

The fact exists that the most desirable lands in Dakota Territory are held by persons who have not complied with the requirements of this most beneficent law. Technically, in the first instance perhaps they have, with the object, purpose and design of evading its provisions for speculative purposes.

The law requires an honest *bona fide* intention to actually reside on the homestead for five years.

Yet the fact is that parties claiming the benefits of this law, do not continue to reside in good faith on the lands, but instead thereof hold it for sale.

Your memorialists deferentially suggest that some rules be adopted directory to the Register and Receiver of the Local Land Office at Vermillion, in this Territory, whereby such officers may declare land thus held vacant, and subject to entry.

Approved, January 11th, 1867.

WAGON ROAD—GRADING.

CHAPTER XXV.

A MEMORIAL TO THE SECRETARY OF THE INTERIOR ASKING THAT THE SURPLUS FUNDS OF THE APPROPRIATION FOR LOCATING A WAGON ROAD FROM THE MINNESOTA LINE, TO THE MISSOURI, BE APPLIED TO GRADING AND BRIDGING THE ROAD FROM SIOUX FALLS TO YANKTON.

To the Honorable Secretary of the Interior :

Asking that certain funds be applied to grading and bridging the road to Sioux Falls.

Your memorialists, the legislative assembly of the Territory of Dakota, would respectfully represent ;

1st. By an act of Congress approved March 3d, 1865, the sum of \$10,000 was appropriated to lay out and construct a

wagon road from the Minnesota State line to the Missouri river;

Asking that certain funds be applied to grading and bridging the road to Sioux Falls.

2d. W. W. Brookings was appointed by the Secretary of the Interior, as commissioner to superintend the laying out and construction of said road, and by the official report of said Brookings, dated October 31st, 1865, it appears that said road has been located from the State line along the 43d parallel of north latitude to a point on the Missouri river near Crow creek agency, at a cost to the government of about \$7,000, leaving an unexpended balance of said appropriation to the amount of \$3,000.

Therefore, your memorialists would most respectfully petition, that said surplus of the said appropriation be applied to improving and bridging the main traveled road from Sioux Falls to Yankton, by way of the upper James river ferry.

And your memorialists would further represent, that there is now established at said Sioux Falls a permanent military post midway between the settlements of Minnesota and Dakota, and travel and transportation, both by citizens and soldiers, are already beginning to find their way along said route, inasmuch as the same is to become an established mail route between southern Minnesota and Dakota; and as it is the belief of your memorialists that said unexpended balance of \$3,000 would render said road passable in all seasons of the year; therefore,

Your memorialists would earnestly request that you bestow upon this matter your early and favorable attention.

And your memorialis will ever pray.

Resolved, That a duly authenticated copy of this memorial be forwarded to our Delegate in Congress, Hon. W. A. Burleigh,