized agent employed by the United States to make such purchase as contemplated in this act, shall be unable to ascertain who the real owner or owners of such lands desired to be purchased may be, or if it is uncertain in whom the title to such land may be, it shall be lawful for such officer or other agent to apply to the judge of the district court, as contemplated in this act, giving a full description of the land; and after eight weeks' notice of such application shall have been given by publication in some newspaper printed and published in the county where the land is situated, or, in case there is not a newspaper published in the county, then in the newspaper published nearest to said county, such judge shall call a jury to assess the value of said land, and shall proceed thereon as contemplated in the second section of this act; and the amount of the value of land so ascertained shall be paid into the treasury of this State, there to be subject to the order of the owner or own-

ers when known ; and the clerk of the court shall make a conveyance of the land under the orders of the court, which conveyance shall be as valid and binding as if the same had been made by the real owner of the land.

SEC. 4. *Be it further enacted*, That whenever the United States shall contract for, purchase, or acquire any land or lands within the limits of this State for the purposes aforesaid, in either of the modes above mentioned and provided, and shall desire to acquire constitutional jurisdiction over such land or lands for such purposes, it shall and may be lawful for the governor of this State, upon application made to him in writing on behalf of the United States for that purpose, accompanied by the proper evidence of said purchase, contract, or acquisition of record describing the land or lands sought to be ceded, by convenient metes and bounds, in the name and on behalf of this State, to cede to the United States exclusive jurisdiction over the land or lands so purchased or acquired, and sought to be ceded, the United States to hold, use, occupy, own, possess and exercise said jurisdiction over for the purposes aforesaid : *Provided, always*, The consent aforesaid is hereby given, and the cession aforesaid is to be granted and made as aforesaid, upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the land or lands so to be ceded, and every portion thereof, so far that all process, civil or criminal, issuing under the authority of this State, or any of the courts or judicial officers thereof, may be executed by the proper officers thereof upon any person or persons amenable to the same within the limits and extents of the land or lands so ceded, in like manner and to like effect as if this act had never been passed ; saving, however, to the United States security to their properties, within said limits and extent, an exemption of the same and of said land or lands from any taxation under the authority of this State whilst the same shall continue to be owned, held, used and occupied by the

United States for the purposes above expressed and intended, and not otherwise.

SEC. 5. *Be it further enacted*, That this act be in force and take effect from and after its passage.

Approved December 19, 1849.

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AN ACT supplemental to an act for ceding to the United States jurisdiction of certain lands in this State for public purposes, approved December 19, 1849.

SECTION 1. *Be it enacted by the legislature of the State of Texas*, That in all cases where the State of Texas may be the owner of the land which the United States may select, and wish to acquire and occupy for any of the purposes specified in the first section of the act to which this is supplemental, it shall be lawful for the governor of this State to contract and agree for the sale thereof, and upon the payment thereof by the United States of the purchase money into the treasury of this State, it shall be the duty of the Commissioner of the General Land Office, upon the order of the governor, to issue a patent to the United States in like manner as other patents are issued.

SEC. 2. That whenever the United States shall become the purchaser of any land in the manner pointed out in the preceding section, and shall desire to acquire constitutional jurisdiction over the same for any of the purposes specified in the first section of the said act to which this is supplemental, it shall be lawful for the governor of this State to cede said jurisdiction to the United States in the same manner and under the same restrictions as by the fourth section of said act he is authorized to make such cession on lands acquired by the United States in the manner therein authorized.

SEC. 3. This act shall take effect from and after its passage.

Approved February 13, 1854.

AN ACT giving the consent of the legislature of the State of Texas to the purchase by the United States of land within this State for public purposes.

SECTION 1. *Be it enacted by the legislature of the State of Texas,* That the consent of the legislature of the State of Texas be, and the same is hereby, given to the purchase by the Government of the United States, or under the authority of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the purpose of erecting thereon light-houses and other needful public buildings whatever; and all deeds, conveyances of title papers for the same, shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal divisions of any public land belonging to the United States, which may be set apart by the General Government for any or either of the purposes before mentioned, by an order, patent, or other official document or papers so describing such land. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

SEC. 2. The lots, parcels, or tracts of land so selected, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Texas.

SEC. 3. That this act take effect and be in force from and after its passage.

Approved April 4, 1871.

## EXTRACTS FROM THE LAWS OF THE STATE OF VERMONT.

AN ACT in relation to light-houses, lights, and buoys to be erected by the United States in the waters on the shores of Lake Champlain within this State.

*It is hereby enacted by the general assembly of the State of Vermont, as follows :*

SECTION 1. The exclusive jurisdiction over so much land adjoining to, or covered by, the waters of Lake Champlain, within this State, as may be reasonably required by the United States for the erection, support, and accommodation of light-houses, lights, and buoys, not exceeding five acres in any one piece or place, be, and is hereby, ceded to the United States of America: *Provided*, Said United States shall procure the right and title thereto in either of the modes hereinafter prescribed.

SEC. 2. So much land as may be reasonably necessary for either of the purposes aforesaid, not exceeding two acres in any one piece or place, which is now owned by this State, is hereby ceded to the United States of America for the purposes aforesaid: *Provided*, Said United States shall erect and keep up light-houses, lights or buoys thereon, for the improvement of the navigation of the waters of Lake Champlain. But if said United States shall at any time during the seasons of navigation omit to keep up and sustain a light-house, light, or buoy on any piece of land hereby ceded, for a period of six months after the same shall have been erected, then such piece of land on which such omission shall occur shall thereby revert to this State.

SEC. 3. Said United States may, for either of the purposes specified in the first section of this act, purchase of the owner or proprietor any parcel or parcels of land deemed necessary and suitable therefor, and in case said United States cannot purchase any piece or parcel of land selected for the erection of lights or light-houses, as herein before provided, or shall be unable to agree with the owner or proprietor thereof as to the price to be paid therefor, said

United States may apply to any two of the judges of the supreme court of this State, who shall appoint three disinterested commissioners to appraise and determine the price which said United States shall pay for such piece or parcel of land, and make report thereof to the supreme court then next to be holden in the county in which such parcel of land is situate; and if said court shall accept said report, and said United States shall pay to the clerk of said court the sums awarded by said commissioners and the costs of said commissioners of said court, then, in that event, said United States shall be deemed to be and shall be possessed of said land and of the title thereto in as full and ample a manner as if the same had been duly conveyed to said United States by the proper owner or owners thereof.

SEC. 4. All the land and privileges over which jurisdiction is hereby ceded, and the buildings and property which may be placed thereon by said United States, shall be exempt from taxation so long as the same shall be used for the said purposes hereinbefore mentioned.

SEC. 5. *Provided*, That this act shall in no manner take away or interfere with the jurisdiction of this State for the purpose of serving or executing any legal process.

SEC. 6. This act shall take effect from its passage.

Approved November 14, 1855.

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#### EXTRACTS FROM THE LAWS OF THE STATE OF OHIO.

SECTION 1. *Be it enacted by the general assembly of the State of Ohio*, That the consent of the legislature of the State of Ohio be, and the same is hereby, given to the purchase by the Government of the United States, or under the authority of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, at or near the towns or harbors of Conneaut, Ashtabula, Vermillion, Huron, Maumee, Outer Range, and Toledo, and in any other place within the limits of this State, for the pur-

pose of erecting thereon light-houses, range-lights, and needful buildings for the keepers thereof, and all deeds, conveyances of title papers for the same, shall be recorded as in other cases upon the land records of the county in which the lands so conveyed may lie. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

SEC. 2. The lots, parcels, or tracts of land so selected, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Ohio.

SEC. 3. This act shall take effect and be in force on and after its passage.

Passed May 1, 1871.

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#### EXTRACTS FROM THE LAWS OF THE STATE OF ILLINOIS.

AN ACT to cede jurisdiction over lands occupied by the United States for light-houses, custom-houses, and for other purposes.

SECTION 1. *Be it enacted by the people of the State of Illinois represented in the general assembly,* That exclusive jurisdiction and legislation is hereby granted and ceded to the United States of America over land situate in the southeast corner of block one hundred and nineteen, in the school section addition to the town of Chicago, being one hundred and twenty feet fronting on Monroe street, and running north one hundred and forty feet, the same width, and fronting one hundred and forty feet on a forty-foot street taken off from the west side of block one hundred and forty-two in the aforesaid school section, called Dearborn street, which tract of land has been selected by the United States as a site for a building or buildings to be occupied for a post office, custom-house, United States court-rooms, and steam-boat inspectors' office, and the right of taxation or assess-

ment of said tract is hereby relinquished to the United States.

SEC. 2. *Be it further enacted*, That in case the United States shall at any time desire to make a change in the location of the building or buildings received in the first section of this act, then and in that case the like jurisdiction and relinquishment from taxation and assessment as is provided for in the first section of this act shall be granted over any land not exceeding in area the land described in the first section of this act, upon the filing of a description of the same, with the design of such appropriation, by the United States district attorney, in the office of the recorder of the county of Cook.

SEC. 3. *Be it further enacted*, That the provisions of an act entitled "An act to cede jurisdiction over lands to be occupied as sites for light-houses within this State," approved January 11, 1849, shall apply to such lands or lots, not exceeding five acres in any one place, as may be selected, purchased, or otherwise obtained, to be occupied by the United States within this State for light-houses, beacon-lights, and temporary lights at or near Port Clinton, at or near Taylor Port, and at or near Waukegan.

SEC. 4. *Be it further enacted*, That so much of the street called Lake street, in the town of Port Clinton, as interferes with the erection of the light-house at that point on the ground already selected, is hereby vacated.

SEC. 5. *Be it further enacted*, That in case of failure of the United States to agree with the owner or owners of any such lands as the United States may deem necessary for light-houses within this State, it shall be lawful for the United States to apply for the condemnation of such land, not exceeding five acres in any one place, by petition to any judge of a court of record of this State, in or nearest to the county where the land may be situated, either in term time or vacation; notice of the time and place of such application having been first duly given by publication for thirty days prior to the day of such application in some newspaper

published in the county where the land lies, or by personal service upon the owner or owners of such land, at least twenty days prior to such application; and thereupon it shall be lawful for such judge to appoint three disinterested freeholders of the county where such land lies as commissioners, and having been first duly sworn to well and truly appraise the damages due the owner or owners of said land so proposed to be taken, shall report in writing such damages to the said judge, the amount of damages to be paid to the owner or owners of said land, which report, upon confirmation by said judge, shall be held final, and binding upon such owner or owners; and upon the amount of such damages being paid to the owner or owners of said land, the title of the said land shall vest in the United States, and exclusive jurisdiction and right of assessment and taxation is hereby ceded to the United States over any lands acquired by this method of condemnation, or by acquirement of the owner or owners thereof, and the right of taxation and assessment is hereby relinquished over any and all lands acquired in the manner prescribed in this section, and over the buildings or property of the United States situated thereon.

SEC. 6. *Be it further enacted*, That this act shall not be construed in such manner as to debar or hinder the process of any court or judge of this State from running within the boundaries of the lands so acquired by the United States, or to continue the authority of the United States over any part of such land for any longer time than the said lands shall be used for the purposes aforesaid.

Approved February 13, 1855.

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**EXTRACTS FROM THE LAWS OF THE STATE OF MICHIGAN.**

AN ACT to authorize the governor of the State of Michigan to seize and procure the condemnation of lands to be used by the United States for light-house purposes.

SECTION 1. *The people of the State of Michigan enact*, That the governor of the State of Michigan is hereby authorized

and empowered to seize and take possession of any land, not exceeding one hundred and sixty acres, within the said State, for the purpose of conveying the same to the United States, for the erection and maintenance of light-houses thereon.

SEC. 2. The governor shall appoint three commissioners, whose duty it shall be to enter upon and take possession of any land not exceeding one hundred and sixty acres in said State, in the name of said State, for the purpose of conveying the said land to the United States, for the erection and maintenance of light-houses thereon, and to cause the same to be surveyed, and a plat thereof to be made and filed in the office of the secretary of state.

SEC. 3. It shall be the duty of said commissioners to appraise the value of said land, and for that purpose they shall give notice to the claimants or owners of said land, or of any interest therein, of the time and place when and where said claimants or owners may appear before said commissioners to have their claims and interest adjusted, and the compensation to be paid by the State for such land fixed and determined.

SEC. 4. The notice required to be given to said claimants or owners shall be given personally to such claimants as can be found within the State, at least twenty days before the meeting of said commissioners, informing them of the time and place of meeting of said commissioners and the object thereof; and in case any of the said claimants or owners cannot be found, after using due diligence for that purpose, the commissioners shall cause such notice to be published for four successive weeks in one paper published at Detroit, and one paper published within the county where such lands, seized as aforesaid, are situate, should one be published therein.

SEC. 5. The said commissioners or a majority of them shall have full power to do all acts necessary to be done for the purpose of carrying out the objects of this act, to hear, examine, and determine of and concerning the rights,

interest and title, of all and any of the claimants of said land, and also to assess the value thereof, and fix the compensation to be paid the State therefor, as fully and effectually as if all the power necessary for the purposes aforesaid were herein specifically enumerated in this act, and the decision of such commissioners shall be final and conclusive in the premises, unless an appeal from the decision of such commissioners shall be taken within twenty days after the filing thereof, in the office of the clerk of the circuit court of the county within which the said land lies, as hereinafter provided.

SEC. 6. It shall be the duty of the commissioners appointed under the provisions of this act, within twenty days after their decision is made, to file the same in the office of the clerk of the circuit court within whose district the said land lies.

SEC. 7. The owners or claimants of said land, or of any interest therein, shall be entitled to appeal from the decision of such commissioners to the circuit court of the county in which the land lies, within twenty days from the filing of the same as aforesaid, and such appeal shall be heard and determined in like manner as appeals from justices of the peace, in civil actions: *Provided*, That the appellant or appellants shall make and file in said county, at the time of such appeal, on oath or affirmation that injustice has been done them by such decision; and provided they execute and file, with the clerk of the circuit court aforesaid, an undertaking with sufficient sureties, to be approved by the county clerk, for the payment of all costs and disbursements incurred by the State arising from such appeal, which undertaking shall be in the name of the State of Michigan.

SEC. 8. If upon the trial of such appeal the appellant or appellants shall fail to recover a judgment for a sum greater than the amount awarded to them by the decision of the commissioners aforesaid, not including interest, the said appellant or appellants shall pay all costs and disbursements arising on such appeal, and which shall be deducted

from the sum awarded by the decision of the commissioners; and in case such sum is not less than the amount awarded by said commissioners, then the appellant or appellants shall recover costs, as in like cases in the circuit court.

SEC. 9. The sum awarded by the decision of said commissioners, finally awarded and adjudged by an appeal to be paid by this State to the owners and claimants of the land aforesaid, shall be paid from the treasury of this State to such owners or claimants in proportion to their rights and interests in such land, subject, however, in case of appeal, to the provisions of section seven of this act.

SEC. 10. Upon the filing of the decision of the commissioners in the office of the clerk of the circuit court aforesaid, and the filing of the certificate of the said clerk, with the seal of the court thereto, in the office of the secretary of state, stating the amount awarded by such commissioners, and describing the lands seized, the title to such land shall immediately thereupon become vested absolutely in this State free and clear of all incumbrances and adverse titles or claims of any kind or nature whatsoever.

SEC. 11. The commissioners appointed under the provisions of this act shall each receive three dollars per day for each day actually engaged in the service required of them; and witnesses required to attend before them shall receive the same per diem and mileage as now allowed by law for witnesses attending the circuit court of this State.

SEC. 12. The governor of Michigan is hereby authorized and empowered to convey to the United States any lands that may have been seized under the provisions of this act, upon the payment by the United States to the State of Michigan the amount awarded and the expenses incurred by the State in seizing the land.

SEC. 13. This act shall take immediate effect.

Approved March 27, 1867.

AN ACT to authorize the governor of the State of Michigan to seize and procure the condemnation of lands to be used by the United States for light-house purposes. (Amending the act of same title, approved March 27, 1867.)

SECTION 1. *The people of the State of Michigan enact*, That the governor of the State of Michigan is hereby authorized and empowered to seize and take possession of any land for the purpose of conveying the same to the United States for the erection and maintenance of light-houses thereon, not exceeding one hundred and sixty acres for any one light-house, whenever the General Government shall signify its intention to erect and maintain such light-house, or houses, by an application to the governor, accompanied by a plat and description of each site required, as near as the same can be platted and described without actual survey by the General Government.

SEC. 2. Whenever any such application shall be made to the governor, he shall appoint three commissioners, whose duty it shall be, in the name of the State of Michigan, to enter upon and take possession of any land so platted and described, not exceeding one hundred and sixty acres for any one light-house to be erected and maintained within said State, for the purpose of conveying such land to the United States, for the erection and maintenance of light-houses thereon, and to cause the same to be surveyed, and a plat thereof to be made and filed in the office of the secretary of state, whenever an actual survey has not been made by the General Government.

SEC. 3. It shall be the duty of said commissioners to appraise the value of said land, and for that purpose they shall give notice to the claimants or owners of said land, or of any interest therein, of the time and place when and where said claimants or owners may appear before said commissioners to have their claims and interest adjusted, and the compensation to be paid by the State for such land fixed and determined.

SEC. 4. The notice required to be given to said claimants

or owners shall be given personally, to such claimants as can be found within this State, at least twenty days before the meeting of said commissioners, informing them of the time and place of meeting of said commissioners, and the object thereof. And in case any of the said claimants or owners cannot be found, after using due diligence for that purpose, the commissioners shall cause such notice to be published for four successive weeks in one paper published at Detroit, and one paper published within the county where such land seized as aforesaid are situate, should one be published therein.

SEC. 5. The said commissioners, or a majority of them, shall have full power to do all acts necessary to be done for the purpose of carrying out the objects of this act; to hear, examine, and determine of and concerning the rights, interest, and title of all and any of the claimants of said land, and also to assess the value thereof, and fix the compensation to be paid by the State therefor, as fully and effectually as if all the powers necessary for the purposes aforesaid were herein specifically enumerated in this act; and the decision of such commissioners shall be final and conclusive in the premises, unless an appeal from the decision of such commissioners shall be taken within twenty days after the filing thereof in the office of the clerk of the circuit court of the county within which the said land lies, as hereinafter provided.

SEC. 6. It shall be the duty of the commissioners appointed under the provision of this act, within twenty days after their decision is made, to file the same in the office of the clerk of the circuit court within whose district the said land lies.

SEC. 7. The owners or claimants of said land, or of any interest therein, shall be entitled to appeal from the decision of such commissioners to the circuit court of the county in which the land lies, within twenty days from the filing of the same as aforesaid, and such appeal shall be heard and determined in like manner as appeals from justices of the

peace in civil actions: *Provided*, That the appellant or appellants shall make and file in said court, at the time of such appeal, an oath or affirmation that injustice has been done them by such decision: *And provided*, They execute and file with the clerk of the circuit court aforesaid, an undertaking, with sufficient sureties, to be approved by the county clerk, for the payment of all costs and disbursements incurred by the State arising from such appeal, which undertaking shall be in the name of the State of Michigan.

SEC. 8. If, upon the trial of such appeal, the appellant or appellants shall fail to recover a judgment for a sum greater than the amount awarded to them by the decision of the commissioners aforesaid, not including interest, the said appellant or appellants shall pay all costs and disbursements arising on such appeal, and which shall be deducted from the sum awarded by the decision of the commissioners; and in case such sum is not less than the amount awarded by said commissioners, then the appellant or appellants shall recover costs as in like cases in the circuit court.

SEC. 9. The sum awarded by the decision of said commissioners, finally awarded and adjudged by an appeal, to be paid by this State to the owners and claimants of the land aforesaid, shall be paid from the treasury of this State to such owners or claimants in proportion to their rights and interest in such land, subject, however, in case of appeal, to the provisions of section seven of this act.

SEC. 10. Upon the filing of the decision of the commissioners in the office of the clerk of the circuit court aforesaid, and the filing of the certificate of the said clerk, with the seal of the court thereto, in the office of the secretary of state, stating the amount awarded by such commissioners, and describing the lands seized, the title to such land shall immediately thereupon become vested absolutely in this State free and clear of all incumbrances and adverse titles or claims of any kind or nature whatsoever.

SEC. 11. The commissioners appointed under the provisions of this act shall each receive three dollars per day

for each day actually engaged in the service required of them, and their actual expense of travel and subsistence while so engaged; and witnesses required to attend before them shall receive the same per diem and mileage as now allowed by law for witnesses attending the circuit court of the State.

SEC. 12. The governor of Michigan is hereby authorized and empowered to convey to the United States any lands that may have been seized under the provisions of this act, upon the payment of the United States to the State of Michigan, the amount awarded and all the expenses incurred by the State in seizing the land.

SEC. 13. The jurisdiction of this State is hereby ceded to the United States of America over all such pieces or parcels of land as shall be hereafter selected or acquired by the United States for the purpose of erecting light-house buildings thereon: *Provided*, That an accurate description and plat of such parcels of land to be so selected, with a statement of such selection by the United States, shall be filed by the United States with the governor of this State: *And provided further*, That this cession is upon the express condition that the State of Michigan shall so far retain a concurrent jurisdiction with the United States in and over the tracts of land aforesaid, that all civil and criminal process issued under the authority of this State, or any officer thereof, may be executed on said lands and in the buildings that may be erected thereon, in the same way and manner as if jurisdiction had not been ceded as aforesaid.

SEC. 14. The lands aforesaid, when so ceded, shall forever be exempt from all taxes and assessments so long as the same shall remain the property of the United States.

Approved February 24, 1869.

## EXTRACTS FROM THE LAWS OF THE STATE OF WISCONSIN.

## CHAPTER 49.

AN ACT to cede jurisdiction to the United States of America over lands to be occupied as sites of light-house buildings in this State.

*The people of the State of Wisconsin, represented in senate and assembly, do enact as follows :*

SECTION 1. The jurisdiction of this State is hereby ceded to the United States of America over all such pieces or parcels of land, not exceeding eighty acres in any one parcel, as shall be hereafter required and selected by the United States for the purpose of erecting light-house buildings thereon : *Provided*, That an accurate description and plats of such parcels of lands to be so selected, with a statement of such selection by the United States, shall be filed by the United States with the governor of this State : *And provided further*, That this cession is upon the express condition that the State of Wisconsin shall so far retain a concurrent jurisdiction with the United States, in and over the tracts of land aforesaid, that all civil and criminal process issued under the authority of this State, or any officer thereof, may be executed on said land, and in the buildings that may be erected thereon, in the same way and manner as if jurisdiction had not been ceded as aforesaid.

SEC. 2. The lands aforesaid, when so ceded, shall forever be exempt from all taxes and assessments so long as the same shall remain the property of the United States.

SEC. 3. This act shall take effect, and be in force, from and after its passage and publication.

Approved March 27, 1867.

## EXTRACTS FROM THE LAWS OF THE STATE OF MINNESOTA.

AN ACT giving the consent of the State of Minnesota to the purchase, by the United States, of land within this State for public purposes.

*Be it enacted by the legislature of the State of Minnesota :*

SECTION 1. That the consent of the State of Minnesota be, and the same is hereby, given to the purchase, by the Government of the United States, or under the authority of the same, of any tract, piece, or parcel of land from any individual, individuals, or bodies-politic, or corporation, within the boundaries or limits of the State, for the purpose of erecting thereon light-houses, signal-stations, and other needful public buildings whatever, pertaining to the Light-House Board; and all deeds, conveyances of like papers for the same, shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie, and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal division of any public lands belonging to the United States, which may be set apart by the General Government for any or either of the purposes before mentioned, by an order, patent, or other official document or papers so describing such land, the consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

SEC. 2. The lots, parcels, or tracts of lands so selected, together with the tenements and appurtenances for the purposes before mentioned, shall be held exempt from taxation by the State of Minnesota.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 6, 1871.

**EXTRACTS FROM THE LAWS OF THE STATE OF CALIFORNIA.**

AN ACT giving the consent of the legislature of the State of California to the purchase, by the United States, of land within this State for public purposes.

SECTION 1. That the consent of the legislature of California be, and the same is hereby, given to the purchase, by the Government of the United States, or under the authority of the same, of any tract, piece, or parcel of land from any individual or individuals, bodies-politic or corporate, within the boundaries or limits of this State, for the purpose of erecting therein armories, arsenal, forts, fortifications, navy-yards or dock-yards, magazines, custom-houses, light-houses, and other needful public buildings or establishments whatsoever; and all deeds, conveyances of title papers for the same, shall be recorded, as in other cases, under the land records of the county in which the lands so conveyed may lie, and in like manner be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal divisions or sub-divisions, of any public land belonging to the United States, which may be set apart by the General Government for any or either of the purposes before mentioned, by an order, patent, or other official document or paper so describing such land. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

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AN ACT to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light-houses, and for other purposes, on the coasts and waters of this State.

*The people of the State of California, represented in senate and assembly, do enact as follows:*

SECTION 1. That whenever it shall be made to appear to

any one of the district courts of this State, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land, and the right of way thereto, within the limits of the State, for the erection of a light-house, beacon-light, range-light, fortifications, navy-yard, or other military or naval purposes, and that the owner or owners of said land are unknown, non-resident, or minors, or from any other cause are incapable of making a perfect title to said lands, or in case the said owners, being residents and capable of conveying, shall, from disagreement in price, or any other cause whatever, refuse to convey said lands to the United States, it shall be the duty of the judge of the district court in which the lands so designated to be purchased are situated to order notice of the said application to be published in some newspaper nearest to where said lands lie, also in one newspaper published in the city of San Francisco, once in each week for the space of four months, which notice shall contain an accurate description of the said lands, together with the names of the owners, or supposed owners, and shall require all persons interested in the said lands to come forward on a day to be specified in said notice, and file their objections, if any they should have, to the proposed purchase; and at the time specified in said notice it shall be the duty of the said district court to impanel a jury in the manner now provided by law, to assess the value of said lands, and all damages sustained by the owner of the lands so appropriated by reason of such appropriation, which amount, when so assessed, together with the entire costs of said proceedings, shall be paid into the county treasury of the county in which said proceedings are had; and thereupon the sheriff of the said county, upon the production of the certificate of the treasurer of said county that the said amount has been paid, shall execute to the United States, and deliver to their authorized agent, a deed of the said lands, reciting the proceedings in said cause, which said deed shall convey to the said United States a good and

absolute title to the said lands against all persons whatsoever.

SEC. 2. That the money so paid into the county treasury shall there remain until ordered to be paid out by a court of competent jurisdiction.

SEC. 3. It shall be the duty of the judge directing money to be paid to a county treasurer in accordance with the provisions of this act to require of such treasurer a bond in double the amount of money ordered to be paid by him, with two or more sufficient sureties to be approved by said judge; said bond shall be payable to the people of the State of California, for the use and benefit of such persons, severally, as are entitled to said money; said bonds shall be executed, approved, and filed with the clerk of said court before receiving said money.

SEC. 4. In addition to the publication required by this act, if there be a newspaper printed in the Spanish language in the judicial district where such land is situated, said notice shall also be published in such newspaper for the length of time herein provided. In all cases of publication of notice under this act the court shall require the same proof as in cases of publication of notice under the civil-practice act of this State.

SEC. 5. That "An act authorizing the United States to purchase land for public purposes," approved March 10, 1857, be, and the same is hereby, repealed.

Approved February 14, 1859.

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AN ACT giving the consent of the legislature of the State of California to the purchase, by the United States, of land within the State for public purposes.

*The people of the State of California, represented in senate and assembly, do enact as follows :*

SECTION 1. That the consent of the legislature of California be, and the same is hereby, given to the purchase by the Government of the United States, or under the authority

of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies-politic or corporate, within the boundaries or limits of this State, for the purpose of erecting thereon armories, arsenals, forts, fortifications, navy-yards or dock-yards, magazines, custom-houses, light-houses, and other needful public buildings or establishments whatsoever; and all deeds, conveyances, or title-papers for the same shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal divisions or subdivisions, of any public land belonging to the United States which may be set apart by the General Government for any or either of the purposes before mentioned, by an order, patent, or other official document or paper so describing such land. The consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided.

SEC. 2. The lots, parcels, or tracts of land so selected, together with the tenements and appurtenances, for the purposes before mentioned, shall be held exempt from taxation by the State of California.

Approved April 27, 1852.

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#### EXTRACTS FROM THE LAWS OF THE STATE OF OREGON.

AN ACT to provide for the relinquishment to the United States in certain cases to title in lands for sites of light-houses, and for other purposes, on the coasts and waters of this State.

*Be it enacted by the legislative assembly of the State of Oregon:*

SECTION 1. That whenever it shall be made to appear to any one of the circuit courts of this State, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land, and the right of way thereto, within the limits of

this State, for the erection of a light-house, beacon-light, fortification, navy-yard, or for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, not exceeding twenty acres in one tract, and that the owner or owners of said land are unknown, non-residents, or minors, or from any other cause are incapable of making a perfect title to said lands; or in case the said owners, being residents and capable of conveying, shall, from disagreement in price, or any other cause whatsoever, refuse to convey said lands to the United States, it shall be the duty of the judge of the circuit court in which said lands to be purchased are situated, to order notice of said application to be published in some newspaper nearest to where said lands lie; also in one newspaper published in the city of Portland, once in each week, for the space of four months; which notice shall contain an accurate description of said lands, together with the names of the owners or supposed owners, and shall require all persons interested in the said lands to come forward, on a day to be specified in said notice, and file their objections, if any they should have, to the proposed purchase; and at the time specified in said notice it shall be the duty of the said circuit court to impanel a jury, in the manner now provided by law, to assess the value of said land according to its market value at the time the assessment is made, disregarding any fictitious value the land may possess on account of its being required for public purposes, and all damages sustained by the owner of lands so appropriated by reason of such appropriation, which amount, when so assessed, together with the entire costs of said proceedings, shall be paid into the county treasury of the county in which said proceedings are had; and thereupon the sheriff of the said county, upon the production of the certificate of the treasurer of said county that the said amount has been paid, shall execute to the United States, and deliver to their authorized agent, a deed of the said land, reciting the proceedings in said cause, which said deed shall convey to the said United States a good and absolute title to the said lands

against all persons whatsoever: *Provided always*, That the assent aforesaid is granted upon this express condition: That this State shall retain a concurrent jurisdiction with the United States in and over any such tract of land so acquired as aforesaid, so far as that all civil and criminal process as may issue under authority of this State, against any person or persons charged with crimes committed, or for any cause of action or suit accruing without the bounds of any such tract so acquired, may be executed therein in the same manner as though this assent had not been granted.

SEC. 2. That the money so paid into the county treasury shall there remain until ordered to be paid out by a court of competent jurisdiction.

SEC. 3. It shall be the duty of the judge directing money to be paid to a county treasurer in accordance with the provisions of this act, to require of such treasurer a bond in double the amount of money ordered to be paid to him, with two or more sufficient sureties, to be approved by said judge; said bonds shall be payable to the people of the State of Oregon for the use and benefit of such persons, severally, as are entitled to said money; said bonds shall be executed, approved, and filed with the clerk of said court before receiving said money.

SEC. 4. To enable the United States to commence any building, or other proceedings provided for in this act, the same shall take effect and be in force from and after its approval by the governor.

Approved October 29, 1870.

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AN ACT giving the consent of the legislature of the State of Oregon to the purchase, by the United States, of land within this State for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.

*Be it enacted by the legislative assembly of the State of Oregon:*

SECTION 1. That the consent of the legislature of Oregon be, and the same is hereby, given to the purchase, by the Government of the United States, or under the authority

of the same, of any tract, piece, or parcel of land, from any individual or individuals, bodies politic or corporate, within the boundaries or limits of the State, for the erection of forts, magazines, arsenals, dock-yards, light-houses, and other needful buildings; and all deeds, conveyance of title-papers for the same, shall be recorded, as in other cases, upon the land records of the county in which the land so conveyed may lie; and in like manner may be recorded a sufficient description, by metes and bounds, courses and distances, of any tract or tracts, legal divisions or subdivisions of any public land belonging to the United States, which may be set apart by the General Government for any or either of the purposes before mentioned, by an order patent, or other official document or papers so describing such land; the consent herein and hereby given being in accordance with the sixteenth clause of the eighth section of the first article of the Constitution of the United States, and with the acts of Congress in such cases made and provided: *Provided always*, That this section shall not allow the acquisition by the United States, for the purposes aforesaid, of a tract of land exceeding twenty acres in any one tract, and that the same shall be described by metes and bounds, and recorded in the county where such land is situated: *And provided further*, That the assent aforesaid is granted upon this express condition, that this State shall retain a concurrent jurisdiction with the United States in and over all tracts so acquired as aforesaid, so far as that all civil and criminal process as may issue under authority of this State against any person or persons charged with crimes committed, or for any cause of action or suit accruing without the bounds of any such tract, may be executed therein in the same manner and with like effect as though this assent had not been granted.

SEC. 2. To enable the United States to commence any buildings or improvements contemplated by this act, the same shall take effect and be in force from and after its approval by the governor.

Approved October 29, 1870.

addenda to Law of States regarding  
sites

CONCESSIONS TO THE GENERAL GOVERNMENT BY THE  
STATE OF FLORIDA.

Whereas a communication has been received from the executive department of the United States since the approval of the above-recited act, (an act authorizing the purchase of land at Key West for fort, &c.,) requesting of this present general assembly the passage of a law enlarging the provisions of said act so far as to facilitate the purchase contemplated thereby, and extending said provisions, thus enlarged, to all cases in which the United States shall deem it expedient, and shall seek to purchase and obtain jurisdiction over sites for forts, magazines, &c., within the limits of this State, as authorized and provided in the Constitution of the United States; and whereas this general assembly approve the purport and objects of said request as set forth in said communication :

*Therefore, it is enacted* That the United States be, and they are hereby, authorized to purchase, acquire, hold, own, occupy, and possess such land or lands within the limits of this State as they shall judge it expedient, and shall seek to occupy and hold as sites on which to erect and maintain forts, magazines, arsenals, dock-yards, and other needful buildings, or any of them, as contemplated and provided in the Constitution of the United States; said purchases to be effected either by contract with the owner or owners of said land or lands, or in the manner hereinafter provided.

If the executive officer or other authorized agent employed by the United States to make said purchase or purchases, and the owner or owners of the land or lands mentioned in said above-recited act, or of any other land or lands contemplated to be purchased as aforesaid, cannot contract or agree for the sale and purchase thereof, it shall be lawful for such officer or other agent to apply to the judge of the circuit court of the county in which said land or lands, or the greater portion thereof, may be situated, respectively, to estimate the

value of such land or lands in manner hereinafter mentioned, and to order a conveyance of the same to the United States for the purposes aforesaid.

Whereupon it shall be the duty of said judge, and he is hereby authorized and empowered, after reasonable notice given to said owner or owners, their legal representatives or guardians, to hear or finally determine the value of the land or lands in question by a competent jury, under oath, to be summoned by the sheriff or other proper officer of said court for that purpose, or by a committee of three persons, such as shall be agreed upon and appointed by the parties aforesaid; such committee, if agreed on and appointed as aforesaid, to be also duly sworn faithfully and impartially to value the land or lands last aforesaid, and the value thereof being thus ascertained to the satisfaction of said judge, after survey thereof duly made under the direction of himself, or by consent of said parties, and after such other proceedings in the premises as he shall deem right and proper, he shall order and decree the same to be conveyed in due form to the United States, to be held, owned, and possessed by them for the purpose aforesaid and none other: *Provided*, That the amount of such valuation, with the reasonable costs of such owner or owners attending said proceedings, shall be paid to him, her, or them, or into said court for his, her, or their use, before execution or record of said conveyance: *And provided, moreover*, That if it shall appear to said judge, upon objection made by said owner or owners, their representatives or guardians, that the quantity of any given tract, parcel, or extent of land sought to be purchased, as aforesaid, is greater than is reasonable, he may, in his discretion, refer the matter of such objection to the governor of this State for his determination.

Whenever the United States shall contract for purchase, or acquire any land or lands within the limits of this State, for the purposes aforesaid, in either of the modes above mentioned and provided, and shall desire to acquire con-

stitutional jurisdiction over such land or lands for said purpose, it shall and may be lawful for the governor of this State, upon application made to him in writing on behalf of the United States for that purpose, accompanied by the proper evidence of said purchase, contract, or acquisition, of record, describing the land or lands sought to be ceded by convenient metes and bounds, and the said governor shall be, and he is hereby, authorized and empowered thereupon, in the name and on behalf of this State, to cede to the United States exclusive jurisdiction over the land or lands so purchased or acquired and sought to be ceded.

The United States to hold, use, occupy, own, possess, and exercise said jurisdiction over the same for the purpose aforesaid, and none other whatsoever: *Provided always*, That the consent aforesaid is hereby given, and the cession aforesaid is to be granted and made as aforesaid upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the land or lands to be ceded, and every portion thereof, so far that all process, civil or criminal, issuing under authority of this State, or of any of the courts or judicial officers thereof, may be executed by the proper officers thereof upon any person or persons amenable to the same within the limits and extent of the land or lands so ceded, in like manner and to like effect as if this act had never been passed; saving, however, to the United States security to their property within said limits and extent, and exemption of the same, and of said land or lands, from any taxation under the authority of this State while the same shall continue to be owned, held, used, and occupied by the United States for the purposes above expressed and intended, and not otherwise. (Acts of 1845, ch. 25, §§ 1, 2, and 3.)

OFFICE OF ENGINEER,  
SIXTH LIGHT-HOUSE DISTRICT,  
*Charleston, S. C., August 23, 1870.*

A true copy of copy furnished by United States district  
attorney, northern district of Florida.

WM. J. TWINING,  
*Captain Engineers.*

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