

2023 Kansas Statutes

75-2812. Lists of lands granted to state; effect of recording. In cases where lands have been granted to the state of Kansas by act of congress, and certified list of lands inuring under the grant have been made to the state by the commissioner of the general land office as required by act of congress, and such lands have been granted by act of the legislature to or for the benefit of any person or company, and such person or company shall have complied with and fulfilled the conditions of the grant, the register of the state land office is hereby authorized to prepare, on application of the grantee, a list or lists of land situated in each county inuring to such grantee from the lists certified by the commissioner of the general land office as aforesaid, which shall be signed by the governor of this state and attested by the secretary of state, with the state seal, and then be certified to by the register to be true and correct copies of the lists made to this state, and deliver them to such grantee, who is hereby authorized to have them recorded in the proper county, and when so recorded they shall be notice to all persons, the same as deeds now are, and shall vest in such grantee the right of the state to the lands therein described, under the grant of congress by which the lands were certified to the state, so far as the certified lists made by the commissioner aforesaid conferred title to the state: Provided, That when the register includes lands in the list which were not intended to be included in the grant, or the grantee shall not in equity be entitled to the lands, or any part thereof, then no title shall pass by said list, and the same as to those lands shall be null and void.

Nor shall any title pass to lands which have been selected, set apart or claimed by the state, or any individual, under the swampland or any other grant of congress which may be certified or adjudged to the state under such other grant, nor to lands held or claimed under any homestead or preemption settlement, or other entry or purchase; neither shall the right of the state to control the lands according to the terms of the grants, at any future time be affected by anything done under this section: Provided further, That in preparing the list or lists of lands under this section, the register of the state land office shall exclude all lands selected by the state or any county under the swampland grant, and also exclude all lands claimed under the homestead or preemption laws of the United States and which have been sold or disposed of and the entry or preemption canceled.

History: L. 1876, ch. 131, § 11; March 10; R.S. 1923, 75-2812.