

Revised Statutes of 1846 (EXCERPT)
CHAPTER 60. OF THE SUPERINTENDENCE AND DISPOSITION OF THE PUBLIC LANDS.

322.320 Forfeited lands; redemption before or after sale; refund for cancelled purchase, interest.

Sec. 20.

In all cases where rights of a purchaser shall have become forfeited, under the provisions of this chapter, by his failure to pay the amount due upon his certificate of purchase, if such purchaser, his heirs or assigns shall, before the time appointed for the sale of the lands, described in such certificate, at public auction, pay to the commissioner of the land office the full amount then due and payable upon such certificate, and 25 cents on each dollar of such amount in addition thereto, together with all taxes remaining due and unpaid upon said lands, such payment shall operate as a redemption of the rights of such purchaser, his heirs and assigns; and said certificate, from the time of such payment, shall be in full force and effect, as if no such forfeiture had occurred: Provided, however, That in case the lands described in any certificate of purchase shall not be redeemed after the forfeiture before the day of sale, and the same shall be purchased at such public sale, or from the state at private sale, after such public offering in the manner now provided by law, by any person, then, and in that case, such purchaser shall pay, at the date of such purchase, into the state treasury, the amount required by law for the purchase of lands at such forfeited sales, together with all taxes and charges due and unpaid thereon; and the treasurer shall be required to give his receipt therefor, which shall state in full the amount paid, together with the description of the lands on which the same is paid and the name of such purchaser; and no certificate shall be issued to such subsequent purchaser until after the expiration of 1 year from and after the date of such public offering, during which time said certificate-holder, his heirs or assigns, shall have a right to redeem said lands from the effects of such forfeiture by paying into the state treasury all interest, penalty and charges due upon such certificate, as is now provided by law, and all taxes and other charges due and unpaid thereon together with interest at the rate of 25 per cent per annum, on all sums paid by such subsequent purchaser, from the date of such sale up to the date of such redemption; and in case of such redemption, the state treasurer shall refund to the party whose purchase has been canceled by such redemption, the full amount so paid by such subsequent purchaser, together with interest on the same from the date of such payment into the treasury up to the date of such redemption, at the rate of 25 per cent per annum.

History: R.S. 1846, Ch. 60 ;-- CL 1857, 2463 ;-- Am. 1859, Act 113, Imd. Eff. Feb. 11, 1859 ;-- Am. 1869, Act 85, Eff. July 5, 1869 ;-- CL 1871, 3836 ;-- Am. 1875, Act 23, Imd. Eff. Mar. 10, 1875 ;-- How. 5281 ;-- CL 1897, 1344 ;-- CL 1915, 519 ;-- CL 1929, 5919 ;-- CL 1948, 322.320