

SEC. 3. *And be it further enacted*, That so much of the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, intituled "An act further to protect the commerce and seamen of the United States, against the Barbary powers," as is contained in the first section of the said act, be, and the same hereby is continued in force until the first day of January next, and no longer: *Provided however*, that the additional duty laid by the said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day.

APPROVED, March 3, 1807.

Mediterranean fund continued till 1st January, 1808.

Act of March 26, 1804, ch. 46.

Proviso.

STATUTE II.

CHAP. XXXI.—*An Act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any officer or soldier of the Virginia line, on continental establishment, or his legal representatives, to whom a land warrant has issued, by virtue of any resolution of the legislature of Virginia, as a bounty for services, which by the laws of Virginia, passed prior to the cession of the North-western territory to the United States, entitled such officer or soldier to bounty lands, shall, if the said warrant has been or shall be located within three years from the twenty-third of March next, and a survey thereof has been or shall be, within five years from the said twenty-third of March next, returned to the office of the Secretary of War, obtain a patent for the same, in the same manner, and on the same conditions, as patents are obtained for lands located and surveyed on other warrants of the officers and soldiers of the Virginia line, on continental establishment: *Provided*, that no patent shall be obtained on such resolution warrant, unless there is produced to the Secretary of War, satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the North-western territory, would have entitled such officer or soldier, his heirs or assigns, to bounty lands, and also a certificate of the register of the land-office of Virginia, that no other warrant has issued from the said land-office for the same services.

SEC. 2. *And be it further enacted*, That no patent shall be issued by virtue of the preceding section, for a greater quantity of land, than the rank or term of service of the officer or soldier, to whom or to whose legal representatives such resolution warrant has been granted, would have entitled him to under the aforesaid laws of Virginia; and whenever it appears to the Secretary of War, that the survey or surveys, made by virtue of any resolution warrant, is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on the said survey or surveys, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and re-survey his location, excluding such surplus quantity, in one body, from any part of his re-survey, and a patent shall issue upon such re-survey as in other cases.

APPROVED, March 3, 1807.

March 3, 1807.

Act of May 18, 1796, ch. 29.

Act of March 2, 1799, ch. 29.

Act of Feb. 22, 1815, ch. 48.

Act of April 11, 1818, ch. 43.

Resolution

warrants may be

located within

three years from

March, 1808.

Act of Feb. 9, 1821, ch. 10.

Act of Feb. 21, 1823, ch. 10.

Proviso, that

no warrant can

be obtained un-

less proof to the

satisfaction of

the Secretary of

War that the

warrant was

given for serv-

ices before the

cession.

Patents not to

issue for a great-

er quantity of

land than the

laws of Virginia

entitled the per-

son performing

the service to.

Surveys to be

withdrawn

where locations

shall have been

made in any

other way, and

re-surveys to be

made, &c.

STATUTE II.

CHAP. XXXIV.—*An Act regulating the grants of land in the territory of Michigan.*(b)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the decisions made

March 3, 1807.

Act of March 26, 1804, ch. 35.

Act of March 3, 1805, ch. 43.

(a) See notes to act of May 18, 1796, chap. 29, Vol. i. 464.

(b) Acts relating to the sale of the public lands in Michigan:—

An act regulating the grants of lands in the territory of Michigan, March 3, 1807, chap. 31.

Act of April 21, 1806, ch. 43.

Decisions of commissioners in favour of land in certain cases, confirmed.

Persons in occupation of land in Michigan, to which Indian title has been extinguished, confirmed in their titles as of estates of inheritance, in fee simple.

Proviso.

Proviso.

Secretary of Michigan, and the register and receiver of public monies of the land-office of Detroit, made commissioners for claims, &c.

Their oath of office.

by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Detroit, in favour of such claimants, as entered in the transcript of decisions which have been transmitted by the said commissioners, to the Secretary of the Treasury, according to law, be, and the same are hereby confirmed.

SEC. 2. *And be it further enacted*, That to every person or persons in the actual possession, occupancy, and improvement, of any tract or parcel of land, in his, her, or their own right, at the time of the passing of this act, within that part of the territory of Michigan, to which the Indian title has been extinguished, and which said tract or parcel of land was settled, occupied and improved, by him, her, or them, prior to and on the first day of July, one thousand seven hundred and ninety-six, or by some other person or persons, under whom he, she, or they hold or claim the right to the occupancy, or possession thereof, and which said occupancy or possession has been continued to the time of the passing of this act; the said tract or parcel of land thus possessed, occupied, and improved, shall be granted, and such occupant or occupants shall be confirmed in the title to the same, as an estate of inheritance, in fee simple: *Provided however*, that no other claims shall be confirmed, by virtue of this section, than such as have been entered with the register of the land-office of Detroit, within the time, and in the manner provided by law, and by the commissioners aforesaid, have been inserted in their report, transmitted as aforesaid; nor shall more than one tract or parcel of land be thus granted to any one person, and the same shall not contain more than the quantity claimed, nor more than six hundred and forty acres: *And provided also*, that the same shall not extend to any tract heretofore reserved, or which may by the President of the United States, be set aside for public uses, in the town of Detroit and its vicinity, or on the island of Michilimackinac.

SEC. 3. *And be it further enacted*, That the secretary of the territory of Michigan, together with the register and receiver of public monies of the land-office of Detroit, shall be commissioners for the purpose of ascertaining and deciding on the rights of persons claiming the benefit of this act: and the said commissioners shall, previous to entering on the duties of their appointment, respectively take and subscribe the following oath or affirmation, before some person qualified to administer the same: I do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me, by an act of Congress, intitled "An act regulating the grants of land in the territory of Michigan." And it shall be the duty of the said commissioners to meet at the town of Detroit, on or before the first day of July next, and they shall not adjourn to any other place, or for any longer time,

An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes, March 26, 1804, chap. 35, sec. 2, &c.

An act supplementary to the act entitled, "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes," March 3, 1805, chap. 43, sec. 6.

An act for the adjustment of titles to land in the town of Detroit and territory of Michigan, and for other purposes, April 21, 1806, chap. 43.

An act supplemental to "an act regulating the grants of land in the territory of Michigan," April 26, 1808, chap. 67.

An act to authorize the granting patents for lands according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes, April 23, 1812, chap. 62.

An act allowing further time for entering donation rights to lands in the district of Detroit, March 3, 1817, chap. 99.

An act to revive the powers of the commissioners for ascertaining and deciding on claims to land at Green Bay and Prairie des Cheins, in the territory of Michigan, May 11, 1820, chap. 84.

An act to revive and continue in force, certain acts for the adjustment of land claims in the territory of Michigan, February 21, 1823, chap. 10.

An act to confirm certain claims to lands in the territory of Michigan, April 17, 1828, chap. 12.

An act to establish a land-office in the territory of Michigan, and for other purposes, February 19, 1831, chap. 27.

An act supplementary to "an act to provide for the adjustment of titles to land in the town of Detroit and territory of Michigan, and for other purposes," passed April 21, 1826, August 29, 1842, chap. 260.

than three days, until the first day of January next, or until they shall have completed the business of their appointment. And the said commissioners, or a majority of them, shall have power to hear and decide in a summary manner, all matters respecting such claims, to compel the attendance of witnesses, to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity. Minutes of the proceedings, decisions, meetings, and adjournments of the board, shall be regularly entered by the register, in a book to be kept for that purpose, together with the evidence on which such decisions are made, unless such evidence has already been entered according to law, in the book or books of minutes, kept by the commissioners appointed under former acts, to investigate the claims to land in the district of Detroit. And when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of this act, they shall give a certificate thereof stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land, by virtue of this act; which tract shall be surveyed in conformity with the decision of the commissioners, at the expense of the party, and under the direction of the surveyor-general by such of his assistants, residing in the territory of Michigan, as the said surveyor-general shall appoint for that purpose: *Provided*, that the whole expense of surveying and marking the lines, shall not exceed three dollars for every mile that shall be actually run, surveyed, or marked. The surveyor-general shall transmit to the register of the land-office at Detroit, general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the Secretary of the Treasury. The commissioners shall transmit to the Secretary of the Treasury a transcript of their decisions in favour of claimants, which shall contain a fair statement of the evidence on which each respective claim is founded, and shall be signed by the said commissioners, and shall state the names of the parties in whose favour the certificates have been granted, the number of acres granted and the situation of the land. And the certificate and certificates granted as aforesaid, by the commissioners, being duly entered with the register of the land-office of Detroit, prior to the first day of January, one thousand eight hundred and nine, shall entitle the party or parties, as soon as the plot or plots aforesaid, shall have been transmitted to the said register, to receive from him a certificate or certificates, for each of which certificates the register shall receive one dollar, directed to the Secretary of the Treasury; and if it shall appear to the satisfaction of the said secretary, that such certificates have been fairly obtained according to the true intent and meaning of this act, then and in that case, patents shall issue, in like manner as is provided by law, for the other lands of the United States.

SEC. 4. *And be it further enacted*, That the powers vested by this act in the commissioners above mentioned shall not extend to lots in the town of Detroit, the claims to which shall be ascertained and decided upon, in the manner provided by the act, intituled "An act to provide for the adjustment of titles of land in the town of Detroit, and territory of Michigan, and for other purposes."

SEC. 5. *And be it further enacted*, That the secretary of the territory of Michigan shall be entitled to receive five hundred dollars, in full for all the services rendered by him under this act, to be paid out the sums which have been, or may be appropriated for carrying into effect the several laws enacted for the disposal of public lands, and for the adjustment of claims in the Indiana or Michigan territories.

APPROVED, March 3, 1807.

Powers and duties of the commissioners.

Lands to be surveyed, &c.

By whom.

Proviso.

General and particular plots to be sent by the surveyor-general to the register of land-office at Detroit, and copies also to Secretary of Treasury.

Transcripts of commissioners' decisions to be likewise forwarded to Secretary of Treasury.

Certificates of commissioners to give titles to land, &c.

Fees to be paid for certificates.

Powers of commissioners not extended to lots in town of Detroit.

How claims to such lots are to be decided upon.

Compensation to secretary of Michigan, for services under this act.

Out of what fund to be paid.