

STATUTE II.

March 3, 1807.

CHAP. XXXV.—*An Act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians; and to establish a land-office in the Mississippi territory.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying into effect a treaty, made on the twenty-third day of July, one thousand eight hundred and five, between the United States and the Chickasaw nation of Indians, the following sums, to be paid out of any monies in the treasury not otherwise appropriated, be, and the same hereby are appropriated, in conformity with the stipulations contained in the said treaty, that is to say; to the said Chickasaw nation, twenty thousand dollars; to George Colbert and O'Koy, each, one thousand dollars; and to Chinubbe Mingo, chief of the nation, an annuity of one hundred dollars, during his natural life.

Appropriations.

Surveyor general of the public lands south of Tennessee to cause lands ceded by the Cherokees and Chickasaws, and lying in Mississippi, to be surveyed and laid out.

President authorized to have a land-office for the sale of them; to appoint a register and a receiver of public monies, &c.

Their emoluments.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor-general of the public lands, south of Tennessee, to cause to be surveyed and laid out, in the same manner as is provided by law for the other public lands in the Mississippi territory, so much of the lands ceded to the United States by the Cherokees and Chickasaws, as lies within the said territory; and the President of the United States is hereby authorized, whenever he shall think it proper, to establish a land-office for the sale of the said lands, and to appoint a register of the same, and a receiver of the public monies accruing from the sale of the said lands, whose respective emoluments and duties shall be the same as those of the registers and receivers of the other land-offices in the said territory.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

CHAP. XXXVI.—*An Act respecting claims to land in the territories of Orleans and Louisiana.*(a)

Part of the 1st section of a former act repealed, respecting incomplete titles.

Residents in the territories of Orleans or Louisiana, confirmed in their titles, if in possession a certain number of successive years.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the first section of the act, intitled "An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans and the district of Louisiana," as provides that no incomplete title shall be confirmed, unless the person in whose name the warrant or order of survey had been granted, was at the time of its date, either the head of a family, or above the age of twenty-one years, be and the same is hereby repealed.

SEC. 2. *And be it further enacted,* That any person or persons, and the legal representative of any person or persons, who, on the twentieth day of December, one thousand eight hundred and three, had for ten consecutive years prior to that day, been in possession of a tract of land not claimed by any other person, and not exceeding two thousand acres, and who were on that day resident in the territory of Orleans or Louisiana, and had still possession of such tract of land, shall be confirmed in their titles to such tract of land: *Provided,* that no claim to a lead mine or salt spring, shall be confirmed merely by virtue of this section: *And provided also,* that no more land shall be granted by virtue of this section, than is actually claimed by the party, nor more than is contained within the acknowledged and ascertained boundaries of the tract claimed.

Claim of New Orleans to the commons confirmed.

SEC. 3. *And be it further enacted,* That the claim of the corporation of the city of New Orleans, to the commons adjacent to the said city, and within six hundred yards from the fortifications of the same, be, and the same are hereby recognized and confirmed: *Provided,* that the

(a) See notes to act of March 2, 1805, chap. 26.

said corporation shall within six months after passing this act, relinquish and release any claim they may have to such commons beyond the distance of six hundred yards aforesaid: *Provided also*, that the corporation shall reserve for the purpose, and convey gratuitously for the public benefit, to the company authorized by the legislature of the territory of Orleans, as much of the said commons as shall be necessary to continue the canal of Carondelet from the present basin to the Mississippi, and shall not dispose of, for the purpose of building thereon, any lot within sixty feet of the space reserved for a canal, which shall for ever remain open as a public highway: *And provided also*, that nothing herein contained, shall be construed to affect or impair the rights of any individual or individuals to the said commons, which are derived from any grant of the French or Spanish government.

SEC. 4. *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming land in the territories of Orleans and Louisiana, shall have full powers to decide according to the laws and established usages and customs of the French and Spanish governments, upon all claims to lands within their respective districts, where the claim is made by any person or persons, or the legal representative of any person or persons, who were on the twentieth of December, one thousand eight hundred and three, inhabitants of Louisiana, and for a tract not exceeding the quantity of acres contained in a league square, and which does not include either a lead mine or salt spring, which decision of the commissioners when in favour of the claimant shall be final, against the United States, any act of Congress to the contrary notwithstanding.

SEC. 5. *And be it further enacted*, That the time fixed by the act above mentioned, and by the acts supplementary to the same, for delivering to the proper register or recorder, notices in writing and the written evidences of claims to land, be, and the same is hereby extended, for the territories of Orleans and Louisiana, till the first day of July, one thousand eight hundred and eight, and persons delivering such notices and evidences shall be entitled to the same benefit as if the same had been delivered within the time limited by the former acts; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of law or equity whatever.

SEC. 6. *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, shall respectively transmit to the Secretary of the Treasury and to the surveyor-general, or officer acting as surveyor-general, transcripts of the final decisions made in favour of claimants by virtue of this act, and they shall deliver to the party a certificate stating the circumstances of the case, and that he is entitled to a patent for the tract of land therein designated, which certificate shall be filed with the proper register or recorder, within twelve months after date. And the register or recorder shall thereupon (a plat of the tract of land therein designated, being previously filed with him or transmitted to him by the officer acting as surveyor-general in the manner herein after provided,) issue a certificate in favour of the party, which certificate being transmitted to the Secretary of the Treasury, shall entitle the party to a patent, to be issued in like manner as is provided by law for the issuing of patents for public lands lying in other territories of the United States.

SEC. 7. *And be it further enacted*, That the tracts of land thus granted by the commissioners shall be surveyed at the expense of the parties, under the direction of the surveyor-general, or officer acting as surveyor-

Release to be made by the corporation.
Proviso.

Nothing herein to impair rights under the French or Spanish government.
Claims to be decided according to the usages and customs of the French and Spanish governments, in certain cases.

Time fixed for delivering notices of claims, extended.

Persons barred who neglect giving notices, &c.

Certificates of final decisions to be transmitted to surveyor-general and Secretary of the Treasury.

Patents to issue upon those transmitted to the Secretary of the Treasury.

Tracts of land thus granted to be surveyed at expense

of the parties, unless an accurate and authentic survey, made under authority of former governments of Orleans and Louisiana, shall have been filed, &c.

Commissioners authorized to direct re-surveys.

Surveyor-general to transmit general and particular plats to Secretary of the Treasury, &c.

Reports of undecided claims to be regularly transmitted by commissioners to Secretary of the Treasury.

Arrangement of claims.

Allowances and compensations.

Proviso.

general, in all cases where an authenticated plat of the land as surveyed under the authority of the officer acting as surveyor-general under the French, Spanish, or American governments respectively, during the time either of the said governments had the actual possession of the said territories of Orleans and Louisiana, shall not have been filed with the proper register or recorder, or shall not appear of record on the public records of the said territories of Orleans and Louisiana. The said commissioners shall also be authorized, whenever they may think it necessary, to direct the surveyor-general, or officer acting as such, to cause any tract of land already duly surveyed, to be re-surveyed at the expense of the United States. And the surveyor-general, or officer acting as such, shall transmit general and particular plats of the tracts of land thus surveyed, to the proper register or recorder, and shall also transmit copies of the said plats to the Secretary of the Treasury.

SEC. 8. *And be it further enacted*, That the commissioners aforesaid shall respectively report to the Secretary of the Treasury their opinion on all the claims to land within their respective districts, which they shall not have finally confirmed by the fourth section of this act. The claims shall, in the said report or reports, be arranged into three general classes, that is to say: first, claims which, in the opinions of the commissioners, ought to be confirmed in conformity with the provisions of the several acts of Congress, for ascertaining and adjusting the titles and claims to land within the territories of Orleans and Louisiana; secondly, claims which, though not embraced by the provisions of the said acts, ought nevertheless in the opinion of the commissioners to be confirmed in conformity with the laws, usages, and customs of the Spanish government; thirdly, claims which neither are embraced by the provisions of the said acts, nor ought in the opinion of the commissioners to be confirmed in conformity with the laws, usages, and customs of the Spanish government; and the said report and reports being in other respects made in conformity with the forms prescribed according to law, by the Secretary of the Treasury, shall by him be laid before Congress, for their final determination thereon, in the manner and at the time heretofore prescribed by law for that purpose.

SEC. 9. *And be it further enacted*, That the following allowances and compensations shall be made to the several officers herein after mentioned, that is to say, to the principal deputy of the surveyor-general, for the district of Louisiana, at the rate of five hundred dollars a year, from the time he entered into the duties of his office, in addition to the fees which he is entitled to receive by law. To the register of the western district of the Orleans territory, and to the clerk of the board of commissioners for that district, one thousand dollars each, for their services as commissioners and clerk respectively, during the year one thousand eight hundred and six. To each of the deputy registers of the territory of Orleans, five hundred dollars in full, for their services subsequent to the first day of January last, in addition to the fees to which they are legally entitled. To each of the commissioners at the rate of two thousand dollars a year; to each of the clerks of the boards, and to each of the agents employed by the Secretary of the Treasury, at the rate of fifteen hundred dollars a year, and to each of the translators, at the rate of six hundred dollars a year, to commence from the first day of July next, in the district of Louisiana, and from the first day of January next, in the territory of Orleans, and to continue to the time when each board shall be respectively dissolved: *Provided*, that no more than eighteen months' compensation be thus allowed to the said commissioners, clerks, and translators, and that the compensation of any such officer absenting himself from his district, or failing to attend to the duties of his office, shall cease during such absence or failure.

APPROVED, March 3, 1807.