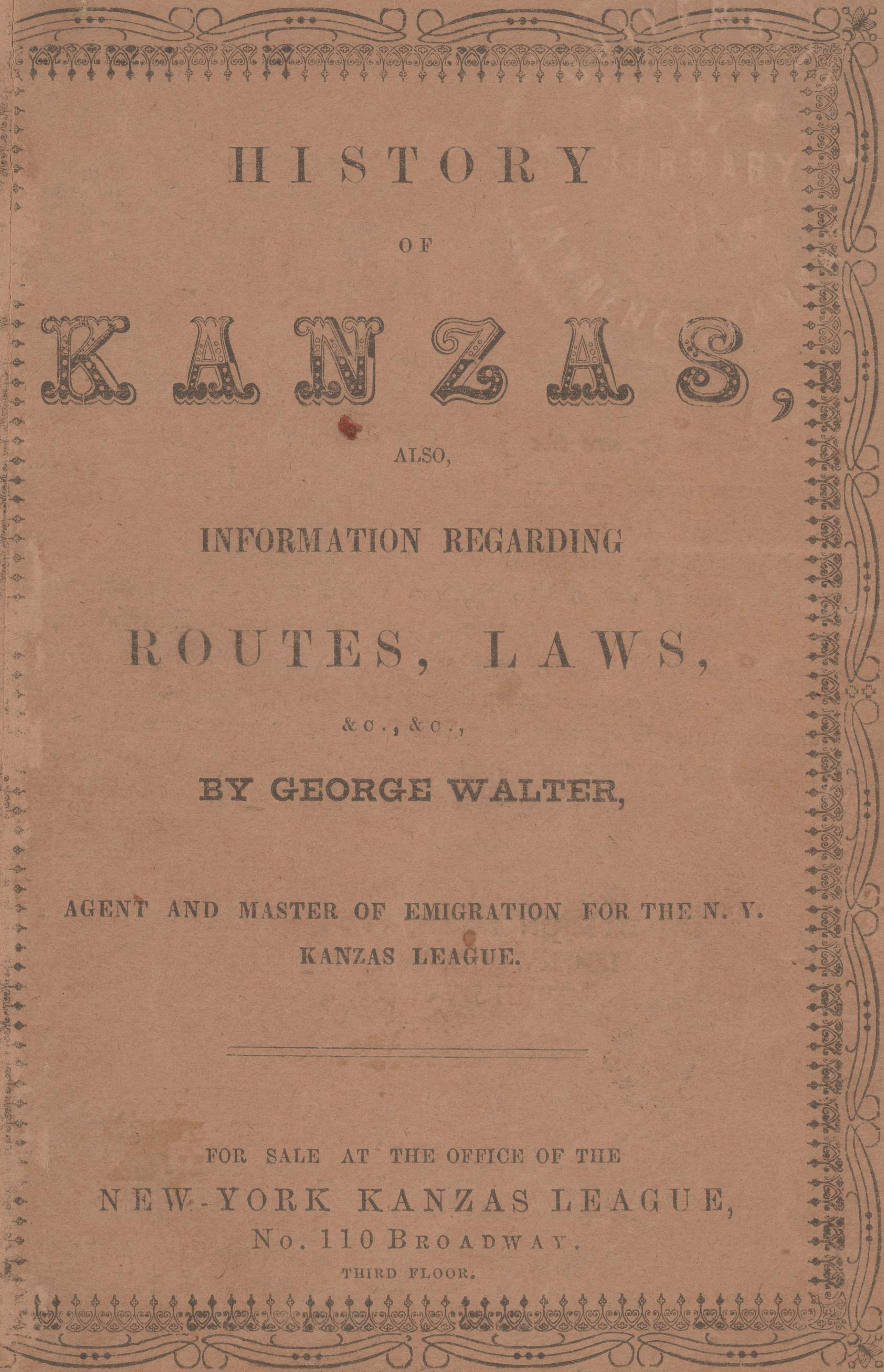


K.H.
B373



HISTORY
OF
KANZAS,
ALSO,
INFORMATION REGARDING
ROUTES, LAWS,

&c., &c.,
BY GEORGE WALTER,
AGENT AND MASTER OF EMIGRATION FOR THE N. Y.
KANZAS LEAGUE.

FOR SALE AT THE OFFICE OF THE
NEW-YORK KANZAS LEAGUE,
No. 110 BROADWAY.
THIRD FLOOR.

Edwin

NEW-YORK KANSAS LEAGUE.

The following are the principal features of "THE CONSTITUTION OF THE NEW-YORK KANSAS LEAGUE."

Members pay One dollar, or more, annually.

The officers are, a President, a Vice-President, a Treasurer, and a Secretary. They also appoint a Master of Emigration, (MR. GEORGE WALTER,) who will receive applications, give information, and make arrangements for sending persons, families, or companies to Kansas, at reduced prices, in concert with the EMIGRANT AID COMPANY, or by such other means as they may prove most favorable and economical.

ROE LOCKWOOD, PRESIDENT.
ALANSON NASH, VICE-PRESIDENT.
R. LOCKWOOD, TREASURER.
THEODORE DWIGHT, SECRETARY.

DIRECTORS.

THADDEUS HYATT,	J. R. BARBOUR,
WILLIAM S. WEST,	THEODORE DWIGHT,
THEODORE McNAMEE,	JOHN McMULLEN.

Applications in person, or by letter, (postage prepaid) to GEO. WALTER, Master of Emigration, Office of N. Y. KANSAS LEAGUE, 110 Broadway, (3d Floor,) New-York.

K

R

AGENT AND

For Sale at the

HISTORY

OF

KANZAS,

ALSO,

INFORMATION REGARDING

ROUTES, LAWS,

&c., &c.

BY GEORGE WALTER,

AGENT AND MASTER OF EMIGRATION FOR THE N. Y. KANZAS
LEAGUE.

(1455)

For Sale at the Office of the N. Y. KANZAS LEAGUE, No. 110 BROADWAY,
3d floor, New-York,

1854

AP 21-10 CC

TO THE PUBLIC.

IN preparing this work, the principal aim of the Author has been to condense in the smallest compass, and under their appropriate heads, all the information required by an emigrant to Kansas ; so far at least, as relates to the situation of the Territory, its Climate, Soil, Rivers and Productions; the laws relating to pre-emption rights, routes, &c. : Thus enabling him at a glance, to inform himself on those points, without being compelled to wade through a mass of matter, which, however interesting to the general reader, is of no special importance to the Emigrant.

Having resided for several years in the vicinity of Kansas, and being well informed regarding the country, the writer flatters himself that this work will be found correct in its details.

This book was written during office hours, amid constant interruptions, and with no opportunity to revise or correct its style and composition—*facts* alone, being the writer's aim—he trusts however, that it will prove a useful "Guide for Emigrants" to Kansas.

In compiling the laws of the United States relating to Kansas the undersigned acknowledges his indebtedness to Alanson Nash, Esqr., Counsellor at Law, No. 13 Beekman st., Vice President of the N. Y. and Kansas League, whose well known legal attainments are sufficient guarantees for the faithful performance of that portion of the work.

BOUNDARIES.

KANZAS Territory is bounded North by Nebraska, East by Missouri, South by Indian Territory and New Mexico, and West by Utah. It extends between the parallels of 37° and 40th° North, and the 94½ and 107th meridian, west from Greenwich, comprising about eighty-one millions acres of land.

CLIMATE.

BEING in the latitude of Virginia, the summers are warm though gradually growing cooler as we approach the Rocky Mountains. The heat on the prairies, and as we ascend the Kansas river, is tempered by cool breezes from the West. The months of May and June may properly be termed the wet season; while the latter end of summer, and early autumn, are generally dry.

The winters are short, commencing usually about the month of November, or first of December, and ending in February;—and although at times, the weather is severely cold, it seldom continues so more than two days at any one period. Generally speaking, the weather is mild and pleasant; peculiarly favorable to the raising of stock, as owing to the mildness of the climate, cattle can subsist on the prairies, and bottom lands, through the winter, requiring no shelter, and but little stock, corn, or hay. Snow seldom falls to the depth of three inches; and it is very soon melted by the sun. It is not uncommon to plough the prairies in January. The climate of Kansas is healthy; the air being pure and dry. But a small portion of the Territory is subject to malaria, from low marshy grounds.

SOIL.

THE Soil varies in different sections of the Country, and may be classed under four general heads: *First*, that contiguous to the rivers, termed "bottom lands," consisting of dark alluvial

soil, equal in fertility to any in the world, and suitable for the cultivation of Hemp, Tobacco, Corn, &c. In particular sections of the country the land is subject to overflow. *Second.* Table land, of rich loam, producing great crops of Corn, Wheat, Buckwheat, Tobacco, Oats, Irish and Sweet Potatoes, &c. *Third.* High rolling prairie with soil and productions similar to those of the Table land.

A large proportion of the land in Eastern and Central Kansas, consists of Table land and rolling prairie. *Fourth.* The hilly and rocky regions. These are well adapted for pasturage, with a soil equal to that of New England. This class of soil predominates in Western Kansas, where may also be found a large tract of comparatively barren soil, but not sufficient to effect the general character of the country.

The Territory of Kansas, as a whole, may be considered equal, if not superior, for agricultural and grazing purposes, to that of the most favored portion of the United States; and the Eastern section, extending from the Missouri river for 250 or 300 miles West, cannot be surpassed by any land in the world.

Crops yield to the acre, far more abundantly, and of much superior quality than the Eastern or Middle States, and with much less labor, as for instance, in the cultivation of corn no hoeing is required.

GRASSES.

In addition to several varieties of Grass indigenous to the soil, nearly all of which when cut in their proper seasons make excellent hay; the Blue and Timothy Grasses, are cultivated throughout the Western Country, yielding heavy crops. The Blue Grass affords fine winter pasture for grazing stock when allowed to grow up in the fall, and is also sowed outside the prairie farms, to protect the fences and crops from the frequent prairie fires in the fall and spring.

"In the Parks sheltered by the Rocky Mountains, on the Western limit of the Territory, Clover grows abundantly in the

prairies on
bunch grass
Buffalo Grass
zas, and all
fine rich grass
of our cultiv

Owing to the
roots, the growth
of peculiar color
oxen, is required
generally do
spring, the timo
pliable.

Many farms
at the same
with the plow
thirds yield
fall, the corn
for winter pr

THESE are
Bark, Oak, C
safras, Sycam
Wild Cherry
Bean, &c.

The Territ
but Provide
substitute fo

* Max Green,

prairillons or natural meadows. Grama, a very nutritive bunch grass grows in the South-western district. And the Buffalo Grass, which covers the Western verge of Central Kansas, and all of the arable portion of the Western district, is a fine rich grass; cattle thrive on it as well as on the best of our cultivated Grasses."*

PRAIRIE CULTIVATION.

Owing to the depth of turf, composed of vegetable and grass roots, the growth of perhaps centuries, a heavy "prairie plough," of peculiar construction, and a team of from four to eight yoke of oxen, is required for the breaking up of prairie soil. This is generally done in the summer, or fall; and by the following spring, the turf has decayed, and the land become perfectly pliable.

Many farmers break up their prairie land early in the spring, at the same time sowing corn in the furrow, and covering it with the plough: thus securing a crop equal to one half or two-thirds yield of land cultivated in the ordinary manner. In the fall, the corn and stalks are cut near the ground, and stacked for winter provender.

FOREST TREES.

THESE are the White and Black Walnut, Hickory, or Shell Bark, Oak, (several varieties,) Beach, Maple, Birch, Bass, Sassafras, Sycamore, Butternut, Ash, Cotton Wood, Lindon, Wild Cherry, Locust, Elm, Red-Cedar, Mulberry, Coffee-Bean, &c.

The Territory of Kansas, as a whole, is deficient in Timber; but Providence has furnished coal of excellent quality as a substitute for wood.

* Max Green, Esqr

A large portion of the Cattle, Horses, and Mules now sold in the Eastern and Southern markets, are obtained from Missouri, Arkansas, Texas and the Indian Territory, adjoining Kansas.

In addition to the Eastern and Southern markets Kansas is favorably located as a home cash market, for the sale of stock to California, Salt Lake and Oregon emigrants, of which class, thousands annually pass through this Territory.

Horses, Mules, Cattle, Sheep and Wool, will ever command a good living price, and a ready market; improved breed of stock can be sent there with but little expense by Steamboat and Railroad.

RIVERS.

THE Kansas or Kaw river is the only stream of importance; and on its banks, the first settlements was made by the Massachusetts Company, about forty miles from its mouth. Since then, several other Companies have formed settlements, and laid out town lots in the Kansas Territory.

The Kansas river is about six hundred yards wide at the mouth; and, for several hundred miles, ranges in width from four to two hundred yards. It is navigable from 150 to 200 miles, for steamboats of large class, from four to six months of the year. Boats drawing eighteen inches of water, can navigate the river through the year.

The Steamer Excel has made several trips up the Kansas river this season, to Fort Riley, 145 miles.

There are several large streams, tributaries to the Kansas, some of which are navigable during the freshet seasons.

The Southern and Central portions of the Territory are well watered by the Osage and Arkansas rivers, and their tributaries. Never failing springs of excellent water are scattered throughout the country.

FISH.

THE Kansas river and its tributaries, as also those of the Osage, are well stocked with Buffalo, Rock and Cat-fish, weighing from thirty to one hundred lbs.

In ponds, and small streams, the Perch, Roach, Bass, Bull-head, &c., &c., are found.

WILD GAME.

IN Eastern and Western Kansas, the Deer, Raccoon, Opossum, Squirrel, Rabbit, Turkey, Goose, Swan, Duck, Prairie Fowl, Partridge and Pidgeon, are abundant. The Buffalo, Bear and Antelope frequent the Western portion of Kansas.

MINERALS.

COAL of excellent quality is scattered throughout the Territory, also Limestone and Cotton Rock, which is well adapted for building purposes. Sand Rock sufficiently pliable to allow of being pulverized and used as a substitute for mortar sand; also a species of sand stone of excellent quality for grind stones, and for shoemakers' uses, are found in Kansas.

Gypsum has been discovered; specimens of which have been tested, and proved to be of superior quality.

Iron, Lead, and Copper Ores have also been discovered.

When thoroughly explored, Kansas will probably be found to possess Mineral wealth equal to any portion of the United States.

FLOUR AND CORN MILLS.

OWING to the droughts and freshets, the streams, with but few exceptions, are not eligible for the location of mills or manufactories moved by water; and therefore, machinery propelled by steam, Horses or Wind Sails, (the latter can be used with

advantage on the p
great demand; and
Flour and Corn M
cents to \$1,00 pe
dred lbs. Corn fro
from 35 cts. to \$1.

A number of Po
ken out to Kanza
supply.

CIRCULAR Saw-
great demand for
lumber, (ranging f
prove a profitable

PORTABLE Flo
ing machines, Co
sell readily in Ka

THE emigrant
change his East
souri, Kentucky
a circulating med
of 6 1-4 cts. 12 1
but 5 cts., 10 cts
cents.

advantage on the prairies,) is, and will be for many years, in great demand; and must prove profitable in the manufacture of Flour and Corn Meal. The prices of Wheat ranges from 60 cents to \$1,00 per bushel; Flour from \$2,50 to 3,50 per hundred lbs. Corn from 25 cts. to 50 cts. per bushel; Corn Meal from 35 cts. to \$1,00 per bushel.

A number of Portable steam, and Horse-mills have been taken out to Kansas; but the demand is far greater than the supply.

SAW MILLS.

CIRCULAR Saw-mills, with steam or horse power, will be in great demand for several years; and at the present prices of lumber, (ranging from \$20 to \$50 per thousand feet,) they must prove a profitable investment.

MACHINERY.

PORTABLE Flour, Corn and Saw-mills, Threshing and Mowing machines, Corn Shellers, &c., &c., will in one year hence sell readily in Kansas.

CURRENCY.

THE emigrant on his arrival in St. Louis, is advised to exchange his Eastern funds for Gold or Bills, on Banks of Missouri, Kentucky and Virginia. Copper cents are worthless for a circulating medium in the Western States. Spanish pieces of 6 1-4 cts. 12 1-2, and 25 cts. are worth in Western Missouri, but 5 cts., 10 cts. and 20 cts. Three cent pieces pass for five cents.

PRICES OF PROVISIONS, &c.

THE prices of Provisions, Stock, &c., will, owing to local circumstances, fluctuate. As nearly as possible, the present prices will be given below. Beef, 5 cts.; Bacon, 6 to 8 cts.; Butter, 12 1-2 cents, per lb.; White Sugar 12 1-2 cts.; Brown Sugar 7 cts.; Coffee 12 1-2 cts. per lb.; Wheat Flour, \$3,00 per hundred; Corn Meal, \$1,00 per bushel; Corn 50 cts. per bushel.

Oxen from \$65 to \$90 per Yoke; Horses from \$50 to \$95; Mules from \$50 to \$80; Indian Pony \$30 to \$50; heavy Wagons \$75 to \$100.

The prices above quoted are those of Westport and Kansas, and it will not perhaps be amiss to state, that in many instances, they are higher this fall than ever before known; owing in part to the season of the year—the drought, and to the unprecedented demand, arising from the sudden, and large emigration to Kansas. Board can be procured at Westport, Kansas City, and in Kansas, from \$1,50 to \$2,50 per week.

OUTFIT.

LET the emigrant provide himself with a shot gun that will carry both ball and shot, or a stock with two barrels, one of rifle and one of shot bore, (samples of which can be seen at the office of the U. S. Kansas League, 110 Broadway.) A Revolver, though not often required, might prove useful.

Saddle-bags will be needed by those who ride horseback through or in Kansas.

A heavy blanket, strong kip boots, and an India-rubber overcoat will be required.

Procure one or more large, cheap trunks, (costing from two, to three dollars,) well strapped; fill them with strong, cheap clothing, bedding, except Feathers, (which can be purchased cheaper west,) and light household articles.

A few pounds of Farina, Arrow-root, Tapioca, &c., would be

useful in the fam
and in case of si

As nearly all
procured on rea
to be encumbere
chanics will of c
emigrant would
of Eastern fruits
troduced in Kan

FROM New Yo
to Kansas is that
York and Erie
Road and Steam
river to Kansas
river, (as see ma
New York to Ka

From Souther
the best route is

Emigrants goin
League, can go f
as single passeng

On the severa
setts, to St. Loui
free; from five to
ceeding one hun
These terms appl
York, to Kansas,

From St. Louis
the Missouri river
to St. Louis, fifty
Westport, from t

useful in the family of every emigrant, as substitutes for flour, and in case of sickness.

As nearly all the articles required by an emigrant, can be procured on reasonable terms, in St. Louis, it is not advisable to be encumbered with too much freight from New York. Mechanics will of course take their tools. When practicable, the emigrant would do well to take the seeds or slips for grafting, of Eastern fruits and vegetables. The Quince, though not introduced in Kansas, would do well; also the chesnut.

ROUTES.

FROM New York and Eastern States, the most feasible route to Kansas is that via the New York Central Rail Road or New York and Erie Rail Road to Chicago; from Chicago by Rail Road and Steamboat to St. Louis; and thence up the Missouri river to Kansas City, nearly opposite the mouth of the Kansas river, (as see map and table of routes.) Traveling time from New York to Kansas, from seven to ten days.

From Southern Ohio, Pennsylvania, and the Western States, the best route is via the Ohio and Mississippi rivers to St. Louis.

Emigrants going under the charge of the New York Kansas League, can go for much less fare than they would be charged as single passengers, going by private contract.

On the several Rail Road lines from New York or Massachusetts, to St. Louis, the passage of children under five years is free; from five to twelve years, half price. Baggage not exceeding one hundred pounds to each adult passenger, free. These terms apply to first class passengers. Freight from New York, to Kansas, from \$2,50 to \$3,00 per hundred pounds.

From St. Louis the emigrant will take Steamboat passage on the Missouri river to Kansas. Traveling time from New York to St. Louis, fifty-six hours. From St. Louis to Kansas City, or Westport, from three to six days.

**RAIL ROAD AND STEAMBOAT ROUTES FROM
NEW YORK TO KANZAS.**

New-York & Erie Rail Road, Lake Shore Rail Road, and Chicago, and Mississippi Rail Road to St. Louis.

New-York to Dunkirk, Rail Road,	460 miles.
Dunkirk to Cleveland, " "	142 "
Cleveland to Toledo, " "	112 "
Toledo to Chicago, " "	243 "
Chicago to Alton, " "	290 "
Alton to St. Louis, Steamboat,	25 "
St. Louis to Kansas, Steamboat,	380 "
	—————
	1652 "

Fare to St. Louis \$28. Meals and State Rooms extra.

Hudson River Rail Road, N. Y. Central Rail-Road, Southern Michigan by Steamboat, and Chicago, and Mississippi Rail Road.

New-York to Albany, Rail Road,	144 miles.
Albany to Buffalo " "	298 "
Buffalo to Monroe, Steamboat,	240 "
Monroe to Chicago, Rail Road,	247 "
Chicago to Alton, " "	290 "
Alton to St. Louis, Steamboat,	24 "
St. Louis to Kansas, Rail Road,	380 "

Steamboat ————
1623 "

Fare to St. Louis, \$26. Meals and State Rooms extra.

Hudson River Rail Road, N. Y. Central Rail Road, Michigan Central Rail Road, and Steamboat, and Chicago, and Mississippi Rail Road.

New-York to Albany, Rail Road,	144 miles.
Albany to Buffalo, " "	298 "

Buffalo to L
Detroit to C
Chicago to J
Alton to St
St. Louis to

Fare to St. L

*Hudson River,
Road, Mich
issippi Ra*

New-York

Albany to S

Rail R

Suspension

Detroit to C

Chicago to

Alton to St

St. Louis to

Fare to St. L

Average trip

" "

In traveling
all unnecessary
holder is pecul
mistaken idea,
Kansas, not on

Buffalo to Detroit, Steamboat,	271 miles.
Detroit to Chicago, Rail Road,	282 "
Chicago to Alton, " "	290 "
Alton to St. Louis, Steamboat,	25 "
St. Louis to Kansas,	380 "

1690 "

Fare to St. Louis, \$26. Meals and State Rooms extra.

Hudson River, N. Y. Central Rail Road, Great Western Rail Road, Michigan Central Rail Road, and Chicago, and Mississippi Rail Road.

New-York to Albany, Steamboat,	160 miles.
Albany to Suspension Bridge, (Niagara Falls,)	
Rail Road,	300 "
Suspension Bridge to Detroit, Rail Road,	229 "
Detroit to Chicago, Rail Road,	282 "
Chicago to Alton, " "	290 "
Alton to St. Louis, Steamboat	25 "
St. Louis to Kansas, "	380 "

1666 "

Fare to St. Louis, \$28. Meals and State Rooms extra.

Average trip from New York to St. Louis, 2½ days.

" " " St. Louis to Kansas, 5½ "

8 "

GENERAL REMARKS.

In traveling through slave States, the emigrant should avoid all unnecessary allusion to slavery; as on this topic, the slaveholder is peculiarly sensitive: and a majority labor under the mistaken idea, that all emigrants from free States, resort to Kansas, not only to provide themselves a home, and to aid in

the formation of a free State by their votes, but aim by direct action, to ferment rebellion and discontent among the slaves of Missouri.

By a courteous demeanor in his intercourse with the slaveholder, and proper reserve on the subject of slavery, the emigrant, without a sacrifice of principle, will not only secure for himself, kind treatment, but will also aid in removing the unjust prejudice now existing in the minds of slaveholders, against Kansas emigrants from free States.

When arrived at Kansas City, the emigrant has only to cross the Missouri river, to reach the Territory of Kansas. He will there hire or purchase a horse, mule, or Indian Pony, (it is to be presumed he has provided himself with a rifle, and saddle-bags,) and start for the exploration of the "promised land;" select his location, mark out and record his boundaries, erect his log-house, and commence in earnest a farmer's or mechanic's life.

The cost of erecting a log-house is very light, (from \$20 to \$50,) and in the settled portions of the Territory, the newly arrived emigrant may expect to receive aid from the inhabitants, in the erection of their houses free of charge. No fears need be entertained from hostile Indians, while exploring Eastern, or Central Kansas, as the tribes inhabiting those portions of the Territory are peaceable. Generally, the emigrant can obtain from the settlers, all necessary information regarding the country, routes, &c., &c. The emigrant must bear in mind, that Kansas is a new and wild country; and the early settlers should be prepared to endure some privations.

Let no one who is dependant on his daily labor for a support start with the mistaken idea that wealth is to be acquired without labor, or who from previous habits is unable to overcome the privations common to every new country.

Those who embark in this enterprise must be willing to toil patiently for a few years, content for a season, with the bare necessities of life, looking for their reward in the possession of a

farm of the most
the certain rise of
abundance of wild
the mechanic, in
tioned, he has offe
with wages ampl
veyors also are in

That Kansas is
ing State, is now
this territory was
man of the Fores
ing hastily throu
Utah, or to the In

Now, Kansas c
itants; and the n
tern Hemisphere
history of our co

It is safe to
stores, mills and
exported from K
Road completed
Louis; and all th
of life, will be fou
onable rates.

In respect to la
tions necessary
be cultivated, on
abundance,—its l
the Atlantic and
Rail Road, (now
zas,) from St. Lo
connected by an
advantages of w
final completion,
marked, there is
stock to emigrant

farm of the most productive soil, increasing rapidly in value by the certain rise of property, a climate pure and healthy, the abundance of wild game, and a home market for his produce. For the mechanic, in addition to the inducements previously mentioned, he has offered him the certainty of steady employment, with wages amply sufficient for his comfortable support. Surveyors also are in great demand.

That Kansas is destined soon to become a large and flourishing State, is now settled beyond a doubt. But one year since, this territory was (with few exceptions,) occupied by the "Red man of the Forest," the country known only to travelers passing hastily through on their way to California, Oregon and Utah, or to the Indian trader.

Now, Kansas contains upwards of five thousand white inhabitants; and the rush of emigration from the Eastern and Western Hemispheres, to this Territory, is unprecedented in the history of our country.

It is safe to predict that, before another year rolls round, stores, mills and manufactures will be in full operation, produce exported from Kansas, to St. Louis and New Orleans. A Rail Road completed from the mouth of the Kansas river to St. Louis; and all the necessaries, as well as most of the luxuries, of life, will be found there as in the old settlements, and at reasonable rates.

In respect to latitude, its situation is favorable, as all productions necessary to the subsistence and enjoyment of life, can be cultivated, or are indigenous to the soil, in the greatest abundance,—its location is peculiar, being about central between the Atlantic and Pacific Oceans, and when the projected Pacific Rail Road, (now under contract, and partly completed to Kansas,) from St. Louis to California is built, the two Oceans will be connected by an Iron Road, passing through this Territory; the advantages of which cannot be too highly estimated. Of its final completion, there exists but little doubt; and, as before remarked, there is now a fine market for the sale of produce and stock to emigrants passing through Kansas.

A monthly U. S. Mail Train from Missouri through Kansas to Salt Lake, is now established.

Let no one then become discouraged at the outset, but submit cheerfully to present privations, gladly receive and aid each new comer, and by his conduct, elevate the character of his adopted State; thus rivaling the Eastern States in religion, and morality, intelligence, industry, equality of rights, good order, wealth and happiness.

Extract from Letter of Dr. John Day, of Rochester, Back Bone Valley, on Fremont's Route, Aug. 30th.

KANZAS RIVER, Aug. 17th, 1854.

"We arrived here, August 1st. Many of our men throw themselves down on their blankets at night, and awake in the morning feeling remarkably light, and well in body and spirit; we have the most pure air I ever breathed. The black soil is three to six feet, on clay three feet; then a red fine gravel mixed with clay; then tough, blue, pure clay. We have found excellent sand stone, for shoemakers uses or for grindstones; also nearly all kinds of building and lime stone, and stone coal. . . . Some places while staking out wood claims, the weeds and grass were above our heads; a man can cut two tons of hay per day, on a claim I have. Persons coming here to farm, ought to possess some little money to build a house; a log cabin costs from \$30 to \$50. . . . We have a fine site, an excellent landing on the Kansas River, which is navigable for boats, drawing eighteen inches water all the season. Winter, the Indians say, is three months, but the grazing cattle can get food most of the winter in the woods. . . . We sometimes catch a 20 to 40 pounds fish on our lines during the night; they eat finely; they are Rock and Cat fish; let none bring rifles, a shot gun is best, as most of the game is prairie hens, partridges and turkeys. Wild plums and small white plums are plenty. The wood is chiefly oak, black walnut, and cotton, on this location.'

K
In addition to

to Kansas, the em
tain rules and reg

These laws are
and may at pres

emigrant would d
self on the subjec

if they meet his
protection of the

By the rules of
allowed to enter

restrictions very fa
conformed to, e

of the Association
benefit of actual

See Rules and
Kansas Territory,

A

"According to
Kansas Territo

burg, in said Terr
"The Conferen

report, (in which
follows:

"Whereas, The
the privilege of se

Rock and whereas, the
location of such

Convention, have
and in order to p

justice to all, we s
erned by the follo

KANZAS SQUATTER LAWS.

In addition to the general laws of the United States relating to Kansas, the emigrants to that Territory have established certain rules and regulations usually termed "Squatter Laws."

These laws are adopted by vote of a majority of the settlers, and may at present be considered *The* law of the land. The emigrant would do well on his arrival in Kansas, to inform himself on the subject by application to the Register or Clerk; and if they meet his approbation, place himself and claim under the protection of the "Settlers Association."

By the rules of this Association, none but actual settlers are allowed to enter claims, which entry must be made under restrictions very favorable to the settler, which restrictions, if conformed to, entitles him to the protection and privileges of the Association. It is in fact, a Mutual Association, for the benefit of actual settlers to the exclusion of land speculators.

See Rules and Regulations for Settlers, passed at Millersburg, Kansas Territory, Aug. 12, 1854.

A SETTLERS' MEETING.

KANZAS TERRITORY, *Aug. 14th, 1854.*

"According to previous notice, the Actual Settlers Association of Kansas Territory, met at the house of Mr. Miller, at Millersburg, in said Territory, on Saturday, Aug. 12th, 1854.

"The Conference Committee, then came forward and made a report, (in which a majority agreed,) which was adopted, as follows:

"Whereas, The laws of the United States confer upon citizens, the privilege of settling and holding lands by pre-emption right; and whereas, the Kansas Valley, in part, is now open for the location of such claims; and whereas, we, the people of this Convention, have and are about to select homes in this valley, and in order to protect the public good, and to secure equal justice to all, we solemnly agree and bind ourselves to be governed by the following ordinances:

"I. We recognise the right of every citizen of the United States, of lawful age, or who may be the head of a family, to select, mark and claim 240 acres of land, viz: 160 acres prairie and 80 acres of timber land, and who shall within 60 days after the treaty is ratified, proceed to erect thereon a cabin or such other improvements as he may deem best, and shall within 60 days after the ratification of the treaties enter thereon as a resident.

"II. A claim thus marked and registered shall be good 60 days from the ratification of the treaty, at which time the claimant, if the head of a family, shall move upon and mark his home on either the prairie or timber claim, which shall make them both good, and shall be regarded so by the settlers. Single persons or females making claims shall be entitled to hold them by becoming residents of the territory, whether upon their claims or otherwise. Any person making a claim as above shall be entitled to a day additional for every five miles they have to travel to reach their families.

"III. No person shall hold more than one claim, directly or indirectly.

"IV. No one shall be allowed to enter upon any previously made or marked claim.

"V. All persons failing to commence improving or entering thereupon within the time specified, shall forfeit the same, and it shall be lawful for any other citizen to enter thereon.

"VI. Each claimant shall, at all reasonable times, hold himself in readiness to point out the extent of his claim to any person who may wish to ascertain the fact.

"VII. It shall be the duty of the Register to put every applicant, upon proof, oath or affirmation, that the claim offered for registry is free from the claim of any other person.

"VIII. Every application for registry shall be made in the following form, viz: 'I apply for certificate of registry for claim selected and marked on this—day of—1854, lying and being in—, containing 160 acres of prairie and 80 acres of timber land, and declare upon honor that said claim was selected and

marked on the
in my own right
any other person
failing to make
"IX. We agree
deed and recon
as claimed.

"X. The office

one Register, o

"XI. The du

all disputes bet

and to try all c

laws of the Ter

justice between

mand of either

all disputes or v

viz: the Chief

and each party

left, the defend

act as President

absence, a presi

"XII. The d

and other neces

of the Associati

where he may b

"XIII. The l

Justice or Juries

executed; and s

members of this

"XIV. The l

he Wakarusa a

ame, from the

purchase.

"XV. It shall

of any citizen, l

before the Chief

izen of the United States marked on the—of —, and that I am claiming but the one
 head of a family, to in my own right, and that it was not claimed or selected by
 : 160 acres prairie any other person.' To be signed by the applicant. Any person
 within 60 days after failing to make this certificate shall not be entitled to register.

on a cabin or such "IX. We agree upon the survey of the Territory, to mutually
 and shall within 60 deed and re deed to each other, so as to leave as near as possible
 r thereon as a resi- as claimed.

"X. The officers of this Association shall be, one Chief Justice,
 d shall be good 60 one Register, one Marshal, and one Treasurer.

ich time the claim. "XI. The duty of the Chief Justice shall be to try and decide
 pon and mark his all disputes between settlers in reference to claims or otherwise,
 which shall make and to try all criminals or persons guilty of the violation of the
 the settlers. Sin- laws of the Territory. The said Chief Justice shall always take
 be entitled to hold justice between man and man as his guide; and upon the de-
 whether upon their mand of either party shall summon a jury of six persons to try
 claim as above shall all disputes or violations of law; the jury to be selected as follows,
 miles they have to viz: the Chief Justice to write down the names of 18 persons,
 and each party to mark alternately until six names only are
 e claim, directly o left, the defendant marking first. The Chief Justice shall also
 act as President of all meetings of the Association, and in his
 on any previously absence, a president pro tem. shall be appointed.

"XII. The duty of the Register shall be to register all claims
 moving or entering and other necessary matter, to act as Secretary at all meetings
 of the Association, and to act as Chief Justice in his absence or
 er thereon. where he may be a party interested.

times, hold himself "XIII. The Marshal shall execute all decisions of the Chief
 Justice or Juries; shall see that the laws of the Association are
 executed; and shall have power, if necessary, to call upon all
 members of this Association to assist in executing the same.

claim offered for "XIV. The limits of this Association shall be the waters of
 the Wakarusa and Kansas Rivers, and the territory between the
 same, from the mouth of the Wakarusa up to the Shawnee
 purchase.

4, lying and being "XV. It shall be the duty of the Marshal, on the complaint
 of any citizen, by himself or deputy, to summons and bring
 was selected and before the Chief Justice, the parties for trial.

"XVI. The officers of this Association shall receive a suitable compensation for their services, which sum shall be decided by the Association.

"XVII. A Treasurer shall be appointed by the Association, who shall give approved security for the faithful disbursement of all moneys that shall be received into the treasury.

"XVIII. The Treasurer shall be authorized to pay all drafts for the expense of the Association when presented to him signed by the President and Secretary.

"XIX. The officers shall be elected by the Association, and by a majority vote of the same, removed.

"XX. Officers of the Association shall be residents of Kansas Territory.

"XXI. The Coon River, Wakarusa and all other Associations are dissolved from this date."

Dr. John Day and Mr. Wm. Lyon also made a minority report in favor of an additional article confining voting to actual settlers. A motion was made and carried that both reports be received, and the committee discharged. Mr. Wood then remarked that he was in favor of harmony, and wanted to be on both sides, and moved the adoption of both reports, which motion was unanimously carried, and the reports adopted. On motion of Mr. Dunham, the Association then assumed the name of The Mutual Settlers' Association of Kansas Territory. The Association then proceeded to the election of permanent officers with this result:

- Chief Justice, JOHN A. WAKEFIELD.
- Register, J. W. HAYES.
- Marshal, WM. LYKINS.
- Treasurer, WM. LYON.

On motion of Dr. Day, the money in the Treasury of the

Actual Settlers' Association
Wood for his services
On motion of H.
sine die.

Actual Settlers' Association was ordered to be paid to S. N. Wood for his services as Register.

On motion of H. Cameron, Esq., the Association adjourned *sine die*.

receive a suitable
will be decided by

the Association,
al disbursemen
easury.

o pay all drafts
esented to him

Association, and

idents of Kanza

her Association

a minority re

oting to actu

both reports b

Mr. Wood the

and wanted to b

a reports, whic

ts adopted. O

sumed the nam

Territory. Th

manent officers

WAKEFIELD.

YES.

NS.

treasury of th

(Extracts of United States Laws relating to Kansas.)

A BILL TO ORGANIZE THE TERRITORIES OF NEBRASKA AND KANZAS.

—

“Strike out all after the enacting clause, and insert:

“That all that part of the territory of the United States included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operation of this act to wit: beginning at a point in the Missouri river where the fortieth parallel of north latitude crosses the same: thence west on said parallel to the east boundary of the territory of Utah, or the summit of the Rocky Mountains; thence on said summit northward, to the forty-ninth parallel of north latitude; thence east on said parallel to the western boundary of the Territory of Minnesota; thence southward on said boundary to the Missouri river: then down the main channel of said river to the place of beginning, be, and the same is hereby created into a temporary government by the name of the Territory of Nebraska; and when admitted as a state or states, the said territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission: Provided, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said territory into two or more territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said territory to any other state or territory of the United States: Provided further, That nothing in this act contained shall be construed to impair the rights of persons or property now pertaining to the Indians in said territory, so long

as such rights shall be consistent with the United States which, by treaty or consent of said tribe, jurisdiction of any be excepted out of territory of Nebraska to the President of said territory of government of the respecting such by treaty, law, or consent to the government.

SEC. 2. And be and authority invested in a governor and until his successor sooner removed governor shall remain in-charge and respites for or reprieves for offenses the decision of the shall commission under the laws of laws be faithfully

SEC. 3. And be tary of said territory office for five years the United States proceedings of the and all the acts a department; he of the legislative each session, and correspondence

as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any state or territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the territory of Nebraska, until said tribe shall signify their assent to the President of the United States to be included within the said territory of Nebraska, or to affect the authority of the government of the United States, to make any regulations respecting such Indians, their lands, property or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never passed.

SEC. 2. And be it further enacted, That the executive power and authority in and over said territory of Nebraska shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said territory, and shall be commander-in-chief of the militia thereof. He may grant pardons and respites for offences against the laws of said territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said territory, and shall take care that the laws be faithfully executed.

SEC. 3. And be it further enacted, That there shall be a secretary of said territory, who shall reside therein, and hold his office for five years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and journals of the legislative assembly within thirty days after the end of each session, and one copy of the executive proceeding and official correspondence semi-annually, on the first days of January and

g to Kansas.)

OF NEBRASKA

and insert:

ited States included
ions thereof as an
eration of this act
i river where the
same: thence west
territory of Utah, or
e on said summit
th latitude; thence
dary of the Ter
on said boundary
n channel of said
the same is hereby
e name of the Ter
state or states, th
all be received int
e constitution ma
rovided, That noth
inhibit the govern
d territory into tw
uch times as Con
from attaching an
or territory of th
othing in this ac
ights of persons o
d territory, so lon

July in each year, to the President of the United States, and two copies of the laws to the president of the Senate and to the speaker of the House of Representatives, to be deposited in the libraries of Congress; and, in case of the death, removal, resignation, or absence of the governor from the territory, the secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the governor during such vacancy or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

SEC. 4. And be it further enacted, That the legislative power and authority of said territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of thirteen members, having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall, at its first session, consist of twenty-six members, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, in proportion to the increase of qualified voters: Provided, That the whole number shall never exceed thirty-nine; an apportionment shall be made as nearly equal as practicable, among the several counties or districts, for the election of the council and representatives, giving to each section of the territory representation in the ratio of its qualified voters as nearly as may be.—And the members of the council and of the house of representatives shall reside in, and be inhabitants of the district or county, or counties, for which they may be elected, respectively. Previous to the first election, the governor shall cause a census, or enumeration of the inhabitants and qualified voters of the several counties and districts of the territory, to be taken by such persons and in such mode as the governor shall designate and appoint; and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and

be conducted in
superintend such
ernor shall appoi
declare the num
of representative
shall be entitled
est number of l
members of the
duly elected to t
est number of le
be declared by t
house: Provid
shall have an ec
shall otherwise
the governor sh
elected to the le
on such day as
time, place, and
by the people,
several counties
sentatives, acco
prescribed by la
the regular sess
no session in an
except the first

SEC. 5. And
male inhabitant
be an actual re
qualifications h
the first electio
said territory;
office, at all su
scribed by the
of suffrage and
zens of the Ur

United States, and
of the Senate and
atives, to be de-
l, in case of the
governor from the
by, authorized and
rs and duties of the
until another gov-
o fill such vacancy.
e legislative power
d in the governor
assembly shall con-
ives. The council
e qualifications of
m of service shall
atives shall, at its
rs, possessing the
ers of the council,
e year. The num-
e legislative assem-
crease of qualified
shall never exceed
as nearly equal as
cts, for the election
o each section of
s qualified voters
the council and of
nd be inhabitants
hich they may be
tion, the governor
e inhabitants and
istricts of the ter-
such mode as the
the persons so
nsation therefor.
e and places, and

be conducted in such manner, both as to the persons who shall superintend such election and the returns thereof, as the governor shall appoint and direct; and he shall at the same time declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said council districts for members of the council, shall be declared by the governor to be duly elected to the council; and the persons having the highest number of legal votes for the house of representatives, shall be declared by the governor to be duly elected members of said house: Provided, That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the legislative assembly, the governor shall order a new election; and the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the number of qualified voters, shall be prescribed by law as well as the day of the commencement of the regular sessions of the legislative assembly; Provided, That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

SEC. 5. And be it further enacted, That every free white male inhabitant above the age of twenty-one years who shall be an actual resident of said territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly: Provided, That the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared

on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act: And provided further, That no officer, soldier, seaman or marine, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said territory, by reason of being on service therein.

SEC. 6. And be it further enacted, That the legislative power of the territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the council and house of representatives of the said territory shall, before it become a law, be presented to the governor of the territory; if he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days, (Sundays excepted,) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

SEC. 7. And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as

shall be provided for in the territory of the United States, by and with the consent of the people thereof, to appoint all officers, and to elect the first instance of each office, who shall hold office until the legislative assembly shall provide for members of each office, and other officers.

SEC. 8. And be it further enacted, That the legislative assembly shall have the power to elect a commission of three members of the territory, to receive and accept of a commission from the United States, or shall hold office until their successors shall be appointed.

SEC. 9. And be it further enacted, That the courts, probate courts, and district courts shall consist of any two of whom the governor shall appoint, for a term at the session of the territory, and they shall hold office until their successors shall be appointed. The district court shall consist of three justices of the peace, who shall be prescribed by the legislature, and shall be appointed, as provided for, both by the legislature and the courts of justice.

shall be provided by the governor and legislative assembly of the territory of Nebraska. The governor shall nominate, and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly; and shall lay off the necessary districts, for members of the council and house of representatives, and all other officers.

SEC. 8. And be it further enacted, That no member of the legislative assembly shall hold, or be appointed to, any offices which shall have been created or the salary or emoluments of which shall have increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first legislative assembly; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said territory.

SEC. 9. And be it further enacted, That the judicial power of said territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice, and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said territory annually, and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The said territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the district which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate, and original, and that of the probate courts of justices of the peace, shall as limited by law: Pro-

vided, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decision of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decision of said supreme court, shall be allowed, and may be taken to the Supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; except only that in all cases involving title to slaves, the said writs of error or appeals shall be allowed and decided by the said supreme court, without regard to the value of the matter, property, or title in controversy, and except also that a writ of error or appeal shall also be allowed to the Supreme court of the United States, from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof upon any writ of habeas corpus, involving the question of personal freedom: Provided, That nothing herein contained shall be construed to apply to or affect the provisions of the "act respecting fugitives from justice, and persons escaping from the service of their masters," approved February twelfth, seventeen

hundred and ninety
mentary to the afor
eighteen hundred a
shall have and exer
under the Constituti
in the circuit and d
said supreme and d
respective judges t
corpus in all cases v
the United States i
days of every term
be necessary, shall
under the said Con
peal in all such cas
territory, the same
in all such cases t
courts of Utah Ter

SEC. 10. And b
an act entitled "A
persons escaping fr
February twelve, s
provisions of the
mentary to, the af
eighteen hundred
clared to extend t
territory of Nebr

SEC. 11. And
pointed an attorne
fice for four yea
and qualified, un
shall receive the sa
States for the pre
marshal for the te
four years, and, u
ified, unless soon

hundred and ninety-three, and the "act to amend and supplementary to the aforesaid act," approved September eighteen, eighteen hundred and fifty; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases which the same are granted by the judges of the United States in the district of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws, and writs of error and appeal in all such cases shall be made to the supreme court of said territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Utah Territory now receive similar services.

SEC. 10. And be it further enacted, That the provisions of an act entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters," approved February twelve, seventeen hundred and ninety-three, and the provisions of the act entitled "An act to amend, and supplementary to, the aforesaid act," approved September eighteen, eighteen hundred and fifty, be, and the same are hereby, declared to extend to and be in full force within the limits of said territory of Nebraska.

SEC. 11. And be it further enacted, That there shall be appointed an attorney for said territory, who shall continue in office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present territory of Utah. There shall also be a marshal for the territory appointed, who shall hold his office for four years, and, until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall

execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present territory of Utah, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 12. And be it further enacted, That the governor, secretary, chief justice, and associate justices, attorney, and marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid, shall, before they act as such, respectively take an oath or affirmation before the district judge or some justice of the peace in the limits of said territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the territory who may be duly commissioned and qualified, which said oath or affirmation, shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of two thousand five hundred dollars. The chief justice and associate justices shall each receive an annual salary of two thousand dollars. The secre-

tary shall receive
The said salary s
of the respective a
States; but no suc
shall have entered
ments. The mem
tled to receive thro
at the sessions the
miles travel in go
estimated accordin
an additional allo
presiding officer o
And a chief clerk
door-keeper, may
shall receive four
three dollars per c
bly; but no other
Provided, That t
annually, unless,
think proper to ca
propriated, annua
ernor, to defray t
ding the salary of
shall also be app
pended by the se
to be made by
States, to defray
printing of the
governor and sec
ment of all mo
the instructions
States, and shal
for the manner i
expended; and
assembly for obj

courts when exer-
 courts of the Uni-
 subject to the same
 the same fees as
 ted States for the
 ion, be paid two
 r extra services.
 at the governor,
 s, attorney, and
 h the advice and
 dent of the Uni-
 be appointed as
 ectively take an
 some justice of
 uthorized to ad-
 v in force there-
 e justice of the
 rt the Constitu-
 narge the duties
 n so taken, shall
 shall have been
 recorded by the
 ; and the chief
 l officers in said
 e oath or affir-
 or some judge
 may be duly
 ffirmation, shall
 the same to the
 nd, afterwards,
 d, and recorded
 law. The gov-
 usand five hun-
 stices shall each
 s. The secre-

tary shall receive an annual salary of two thousand dollars,
 The said salary shall be paid quarter-yearly, from the dates
 of the respective appointments, at the treasury of the United
 States; but no such payment shall be made until said officers
 shall have entered upon the duties of their respective appoint-
 ments. The members of the legislative assembly shall be enti-
 tled to receive three dollars each per day during their attendance
 at the sessions thereof, and three dollars each for every twenty
 miles travel in going to and returning from the said sessions,
 estimated according to the nearest usually travelled route; and
 an additional allowance of three dollars shall be paid to the
 presiding officer of each house for each day he shall so preside.
 And a chief clerk, one assistant clerk, a serjeant-at-arms, and
 door-keeper, may be chosen for each house; and the chief clerk
 shall receive four dollars per day, and the said other officers
 three dollars per day, during the session of the legislative assem-
 bly; but no other officer shall be paid by the United States:
 Provided, That there shall be but one session of the legislature
 annually, unless, on an extraordinary occasion, the governor shall
 think proper to call the legislature together. There shall be ap-
 propriated, annually, the usual sum, to be expended by the gov-
 ernor, to defray the contingent expenses of the territory, inclu-
 ding the salary of a clerk of the executive department; and there
 shall also be appropriated, annually, a sufficient sum, to be ex-
 pended by the secretary of the territory, and upon an estimate
 to be made by the secretary of the treasury of the United
 States, to defray the expenses of the legislative assembly, the
 printing of the laws, and other incidental expenses; and the
 governor and secretary of the territory shall, in the disburse-
 ment of all moneys intrusted to them, be governed solely by
 the instructions of the secretary of the treasury of the United
 States, and shall, semi-annually, account to the said secretary
 for the manner in which the aforesaid moneys shall have been
 expended; and no expenditure shall be made by said legislative
 assembly for objects not specially authorized by the acts of Con-

gress making the appropriations, nor beyond the sums thus appropriated for such objects.

SEC. 13. And be it further enacted, That the legislative assembly of the territory of Nebraska shall hold its first session at such time and place in said territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly.

SEC. 14. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other territories of the United States to the said House of Representatives, but the delegate first elected shall hold his seat only during the term of Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding the elections, shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly. That the Constitution, and all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said territory of Nebraska as elsewhere within the United States except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March sixth, eighteen hundred and twenty, which, being inconsistent with the principle of non-intervention by Congress with slavery in the states and territories, as recognized by the legislation of eighteen hun-

dred and fifty, com-
hereby declared inop-
and meaning of this
ry or state, nor to e-
thereof perfectly fre-
tutions in their own
United States: Pr-
be construed to re-
which may have e-
teen hundred and
hibiting, or abolish-

SEC. 15. And be-
after be appropriat-
governments, a su-
direction of the
not exceeding th-
objects, for the er-
of government, an-
the seat of govern-
assembly, judges
attorney of said
such regulations

SEC. 16. And b-
said Territory sha-
vernment of the
market, sections
ship in said territ-
for the purpose o-
in the states an-
same.

SEC. 17. And
provided by law
judicial district
may be appoint-
also appoint th-
eral counties or

dred and fifty, commonly called the compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: Provided, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery.

SEC. 15. And be it further enacted, That there shall hereafter be appropriated, as has been customary for the territorial governments, a sufficient amount, to be expended under the direction of the said governor of the territory of Nebraska, not exceeding the sums heretofore appropriated for similiar objects, for the erection of suitable public buildings at the seat of government, and for the purchase of a library, to be kept at the seat of government for the use of the governor, legislative assembly, judges of the supreme court, secretary, marshal, and attorney of said territory, and such other persons, and under such regulations as shall be prescribed by law.

SEC. 16. And be it further enacted, That when the lands in the said Territory shall be surveyed under the direction of the government of the United States, preparatory to bringing same into market, sections numbered sixteen and thirty-six, in each township in said territory, shall be, and the same are hereby reserved for the purpose of being applied to schools in said territory, and in the states and territories hereafter to be erected out of the same.

SEC. 17. And be it further enacted, That, until otherwise provided by law, the governor of said territory may define the judicial districts of said territory, and assign the judges who may be appointed for said territory to the several districts; and also appoint the times and places for holding courts in the several counties or sub-divisions in each of said judicial districts by

proclamation, to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 18. And be it further enacted, That all officers to be appointed by the President, by and with the advice and consent of the Senate, for the territory of Nebraska, who, by virtue of the provisions of any law now existing, or which may be enacted during the present Congress, are required to give security for moneys that may be intrusted with them for disbursements, shall give such security, at such time and place, and in such manner as the secretary of the treasury may prescribe.

SEC. 19. And be it further enacted; That all that part of the territory of the United States included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operations of this act, to wit: beginning at a point on the western boundary of the state of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the east boundary of the territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude; thence east on said parallel to the western boundary of the state of Missouri; thence south with the western boundary of said state to the place of beginning be, and the same is hereby created into a temporary government by the name of the Territory of Kansas; and when admitted as a state or states, the said territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission: Provided, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said territory

into two or more
as Congress shall
any portion of sa
the United States
contained shall be
or property now
long as such right
the United State
which, by treaty
sent of said tribe
jurisdiction of an
be excepted out
the territory of
to the President
said territory of
ernment of the
such Indians, th
law, or otherwi
government to

SEC. 20. And
and authority
vested in a gov
until his succe
sooner remove
governor shall
mander-in-Chi
and respites fo
reprieves for o
til the decision
shall commissi
the laws of sa
faithfully exec

SEC. 21. A
secretary of s
his office for t

into two or more territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said territory to any other state or territory of the United States: Provided further, That nothing in this act contained shall be so construed to impair the rights of person or property now pertaining to the Indians in said territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any state or territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the territory of Kansas, until said tribe shall signify their assent to the President of the United States to be included within the said territory of Kansas, or to affect the authority of the government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never passed.

SEC. 20. And be it further enacted, That the executive power and authority in and over said territory of Kansas shall be vested in a governor who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said territory, and shall be commander-in-Chief of the militia thereof. He may grant pardons and respites for offences against the laws of said territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission officers who shall be appointed to office under the laws of said territory, and shall take care that the laws be faithfully executed.

SEC. 21. And be it further enacted, That there shall be a secretary of said territory, who shall reside therein, and hold his office for five years, unless sooner removed by the President

of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and journals of the legislative assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semi-annually, on the first days of January and July in each year, to the President of the United States, and two copies of the laws to the President of the Senate and to the Speaker of the House of Representatives, to be deposited in the libraries of Congress: and, in case of the death, removal, resignation, or absence of the governor from the territory, the secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the governor during such vacancy or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

SEC. 22. And be it further enacted, That the legislative power and authority of said Territory shall be vested in a governor and a legislative assembly. The legislative assembly shall consist of a council and a house of representatives. The council shall consist of thirteen members, having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall, at its first session, consist of twenty-six members, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, in proportion to the increase of qualified voters: Provided, That the whole number shall never exceed thirty-nine. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the council and representatives, giving to each section of the territory representation in the ratio of its qualified voters as nearly as may be. And the members of the council and of the

house of repre
district or cou
spectively. Pr
a census or en
of the several
by such perso
nate and appo
reasonable cor
be held at such
both as to the
the returns th
and he shall a
of the council
counties or di
sons having t
council distric
by the govern
sons having t
representativ
elected memb
more persons
and in case a
the legislativ
and the perso
at such place
but thereafter
ducting all e
representatio
and house of
fied voters, s
commencem
Provided, T
term of forty
sixty days.

house of representatives shall reside in, and be inhabitants of the district or county, or counties, for which they may be elected, respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the territory, to be taken by such persons and in such mode as the governor shall designate and appoint; and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner, both as to the persons who shall superintend such election and the returns thereof, as the governor shall appoint and direct; and he shall at the same time declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said council districts for members of the council, shall be declared by the governor to be duly elected to the council; and the persons having the highest number of legal votes for the house of representatives, shall be declared by the governor to be duly elected members of said house: Provided, That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the legislative assembly, the governor shall order a new election, and the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: Provided, That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

SEC. 23. And be it further enacted, That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly: Provided, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act. And provided further, That no officer, soldier, seaman, marine, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory by reason of being on service therein.

SEC. 24. And be it further enacted, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the council and house of representatives of the said Territory, shall, before it become a law, be presented to the governor of the Territory; if he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, who shall enter at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to

be entered on the bill shall not be (Sundays excepted) the same shall be unless the assembly which case it shall

SEC. 25. And b
trict, and county
shall be appointed
ner as shall be pro
bly of the Territor
and by and with th
appoint all officers
first instance the g
shall hold their o
legislative assem
members of the
other officers.

SEC. 26. And
legislative assem
which shall have
which shall have
ing the term for
the expiration of
plicable to membe
person holding a
States, except po
assembly, or shal
Territory.

SEC. 27. And
said Territory sha
probate courts, a
shall consist of a
whom shall cons
the seat of gove

be entered on the journal of each house, respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner, as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

SEC. 25. And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of Kansas. The governor shall nominate, and by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly; and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

SEC. 26. And be it further enacted, That no member of the legislative assembly shall hold, or be appointed to, any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first legislative assembly; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

SEC. 27. And be it further enacted, That the judicial power of said Territory shall be vested in the Supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice, two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said territory annually; and they

of the matter, property, or title in controversy; and except also that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of habeas corpus, involving the question of personal freedom: Provided, That nothing herein contained shall be construed to apply to or affect the provisions of the "act respecting fugitives from justice, and persons escaping from the service of their masters," approved February twelfth, seventeen hundred and ninety-three, and the "act to amend and supplementary to the aforesaid act," approved September eighteenth, eighteen hundred and fifty; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws, and writs of error and appeal in all such cases shall be made to the supreme court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Utah Territory now receive for similar services.

SEC. 28. And be it further enacted, That the provisions of the act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," approved February twelfth, seventeen hundred and ninety-three, and the provisions of the act entitled "An act to amend, and supplementary to the aforesaid act," approved September eighteenth, eighteen hundred and fifty, be, and the same are hereby, de-

clared to extend to and be in full force within the limits of the said Territory of Kansas.

SEC. 29. And be it further enacted, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present territory of Utah. There shall also be a marshal for the territory appointed, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the marshal of the district court of the United States for the present territory of Utah, and shall, in addition, be paid two hundred dollars annually, as a compensation for extra services.

SEC. 30. And be it further enacted, That the governor, secretary, chief justice, and associate justices, attorney, and marshal shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge or some justice of the peace within the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the said secretary, among the executive proceedings; and the chief justice and associate justices, and all other civil officers in

said territory, before
 mation before
 justice of the p
 sioned and qua
 tified and tran
 retary, to be b
 like oath or a
 in such manne
 governor shall
 dred dollars. T
 annual salary o
 an annual sala
 be paid quarte
 ments, at the
 ment shall be
 the duties of
 the legislative
 lars each per d
 and three dolla
 and returning
 nearest usually
 three dollars s
 for each day h
 ant clerk, a ser
 for each house
 day, and the s
 session of the
 be paid by the
 one session of
 nary occasion,
 ture together.
 sum, to be exp
 expenses of th
 executive depa
 nually, a suff

said territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The governor shall receive an annual salary of two thousand five hundred dollars. The chief justice and associate justices shall receive an annual salary of two thousand dollars. The secretary shall receive an annual salary of two thousand dollars. The said salaries shall be paid quarter-yearly, from the date of the respective appointments, at the Treasury of the United States; but no such payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route; and an additional allowance of three dollars shall be paid to the presiding officer of each house for each day he shall so preside. And a chief clerk, one assistant clerk, a sergeant-at-arms, and door-keeper, may be chosen for each house; and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the legislative assembly; but no other officers shall be paid by the United States: Provided, That there shall be but one session of the legislature annually, unless, on an extraordinary occasion, the governor shall think proper to call the legislature together. There shall be appropriated, annually, the usual sum, to be expended by the governor, to defray the contingent expenses of the Territory, including the salary of a clerk of the executive department; and there shall also be appropriated annually, a sufficient sum, to be expended by the secretary

of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the governor and secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall, semi-annually, account to the said Secretary for the manner in which the aforesaid money shall have been expended; and no expenditure shall be made by said legislative assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

SEC. 31. And be it further enacted, That the seat of government of said Territory is hereby located temporarily at Fort Leavenworth; and that such portions of the public buildings as may not be actually used and needed for military purposes may be occupied and used, under the direction of the governor and legislative assembly, for such public purposes as may be required under the provisions of this act.

SEC. 32. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives, but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and

a certificate the
stitution, and a
inapplicable, sh
Territory of K
except the eigh
of Missouri in
hundred and tw
of non-interven
Territories, as
and fifty, com
declared inope
meaning of th
or State, nor t
thereof perfect
tutions in their
the United S
shall be constr
which may ha
eighteen hund
prohibiting, or

SEC. 33. And
be appropriate
ernments, a su
of the said go
the sums her
erection of su
and for the p
government f
judges of the
of said Territo
lations, as sha

SEC. 34. And
the said Territ
government o
same into ma

a certificate thereof shall be given accordingly. That the Constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eight section of the act preparatory to the admission of Missouri into the Union, approved March sixth, eighteen hundred and twenty, which being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognised by the legislation of eighteen hundred and fifty, commonly called the compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: Provided, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth of March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery.

SEC. 33. And be it further enacted, That there shall hereafter be appropriated, as has been customary for the territorial governments, a sufficient amount to be expended under the direction of the said governor of the Territory of Kansas, not exceeding the sums heretofore appropriated for similar objects, for the erection of suitable public buildings at the seat of government, and for the purchase of a library, to be kept at the seat of government for the use of the governor, legislative assembly, judges of the supreme court, secretary, marshal, and attorney of said Territory, and such other persons, and under such regulations, as shall be prescribed by law.

SEC. 34. And be it further enacted, That when the lands in the said Territory shall be surveyed under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in

each township in said Territory, shall be and the same are hereby reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same.

SEC. 35. And be it further enacted, That, until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts; and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation, to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 36. And be it further enacted, That all officers to be appointed by the President, by, and with the advice and consent of the Senate, for the Territory of Kansas, who, by virtue of the provisions of any law now existing, or which may be enacted during the present Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security, at such time and place, and in such manner, as the Secretary of the Treasury may prescribe.

SEC. 37. And be it further enacted, That all treaties, laws and other engagement made by the government of the United States with the Indian tribes inhabiting the territories embraced within this act, shall be faithfully and rigidly observed, notwithstanding anything contained in this act; and that the existing agencies and superintendencies of said Indians be continued with the same powers and duties which are now prescribed by law, except that the President of the United States may, at his discretion, change the location of the office of superintendent.

Passed the House of Representatives, May 22, 1854.

Attest:

JOHN W. FORNEY,
Clerk, House of Representatives.

THE N

*An act to establish
ico, Kansas and
therein, and*

Be it enacted
the United States
President, by
shall be, and he
general in New
thousand dollar
be the same as
of Oregon; he
rent and fuel,
allowed by law
shall locate his
directed by the

SEC. 2. And
citizen of the U
of twenty-one
a citizen, and
first day of Jan
may be still re
one quarter s
And to every
white male ab
his intention t
or shall remov
day of Januar
day of Januar
in like manne
and sixty acr
tion for not

THE NEW MEXICO HOMESTEAD BILL.

An act to establish the Office of Surveyor General of New Mexico, Kansas and Nebraska, to grant donations to actual Settlers therein, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President, by and with the advice and consent of the Senate, shall be, and he is hereby authorized, to appoint a surveyor-general in New Mexico, whose annual salary shall be three thousand dollars, and whose power, authority and duties shall be the same as those provided by law for the surveyor-general of Oregon; he shall have proper allowances for clerk hire, office rent and fuel, not exceeding what now is or hereafter may be allowed by law to the said surveyor-general of Oregon; and he shall locate his office from time to time at such places as may be directed by the President of the United States.

SEC. 2. And be it further enacted, That to every white male citizen of the United States, or every white male above the age of twenty-one years, who has declared his intention to become a citizen, and who was residing in said Territory prior to the first day of January, eighteen hundred and fifty-three, and who may be still residing there, there shall be, and hereby is, donated one quarter section, or one hundred and sixty acres of land. And to every white male citizen of the United States, or every white male above the age of twenty-one years, who has declared his intention to become a citizen, and who shall have removed or shall remove to and settle in said Territory between the first day of January, eighteen hundred and fifty-three, and the first day of January, eighteen hundred and fifty-eight, there shall in like manner be donated one quarter section, or one hundred and sixty acres, on condition of actual settlement and cultivation for not less than four years: Provided, however, That

ame are here-
chools in said
ereafter to be

il otherwise
ay define the
judges who
districts; and
s in the sev-
l districts by
ive assembly,
nize, alter, or
es, and alter
em shall seem

to be appoint-
nsent of the
e of the pro-
y be enacted
security for
sement, shall
such manner,

reaties, laws
f the United
ies embraced
ed, notwith-
the existing
e continued
rescribed by
may, at his
rintendent.

22, 1854.

RNEY,
representatives.

SEC. 5. And be it further enacted, That when the lands in the said Territory shall be surveyed, under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be created out of the same.

SEC. 6. And be it further enacted, That when the lands in said Territory shall be surveyed as aforesaid, a quantity of land equal to two townships shall be, and the same is hereby reserved for the establishment of a university in said Territory, and in the State hereafter to be created out of the same, to be selected under the direction of the Legislature, in legal subdivisions of not less than one-half section.

SEC. 7. And be it further enacted, That any of the lands not taken under the provisions of this act, shall be subject to the operation of the pre-emption act of fourth September, eighteen hundred and forty-one, whether settled upon before or after the survey; and, in all cases where the settlement was made before the survey, the settler shall file his declaration within three months after the survey is made and returned; and any person claiming a donation under this act shall be permitted to enter the land claimed by him at any time prior to the four years occupancy and cultivation required, by paying therefor at the rate of one dollar and twenty-five cents per acre, and proving occupancy and cultivation up to the time of such payment.

SEC. 8. And be it further enacted, That it shall be the duty of the surveyor-general, under such instructions as may be given by the Secretary of the Interior, to ascertain the origin, nature, character and extent of all claims to lands under the laws, usages and customs of Spain and Mexico; and, for this purpose may issue notices, summons witnesses, administer oaths and do and perform all other necessary acts in the premises. He shall make a full report on all such claims as originated

eral shall cause the necessary surveys to be made in said Territories, of standard meridian, base, and parrallel lines, and of township and sub-divisional lines, under such rules and regulations as shall be subscribed by the commissioner of the General Land Office.

SEC. 12. And be it further enacted, That all the lands to which the Indian title has been or shall be extinguished within said Territorys of Nebraska and Kansas, shall be subject to the operations of the pre-emption act of fourth September, eighteen hundred and forty-one, and under the conditions, restrictions and stipulations therein mentioned: Provided, however, that were unsurveyed lands are claimed by pre-emption, notice of the specific tracts claimed shall be filed within three months after the survey has been made in the field; and on failure to file such notice, or to pay for the tracts claimed before the day fixed for the public sale of the lands by the proclamation of the President of the United States, the parties claiming such lands shall forfeit all right thereto: Provided, said notices may be filed with the Surveyor-General, and to be noted by him on the township plats, until other arrangements shall have been made by law for that purpose.

SEC. 13. And be it further enacted, That the public lands in the Territory of Nebraska, to which the Indian title shall have been extinguished, shall constitute a new land district, to be called the Omaha district; and the public land in the Territory of Kansas, to which the Indian title shall have been extinguished, shall constitute a new land district, to be called the Pawnee district; the officers for each of which districts shall be established at such points as the President may deem expedient; and he is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for each of said districts, who shall each be required to reside at the site of their respective offices, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in

relation to other land officers of the United States. And the President is hereby authorized to cause the surveyed lands to be exposed for sale, from time to time, in the same manner, and upon the same terms and conditions as the other public lands of the United States.

Passed House of Representatives, June 17, 1854.

Approved July 22, 1854.

ACT, passed May 8th, 1846.

Repeats 2nd proviso in the act of 1832, 6-65, permitting entries of more than one half of 160 acres of land, in fractions on 16 quarter sections, in his own name, or in the name of other persons, unless he intends it for cultivation or the use of his own improvements, and directs how such application shall be made. See act at large, 9 vol. U. S. Acts of Congress, p. 9.

SETTLEMENT OF TOWNS AND VILLAGES.

Act, May 23rd, 1844.

SEC. 1. That whenever any portion of the surveyed public lands have been or shall be settled upon and occupied as a town-site, and therefore not subject to entry under existing pre-emption laws, it shall be lawful in case such town or place has been incorporated, for the corporate authorities thereof, and if not incorporated, from the judges of the county court for the county in which and such town may be situated, to enter at the proper land office at the minimum statutes price, the land so settled and occupied in trust for the several use and benefit of the occupants thereof, according to their respective interests. The execution of which trust as to the disposal of the lots in such town and the proceeds of the sales thereof to be conducted under such rules and regulations as may be furnished by the Legislative authority of the State and Territory in which the same is situated. See 5 vol. U. States, p. 657.

PRE-EMPTION

SEC. 2. Provi
the benefits of an
consummated h
sential to the e
for his executor
necessary paper
entry shall be m
efit of the heir
626.

SECRETARY

Provides tha
not be paid w
quantity excee
claim is founde
substantially s
shall be satisfie
fair and regula
the claim shall
act of 1811, sh
pre-emption by
5 vol. Statutes

LAWS GOV

SEC. 10. A
sage of this act

PRE-EMPTION CLAIMS DERIVED TO HEIRS.*Act, March 3rd, 1843.*

SEC. 2. Provides that where a party shall be entitled to claim the benefits of any of the pre-emption laws, shall die before having consummated his claim by filing in due time all the papers essential to the establishment of the same; it shall be competent for his executor or administrator or one of his heirs to file the necessary papers to complete the same: Provided, that such entry shall be made in favor of the heirs, and enure to the benefit of the heirs of the pre-emptor. 5 vol. U. S. Statutes, p. 626.

SECRETARY OF TREASURY TO ISSUE PATENTS IN CERTAIN CASES.*Act, August 26th, 1842.*

Provides that entries made under the pre-emption laws shall not be paid where the patent is withheld on account of the quantity exceeding that specified in the law, and when the claim is founded on proof not in form, full as to all the facts, but substantially so, provided, that the Secretary of the Treasury shall be satisfied that such entries have been in other respects fair and regular, and no fraud shall appear in them, and when the claim shall not be contested by any other persons. But the act of 1811, shall not be so construed so as to confer a right of pre-emption by reason of settlement on a tract heretofore sold. 5 vol. Statutes U. S. p. 534.

LAWS GOVERNING KANZAS AND NEW MEXICO.*Act, Sept. 4th, 1841.*

SEC. 10. *And be it further enacted,* That from and after the passage of this act, every person being the head of a family, or widow

or single man over the age of twenty-one years, and being a citizen of the United States, or having filed his declaration of intention to become a citizen, as required by the naturalization laws, who since the first day of June, A. D., eighteen hundred and forty, has made or shall hereafter make a settlement in person on the public lands to which the Indian title had been at the time of such settlement extinguished, and which has been or shall have been surveyed prior thereto, and who shall inhabit and improve the same, and who has or shall erect a dwelling thereon, shall be and is hereby authorized to enter with the register of the land office for the district, in which such land may be, by legal subdivisions, any number of acres not exceeding one hundred and sixty, or a quarter section of land, to include the residence of such claimant upon paying to the United States the minimum price of such land, subject however to the following limitations and exceptions: No person shall be entitled to more than one pre-emptive right by virtue of this act; no person who is the proprietor of three hundred and twenty acres of land in any State or Territory of the United States, and no person who shall quit or abandon his residence on his own land to reside on the public land in the same State or Territory, shall acquire any right of pre-emption under this act.

SEC. 11. *And be it further enacted,* That when two or more persons shall have settled on the same quarter section of land, the right of pre-emption shall be in him or her who made the first settlement, provided such persons shall conform to the other provisions of this act: and all questions as to the right of pre-emption arising between different settlers, shall be settled by the register and receiver of the district within which the land is situated, subject to an appeal to and a reversion by the Secretary of the Treasury of the United States.

SEC. 12. *And be it further enacted,* That prior to any entries being made under and by virtue of the provisions of this act, proof of the settlement and improvement thereby acquired,

shall be made to the land district, rules as shall be prescribed who shall each be applicant for his assignments and the issuing of the

SEC. 13. *And* claiming the benefits of the land district by authorized to had the benefit he or she is not of land in any State he or she settled on speculation, own exclusive use ly or indirectly manner, with a title, which he the United States fit of any person taking such oaths shall be subject shall forfeit the land, and all right conveyance which of bona-fide purchase and void; and such oath to file such district, a Land Office, evidence that such

SEC. 14. *And*

shall be made to the satisfaction of the register and receiver of the land district, in which such lands may lie, agreeably to such rules as shall be prescribed by the Secretary of the Treasury, who shall each be entitled to receive fifty cents from each applicant for his services, to be rendered as aforesaid: and all assignments and transfers of the right hereby secured, prior to the issuing of the patent, shall be null and void.

SEC. 13. *And be it further enacted,* That before any person claiming the benefit of this act shall be allowed to enter such lands, he or she shall make oath, before the receiver or Register of the land district in which the land is situated, who are hereby authorized to administer the same, that he or she has never had the benefit of any right of pre-emption under this act: that he or she is not the owner of three hundred and twenty acres of land in any State or Territory of the United States, nor hath he or she settled upon and improved said land to sell the same on speculation, but in good faith to appropriate it to his or her own exclusive use and benefit, and that he or she has not directly or indirectly made any agreement or contract, in any way or manner, with any person or persons whatsoever, by which the title, which he or she might acquire from the government of the United States, should insure in whole or in part, to the benefit of any person except himself or herself; and if any person taking such oath shall swear falsely in the premises, he or she shall be subject to all the pains and penalties of perjury, and shall forfeit the money which he or she may have paid for said land, and all right and title to the same: and any grant or conveyance which he or she may have made, except in the hands of bona-fide purchasers for a valuable consideration, shall be null and void; and it shall be the duty of the officer administering such oath to file a certificate thereof, in the public land office of such district, and to transmit a duplicate copy to the General Land Office, either of which shall be good and sufficient evidence that such oath was administered according to law.

SEC. 14. *And be it further enacted,* That this act shall not

delay the sale of any of the public lands of the United States, beyond the time which has been, or may be appointed by the proclamation of the President, nor shall the provisions of this act be available to any person or persons who shall fail to make the proof and payment and file the affidavit required before the day appointed for the commencement of the sales as aforesaid.

SEC. 15. And be it further enacted, That whenever any person has settled or shall settle and improve a tract of land subject at the time of settlement to private entry, and shall intend to purchase the same under the provisions of this act; such person shall in the first case, within three months after the passage of the same, and in the last within thirty days next after the date of each settlement, file with the register of the proper district a written statement, describing the land settled upon, and declaring the intention of such person to claim the same under the provisions of this act; and shall, where such settlement is already made, within twelve months after the passage of this act, and where it shall hereafter be made within the same period after the date of such settlement, make the proff, affidavit, and payment herein required.

SETTLEMENT ON SECOND PARTS OF LOTS.

Act, June 18th, 1840.

SEC. 1. Provides that a squatter who resides, and has his dwelling on one quarter section of land, and cultivates another, shall have his election to enter either of said quarter sections, on legal subdivisions of each, so as not to exceed one quarter section in all.

See 5 Vol. Statutes, page 384.

PERSONS O

SEC. 2. Provi
permitted in like
in quantity one q
section, the occu
and sixty acres,
of \$1,25 cts. an

REMOVING

SEC. 4. Direc
such, under suc
by the Presiden
not sold or subj
who shall not h
thereon, provid
been given to o

The same se
the expiration o
dollars, and six

See Mr. Cus