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**In accordance with Article I Sec: 22**

**Be it enacted by the senate and house of representatives of the  
republic of Texas, in congress assembled.**

**Bill proposed by the senate of the fourteenth congress of the  
republic of Texas on the sixteenth day of January year of our  
Lord two thousand and ten.**

**After the People's congressional senate and house of  
representatives for the republic of Texas, in a meeting of  
congress assembled under  
rules of necessity the following Act was approved and adopted.**

**senate bill No. 0109-1001  
house bill No. 04-01-03-2010**

**Bill to amend and update an ACT for establishing a General Land Office  
with registries. Said Act was originally approved on the third day of the  
second month of one thousand eight hundred thirty six.**

**For re-establishing a General Land Office with registries for the Texian  
people and the public lands of republic of Texas.**

**SEC. 1. Be it enacted by the Senate and House of Representatives of the  
republic of Texas, in Congress assembled, that there shall be, and is  
hereby established, a general land office. The chief officer shall be styled  
the commissioner of the general land office, who shall hold said office at  
the seat of government, whose duty it shall be to superintend, execute and  
perform all acts and things touching or respecting the public lands of the  
republic of Texas.**

**SEC. 2. And be it enacted, that there shall be in the said office, an inferior  
officer, to be appointed by the said principal officer, to be employed therein  
as said officer shall deem proper, and be called the chief clerk of the  
general land office; who, in all cases, when the said principal office shall  
become vacant, during such vacancy shall have the charge and custody of  
the seal and all records, books and papers belonging to the said office.**

**SEC. 3. And be it enacted, that the said principal officer and every other  
Texian to be appointed and employed in the said office, shall, before the  
Texian enters on the duties of said office, take and subscribe the following  
oath of office with right hand raised and left hand laid on a Holy Bible: "I, A  
B, do solemnly swear or affirm, that I will honestly and faithfully discharge  
the duties of my office as without favor or partiality, so help me Almighty  
God."**

**SEC. 4. And be it enacted, that the said commissioner of the general land  
office shall cause a seal to be made, and provided for the said office, with**

such device, as the president of the republic shall approve; and copies of any records, books, or papers, belonging to the said office, under the signature of the said

commissioner, or when the office shall become vacant, under the signature of the chief clerk; and the said seal shall be competent evidence, in all cases in which the original records, books or papers could be evidence.

**SEC. 5.** And be it enacted, that the said commissioner shall forthwith, after said appointment, be entitled to the custody and shall take charge of the said seal, and also all the records, books and papers, in any way appertaining to the lands of the republic, and that may now be in the care or possession of all foreign entities, political chiefs, or commissioners for issuing land titles, or any other person; and the said records, books and papers shall become and be deemed the books and papers of the said office.

**SEC. 6.** And be it enacted, that the said commissioner shall, when required by the president of the republic of Texas, or either house of congress, make a plat of any land surveyed under the authority of the government, and record such information respecting the public lands, and concerning the business of said office as shall be lawfully required.

**SEC. 7.** And be it enacted, that the said commissioner shall research and establish a Schedule of Fees for all Land Office services such as surveying, recording field notes, plats, and surveys, and issuing titles, land patents, and allodial titles, subject to Senate approval.

**SEC. 8.** And be it enacted, that in all cases in which land shall be hereafter given by the republic of Texas, for military services, warrants shall be granted to the parties entitled to such lands by the secretary of war, and such warrant shall be recorded in books to be kept by said recorder for that purpose, and shall be located as is provided in this act.

**SEC. 9.** And be it enacted, that all land patents or allodial titles issued from the said office shall be in the name of the republic of Texas, and under the seal of said office, and be signed by the president of the republic of Texas and countersigned by the commissioner of the general land office.

**SEC. 10.** And be it enacted, that no Texian appointed to an office instituted by this act, or employed in any such office, shall directly or indirectly be concerned in the purchase of any right, title, or interest in any public land either in one's self own name, right, or in trust for any other person or Texian, or in the name or right of any other person or Texian in trust for one's self, nor shall take, or receive any fee or gain for negotiating or transacting the business of said office. Any person offending against the prohibition of this act, shall forfeit and pay one thousand Texian silver ounces; and upon conviction shall be removed from office.

**SEC. 11.** And be it enacted, that the commissioner of the general land office shall be appointed by the president, with the consent and advice of the senate, and said commissioner of the general land office shall hold said office for three years, and shall be eligible re-appointment. Said Texian shall receive an annual salary of one thousand five hundred Texian silver

ounces per annum, payable quarterly, out of any money in the treasury not otherwise appropriated.

**SEC. 12.** And be it enacted, that the commissioner of the general land office shall be authorized to employ a sufficient number of clerks, provided that their annual compensation shall not exceed in the whole the annual appropriations by congress, and the said compensation shall be paid out of monies available in the treasury not otherwise appropriated.

**SEC. 13.** And be it enacted, that there shall be established land offices with registries in the following Senatorial districts; senate District number one through senate district number fourteen.

**SEC. 14.** And be it enacted, that the several surveyors general shall be appointed by the President, by and with the advice and consent of the senate; shall be commissioned by the president and may continue in office three years, are eligible for re-appointment, and shall reside within the district for which said Texian is appointed;

- whose duty it shall be to furnish such regulations and instructions to their deputies, as may be furnished them from time to time by the commissioner of the general land office; shall administer oaths to the deputies as prescribed in the third section of this act;
- whose duty it shall be to examine the field notes and plats of all surveys which have been or may be made within the bounds of said deputies authority, for the purpose of getting a patent for them, and see that they are correct; and shall certify the same on the same paper on which are the field notes;
- and shall carefully preserve in said office a copy of all such field notes and plats. And said surveyor general shall be entitled to charge all parties presenting field notes and plats for his inspection, the following fees, in accordance with the Schedule of Fees established by the General Land Office commissioner, and on application of any Texian in person to any one of the surveyors general, and producing sufficient testimony of proper qualifications, said Texian shall be deputed by said surveyor general to survey any where within the bounds of his authority; for which deputation the deputy shall pay the surveyor general according to said Schedule of Fees.

**SEC. 15.** And be it enacted, that there shall be one registrar of public lands, and one receiver of public monies for each district to be appointed by the president, with the advice and consent of the senate, for the term of three years eligible to a re-appointment; and for any misconduct in office shall be, suspended by General Land commissioner;

- who shall hold their offices at such places as congress may by law direct, and the receiver shall enter into bond with good and sufficient security, to be approved of and certified by the chief justice of the county court, payable to the president and his successors in office, in the sum of ten thousand Texian silver ounces, which bond shall not become void on the recovery thereof;

- conditioned well and truly to pay all such sums or funds that may be paid to said receiver on account of the public funds, to the secretary of the treasury, for the use of the republic;
- and said bond shall be filed in the office of the secretary of the treasury;
- a certified copy of said bond bearing the signature and seal from the secretary of Treasury shall be evidence in any court having competent jurisdiction, to recover judgment thereon, against such receiver of public monies.

**SEC. 16.** And be it enacted, that all persons claiming land for military services, and having a certificate of the same, or any order of survey emanating from the proper authorities, may apply directly to the deputy surveyor, and have his land surveyed; and said deputy surveyors are hereby authorized to survey for any Texian having such certificates or orders of survey, conforming to instructions; provided, that all persons holding such warrants or certificates defined in section seven of this act, or orders of survey, shall first present them to the registrar of the district in which said Texian domiciles; who shall record the same in a book to be kept for that purpose, and forward copies to the surveyor general.

**SEC. 17.** And be it enacted, that all surveys which have been or may hereafter be made, agreeably to law in all respects, and certified by the surveyor general for the district in which the land lies, as required in the eleventh section of this law, shall be patented; and the owners thereof, by depositing the same in the land office for the district in which the land lies, and paying to the receiver of the same according to said Schedule of Fees, shall so soon as practicable, be furnished with a patent for said land or lands.

**SEC. 18.** And be it enacted, that all surveys which have been or may hereafter be made, agreeably to law in all respects, and certified by the surveyor general for the district in which the land lies, shall be patented; and the owners thereof, by depositing the same in the land office for the district in which the land lies, and paying to the receiver of the same according to said Schedule of Fees, shall so soon as practicable, be furnished with a patent for said land or lands;

- and the several registrars shall, upon the receipt in their office of all field notes of surveys, made out in the manner above required, immediately making out in such form and manner as the commissioner of the general land office shall instruct said registrar, prepare duplicate patents for said land or lands within said registry district and forward the same to the commissioner of the general land office, who will immediately cause one of the duplicates to be executed as the law directs, and transmit it forthwith to the proper county recorders office, for the owner thereof.

**SEC. 19.** And be it enacted, that the price of surveying according to said Schedule of Fees.

**SEC. 20.** And be it enacted, that if any one of the officers who may be employed in the land office, should fail or refuse to do said officer's duties as required by law, said officer shall upon conviction thereof, before any district court in this republic, forfeit and pay a penalty, of any sum not exceeding one thousand Texian silver ounces, one - half to the republic, and the other half to the party aggrieved; and any Texian so aggrieved, may sue the offender in any such court in this republic.

**SEC. 21.** And be it enacted, that the president is hereby authorized to contract for the surveying, and cause to be surveyed at the expense of this government, a sufficient quantity of lands to satisfy the holders of all land script that may have been or which may here after be issued, and sold by this government, agreeably to law, in all respects. In addition said president shall authorize the re-surveying of all republic of Texas borders using an accurate GPS system and the installation of one mile spaced permanent land markers or water type markers to be installed where required; and the secretary of the treasury is hereby authorized to pay out of any monies in the treasury, not otherwise appropriated, all expenses which may accrue in the completion of said surveys and negotiations with land owners where applicable.

**SEC. 22.** And be it enacted, that Texians who have rightful land titles shall register titles in the land office of the district where such lands are situated, Said titles will be ratified, provided, that such Texians shall pay, or cause to be paid into the office of the receiver of the land office of the district where such lands may be situated, or into the office of the secretary of the treasury, within six months and the required Texian citizenship has been made after the opening of the land office, all money which may be due or owing on the same: And further provided, that no title by this act shall be confirmed, which was illegal or invalid ab initio; and be it further provided, that it shall not affect the rights of chartered third persons.

**SEC. 23.** And be it enacted, that the several land offices shall open and go into operation as soon as possible after a County Government has been established, and their operations will then be confined to the completing of land titles to all those who, by the existing and previous laws, have acquired a preference to the first location; of this class, are all citizens who were domiciled with permanent resident for a minimum of six months, and those volunteer soldiers who have served a tour of duty in the military of Texas previous to that time. For these classes of claimants, the land office shall be opened and remain six months in operation, granting and completing titles alone to that description of claimants; after which, all other legal claimants shall be entitled to have their land titles completed, as is herein provided for and directed.

**SEC. 24.** And be it enacted, that after lawful title is acquired, Texians shall be entitled to apply for a land patent by paying the fees of office and for surveying. The conditions of said patent shall be, that the grantee shall remain and domicile here, and receive an unconditional patent. Allodial titles may be issued after a Patent is issued upon all debts being cleared ab initio, and in no case whatever, shall land of that description be patented, unless it be satisfactorily proven, that all the conditions of the title have in fact and in good faith, been met.

**SEC. 25.** And be it enacted, that in case any survey shall cross the dividing line between any two counties, it shall be required for the registrar that issued this order of survey, to proceed in the same manner, as though the land was wholly situated within his land district.

**SEC. 26.** And be it enacted, that in case doubt should arise as to the boundary line of any land district, it shall be required for the registrars of the two land offices, concerning whose boundary the doubts exists, to determine the doubt, and agree upon the line between them, which shall be as valid in law as though the said line had been defined by act of this congress; and in case they cannot agree, then and in that case, the chief justice of the county court whose office is situated nearest the said disputed line, shall decide.

**SEC. 27.** And be it enacted, that if the president should deem it proper to do so, in consequence of an invasion or a threatened invasion of our country by an enemy, that said president be and is hereby authorized, to issue his proclamation, closing or suspending all operations of the several land offices; and further, that said President be authorized, when said President may think it proper to do so, to again, by proclamation, open and authorize them to proceed to execute the duties of the several offices, as the law directs.

**SEC. 28.** All laws contradicting the meaning of this act are hereby repealed and declared null and void, so far as regards to their future operation.

**Approved and attested to on this eighth day of the fifth month in the year of our Lord and Savior Two thousand and ten.**

Lionel Lemelle

Lionel Lemelle  
speaker for the House of Representatives;

Ed Brannum

Ed Brannum  
pro tem president for the Senate;

Richard-Everett; Perkins

Richard-Everett family Perkins  
president of the Republic of Texas