

Revised Statutes of 1846 (EXCERPT)
R.S. of 1846

MISCELLANEOUS PROVISIONS.

322.349 Books and papers relating to state lands; custody of commissioner of state land office.

Sec. 49. The commissioner of the land office shall have the custody of all books and papers relating to any of the public lands mentioned in this chapter, except such as properly belong to the records or files of other offices.

History: R.S. 1846, Ch. 60;—CL 1857, 2491;—CL 1871, 3864;—How. 5309;—CL 1897, 1382;—CL 1915, 565;—CL 1929, 5933;—CL 1948, 322.349.

Compiler's note: The office of commissioner of the state land office, referred to in this section, was abolished and the powers and duties thereof transferred to the public domain commission by MCL 322.221. The public domain commission was subsequently abolished and the powers and duties thereof transferred to the department of conservation by MCL 299.2. The department of conservation was subsequently transferred to the department of natural resources by MCL 16.352.

322.350 Repealed. 2011, Act 167, Imd. Eff. Oct. 11, 2011.

Compiler's note: The repealed section pertained to the furnishing of a map of each county by the state geologist.

322.351 Descriptions of lands sold; transmittal by commissioner of state land office to county treasurer.

Sec. 51. The said commissioner shall, on or before the third Monday in March in each year, transmit to the treasurer of each county in which any of the lands mentioned in this chapter may have been sold during the year then next preceding, a description of each parcel of the lands so sold in such county, and the names of the purchasers, distinguishing university and school lands from others.

History: R.S. 1846, Ch. 60;—CL 1857, 2493;—CL 1871, 3866;—How. 5311;—CL 1897, 1384;—CL 1915, 567;—CL 1929, 5935;—CL 1948, 322.351.

322.352 Plats by commissioner; recording.

Sec. 52. Whenever the commissioner shall lay off any tract of land into small parcels or village lots, as provided in this chapter, he shall cause a correct map of the same to be entered of record in the county where said lands may be situated; and all parcels or lots heretofore laid out, shall in like manner be entered of record.

History: R.S. 1846, Ch. 60;—CL 1857, 2494;—CL 1871, 3867;—How. 5312;—CL 1897, 1385;—CL 1915, 568;—CL 1929, 5936;—CL 1948, 322.352.

322.353 Descriptions of lands sold; delivery by county treasurer to township supervisors.

Sec. 53. The several county treasurers receiving such descriptions shall, on or before the first Monday of April, deliver to the supervisor of each township in which any of such lands are situated, a description of such lands therein, with the names of the purchasers of the same.

History: R.S. 1846, Ch. 60;—CL 1857, 2495;—CL 1871, 3868;—How. 5313;—CL 1897, 1386;—CL 1915, 569;—CL 1929, 5937;—CL 1948, 322.353.

322.354 Patents; recording by register of deeds.

Sec. 54. The registers of deeds of the several counties are authorized to record all patents issued by the governor pursuant to the provisions of this chapter, and the record thereof shall have the same effect as the record of other conveyances executed according to the laws of this state.

History: R.S. 1846, Ch. 60;—CL 1857, 2496;—CL 1871, 3869;—How. 5314;—CL 1897, 1387;—CL 1915, 570;—CL 1929, 5938;—CL 1948, 322.354.

322.355 Incidental expenses of state land office; allowance, payment.

Sec. 55. The necessary incidental expenses of the land office shall be paid out of the several funds, respectively, in relation to which they were incurred, and upon the presentation of satisfactory vouchers therefor to the board of state auditors, shall be allowed by them at their annual settlement with the commissioner.

History: R.S. 1846, Ch. 60;—CL 1857, 2497;—CL 1871, 3870;—How. 5315;—CL 1897, 1388;—CL 1915, 571;—CL 1929, 5939;—CL 1948, 322.355.

322.356 Ineffectual certificate of purchase; surrender, refund.

Sec. 56. In case of any sale made by mistake, or not in accordance with law, or obtained by fraud, the same

shall be void; and no certificate of purchase issued thereon shall be of any effect, but the holder of any such certificate shall be required to surrender the same to the commissioner, who shall thereupon refund the amount paid in the like funds received by him on such certificate.

History: R.S. 1846, Ch. 60;—CL 1857, 2498;—CL 1871, 3871;—How. 5316;—CL 1897, 1389;—CL 1915, 572;—CL 1929, 5940;—CL 1948, 322.356.

322.357 Assignees of purchasers; rights and liabilities.

Sec. 57. The legal assignees of all bona fide purchasers of any of the lands mentioned in this chapter, shall be subject to, and governed by, the provisions of law applicable to the respective purchasers of whom they are the assignees, and they shall have the same rights in all respects, as original purchasers of the same class of lands.

History: R.S. 1846, Ch. 60;—CL 1857, 2499;—CL 1871, 3872;—How. 5317;—CL 1897, 1390;—CL 1915, 573;—CL 1929, 5941;—CL 1948, 322.357.

322.358 State lands; sale according to United States survey; exceptions.

Sec. 58. All sales of lands by the commissioner, shall be made according to the subdivisions thereof by the United States surveys, unless the same shall have been laid off into smaller lots as provided in this chapter, or unless in the opinion of the commissioner any of said lands can be more advantageously disposed of according to other divisions to be ascertained and distinctly described by law.

History: R.S. 1846, Ch. 60;—CL 1857, 2500;—CL 1871, 3873;—How. 5318;—CL 1897, 1391;—CL 1915, 574;—CL 1929, 5942;—CL 1948, 322.358.

322.359 Subdivided lands; new certificates of purchase, issuance.

Sec. 59. When an original certificate of purchase shall have been issued by the commissioner for 40 acres or more of the said lands, he may in his discretion, upon the surrender of such certificate, and the payment of 1 dollar for each new certificate requested, issue new certificates for subdivisions of the lands included in the original purchase, if, in his opinion, no injury will result therefrom.

History: R.S. 1846, Ch. 60;—CL 1857, 2501;—Am. 1863, Act 88, Imd. Eff. Mar. 11, 1863;—CL 1871, 3874;—How. 5319;—CL 1897, 1392;—CL 1915, 575;—CL 1929, 5943;—CL 1948, 322.359.

322.368 University lands; obligations receivable in payment of principal.

Sec. 68. All treasury notes or warrants bearing interest, drawn by authority of law on the treasurer of this state, shall be received in payment of principal for any of the university lands which have been heretofore sold or which may hereafter be sold, and which have not once been sold and forfeited, in the same manner as they are by law receivable for any lands owned by this state, subject to the limitations hereinafter contained.

History: R.S. 1846, Ch. 60;—CL 1857, 2510;—CL 1871, 3883;—How. 5328;—CL 1897, 1401;—CL 1915, 584;—CL 1929, 5951;—CL 1948, 322.368.

322.369 University lands; obligations receivable, limitation.

Sec. 69. The whole amount of such notes and warrants which may be received under the provisions of the preceding section, shall not exceed the residue of the sum of 100,000 dollars which shall remain after deducting the full amount of all sums which shall have been credited to the regents of the university, or to the university fund on the principal of the “Michigan university state stock,” in pursuance of “An act authorizing the receipt of obligations of this state in payment of university lands,” approved February twenty-eighth, 1844, and of “An act for the relief of the university of Michigan,” approved March eleventh, 1844, and 156,000 dollars in addition thereto.

History: R.S. 1846, Ch. 60;—CL 1857, 2511;—CL 1871, 3884;—How. 5329;—CL 1897, 1402;—CL 1915, 585;—CL 1929, 5952;—CL 1948, 322.369.

Compiler's note: The acts referred to in this section are Act 20 of 1844 and Act 83 of 1844.

322.371 University lands; obligations receivable, credit to university fund.

Sec. 71. From the date of each and every such credit, the university fund shall be relieved from the payment of interest on an amount of the said “Michigan university state stock,” equal to the amount of such credit; and when the amount of said “Michigan university state stock” shall have been received into the state treasury, the state treasurer shall continue to make quarterly statements of the amount of treasury notes or warrants received, and credit the same to the university fund, and interest shall thereupon accrue, and shall annually be paid by the state to the treasurer of the board of regents for the use of the university.

History: R.S. 1846, Ch. 60;—CL 1857, 2513;—CL 1871, 3886;—How. 5331;—CL 1897, 1404;—CL 1915, 587;—CL 1929, 5953;

—CL 1948, 322.371.

322.372 Certificates of purchase; seal as evidence of execution.

Sec. 72. The seal of the land office affixed to any certificate of purchase, receipt or other instrument issued by the commissioner of the land office, according to the provisions of this chapter, shall be prima facie evidence of the due execution of such certificate.

History: R.S. 1846, Ch. 60;—CL 1857, 2514;—CL 1871, 3887;—How. 5332;—CL 1897, 1405;—CL 1915, 588;—CL 1929, 5954;—CL 1948, 322.372.