

judges of the said courts shall respectively prescribe, so as to be most conducive to an impartial trial, and be least burthensome to the inhabitants of the said territory.

No slave to be imported from places out of the United States, under a penalty of 300 dollars, and the freedom of the slave.

SEC. 14. *And be it further enacted*, That it shall not be lawful for any person or persons to import, or bring into the said territory, from any port or place without the limits of the United States, or cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing, any slave or slaves; and any person so offending, and being thereof convicted, before any court within the said territory, having competent jurisdiction, shall forfeit and pay, for each and every slave, so imported or brought, the sum of three hundred dollars; one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and every slave, so imported or brought, shall, thereupon, become entitled to, and receive, his or her freedom.

Territory entitled to one delegate to Congress.  
Proviso.

SEC. 15. *And be it further enacted*, That the citizens of the said territory shall be entitled to one delegate to Congress, for the said territory, who shall possess the same powers heretofore granted to the delegates from the other territories of the United States: *Provided*, That no person shall be eligible for that office who shall not have resided at least twelve months in the said territory. The delegate shall be elected by such description of persons, at such times, and under such regulations, as the governor and legislative council may, from time to time, ordain and direct, soldiers of the United States excepted, who shall, under no circumstances, be qualified to vote.

Former act for the government of the territory repealed, when inconsistent with the provisions of this act.

Act of March 30, 1822, ch. 13.

SEC. 16. *And be it further enacted*, That an act, entitled "An act for the establishment of a territorial government in Florida," be, and the same is hereby, repealed, so far as the same is inconsistent with the provisions of this act; and that the proceedings of the last session of the legislative council of Florida be, and the same are hereby, confirmed, to remain in full force and effect until the end of the next session of the said council, unless sooner altered, modified, or repealed, with the exception of all revenue laws imposing taxes on the inhabitants or their property, and the law authorizing the governor to borrow five thousand dollars on the credit of the said territory, and the law establishing county courts, which are hereby declared null and void; *Provided*, That no loan of money already made or obtained, under said law, shall be effected [affected] by this act, and that the act approved the second of September, one thousand eight hundred and twenty-two, by the governor, repealing all the laws and ordinances in force in the said territory, shall be, and is hereby, declared to have effect on the day of its passage by the legislative council, and not of its approval by the governor.

Proviso.

APPROVED, March 3, 1823.

## STATUTE II.

March 3, 1823.

CHAP. XXIX. — *An Act amending, and supplementary to, the "Act for ascertaining claims and titles to land in the territory of Florida," and to provide for the survey and disposal of the public lands in Florida. (a)*

Powers of the present commissioners of claims to be confined to West Florida.

Three commissioners to be appointed for East Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the powers of the board of commissioners heretofore appointed, for ascertaining claims and titles to lands in the territory of Florida, shall be confined, exclusively, to the examination of titles and claims in that portion of said territory, heretofore known as West Florida; and that, for ascertaining titles and claims in East Florida, the President is hereby authorized, in the recess of the Senate, to appoint three commissioners, which appointments shall be of

(a) See notes to the act of May 8, 1822, ch. 129, ante, page 709, for the decisions of the courts of the United States on titles to land in Florida, &c.

force until the end of the next session of Congress thereafter, who may appoint their secretary, and who, with their secretary, shall, within the district of East Florida, possess all the powers given by, perform all duties [duties] required, and shall, in all respects, be subject to, the provisions and restrictions of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the territory of Florida," except [except] so far as the same is altered or changed by the provisions of this act; which board of commissioners, heretofore appointed, with that hereafter appointed, shall hold their sessions, severally, at the place within their respective districts, heretofore designated by law; but may adjourn to some other convenient place within their district, and may continue their sessions until the second Monday in February next, when they shall make a return of their proceedings to the Secretary of the Treasury, to be laid before Congress.

Act of May 8,  
1822, ch. 129.

Commissioners to make return to the Secretary of the Treasury.

SEC. 2. *And be it further enacted*, That, in the examination of titles to land before either of said boards of commissioners, the claimant or claimants shall not be required to produce in evidence the deraignment of title from the original grantee or patentee, but the commissioners shall confirm every claim in favour of actual settlers at the time of session [cession] of the said territory to the United States, where the quantity claimed does not exceed three thousand five hundred acres, where such deraignment cannot be obtained, the validity of which has been recognised by the Spanish government, and where the claimant or claimants shall produce satisfactory evidence of his, her, or their, right to the land claimed: And said commissioners shall have the power, any law to the contrary notwithstanding, of deciding on the validity of all claims derived from the Spanish government in favour of actual settlers, where the quantity claimed does not exceed three thousand five hundred acres.

Claims in favour of actual settlers at the time of session to be confirmed.

SEC. 3. *And be it further enacted*, That each of the commissioners heretofore appointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive compensation in proportion to that heretofore allowed him. And each of the commissioners hereafter appointed for East Florida, who shall actually perform the duties assigned him, shall receive the sum of two thousand dollars, as a full compensation, payable quarterly, from the Treasury of the United States.

Compensation of commissioners.

SEC. 4. *And be it further enacted*, That it shall be the duty of the district attorneys for said districts, respectively, whenever required to do so by the commissioners within his district, to attend them for the purpose of arguing and explaining any points of law that may be deemed necessary to be examined; and said attorney shall be entitled to the same compensation therefor as when attending on the district court of said territory.

District attorneys to attend the commissioners when required.

SEC. 5. *And be it further enacted*, That all claims not filed with the commissioners of the district, where the land claimed is situated, in the manner prescribed by the act to which this is an amendment, on or before the first day of December next, shall be held to be void and of none effect.

Claims not filed on or before 1st Dec. next, to be void.

SEC. 6. *And be it further enacted*, That it shall be the duty of the marshal [marshal] to execute and make return of all process which may be issued by the said commissioners, or the commissioners may, where they deem it necessary, authorize and empower any other person to execute and return said process.

Marshal to execute and make return of process.

SEC. 7. *And be it further enacted*, That, so soon as the commissioners shall have decided and reported on the private claims in said territory of Florida, a surveyor shall be appointed for the territory of Florida, who shall keep his office at such place, within the said territory, as the President of the United States shall designate; and shall receive the sum of

Surveyor to be appointed.

His salary.

two thousand dollars, payable quarterly, at the treasury of the United States.

Land offices to be established.

SEC. 8. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the district of East Florida, a land office shall be established and kept at such place, within said district, as the President of the United States shall direct; and that, for the disposal of the lands of the United States lying in the district of West Florida, a land office shall be established at such place, in said district, as the President of the United States shall direct.

When land offices are to be opened.

SEC. 9. *And be it further enacted*, That, so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within either of the districts of East or West Florida, to authorize the opening of one or both of the land offices aforesaid, he shall cause the same to be opened, and shall proceed, from time to time, to appoint, with the advice and consent of the Senate, for each of the said offices, a register and receiver of the public moneys, who shall give security, in the same sums, and in the same manner, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices as are or may be provided by law in relation to the registers and receivers of public moneys, in the several land offices established for the disposal of the public lands of the United States.

The President to offer the lands for sale, and when.

SEC. 10. *And be it further enacted*, That, whenever a land office shall have been established in either of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands, lying in such district, as shall have been surveyed according to law, to be offered for sale, in the same manner, and with the same reservations and exceptions, and on the same terms and conditions, in every respect, as have been or may hereafter be, provided for the sale of the public lands of the United States.

An entire township in each of the districts to be reserved for a seminary of learning.

SEC. 11. *And be it further enacted*, That an entire township, in each of the districts of East and West Florida, shall be reserved from sale, for the use of a seminary of learning, to be located by the Secretary of the Treasury.

Rivers and waters of the territory to be public highways.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the districts of East and West Florida shall be, and forever remain, public highways.

Part of the former act of May 8, 1822, ch. 129, repealed.

SEC. 13. *And be it further enacted*, That so much of the act, approved the eighth day of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to land in the territory of Florida," as is inconsistent with the provisions of this act, be, and the same is hereby, repealed; and so much thereof as provides for the appointment of a surveyor general, and allows him to charge fees, is hereby repealed.

APPROVED, March 3, 1823.

## STATUTE II.

March 3, 1823.

CHAP. XXX.—*An Act providing for the examination of the titles to land in that part of the state of Louisiana, situated between the Rio Hondo and the Sabine river.*

See act of May 26, 1824, ch. 182.

Land between the Rio Hondo and Sabine river, in the state of Louisiana, at-

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all that tract of country situated between the Rio Hondo and Sabine river, within the state of Louisiana, and, previously to the treaty of the twenty-second of February, one thousand eight hundred and nineteen, between the United States and Spain, called the neutral territory, be, and the same is hereby,