

receive from individuals the following fees: that is to say, for recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey, and for a certified copy of a plat of a survey in his office twenty-five cents, and that all the plats of surveys, and all other papers and documents pertaining, or which did pertain to the office of the surveyor general under the Spanish government within the limits of the territory of Missouri, or to the office of principal deputy surveyor for said territory, or pertaining to the office of surveyor general, or to any office heretofore established or authorized for the purpose of executing or recording surveys of lands within the limits of the territories of Missouri and Illinois, shall be delivered to the surveyors of the lands of the United States, authorized to be appointed by this act; and any plat of survey duly certified by the said surveyor shall be admitted as evidence in any of the courts of the United States or territories thereof.

His plats and surveys made evidence.

Part of the act of Feb. 28, 1806, ch. 11.

Repealed.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act extending the powers of the surveyor general to the territory of Louisiana, and for other purposes," passed February twenty-eighth, one thousand eight hundred and six, as provides for the appointment of a principal deputy surveyor, and so much of any act of Congress here[*to*]fore passed, as is repugnant to, or inconsistent with, any provision of this act, be, and the same is hereby repealed.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLII.—*An Act making appropriations for carrying into effect a treaty between the United States and the Cherokee tribe of Indians, concluded at Washington, on the twenty-second day of March, one thousand eight hundred and sixteen.*

Appropriation.

*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 between the United States and the Cherokee nation of Indians, concluded and signed at Washington, on the twenty-second day of March, one thousand eight hundred and sixteen, the sum of twenty-eight thousand six hundred dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLIII.—*An act providing for the sale of certain lands in the state of Ohio, formerly set apart for refugees from Canada and Nova Scotia.*

Certain lands set apart for Canadian and Nova Scotia refugees, not yet located, made a part of the land district of Chillicothe.

Act of Feb. 18, 1801, ch. 5.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That such part of the tract of land which was set apart for refugees from Canada and Nova Scotia, by the act of Congress, passed the eighteenth day of February, one thousand eight hundred and one, entitled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada, and Nova Scotia," which has not been located by the said refugees, shall be attached to, and made a part of the land district of Chillicothe; and the said unlocated land shall be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys for the said district, at Chillicothe, on such day as shall, by proclamation of the President of the United States, be designated for that purpose; the sale shall remain open six days, and no longer; the lands shall not be sold for less than two dollars an acre, and shall in every other respect be sold in tracts of the same size, and on

To be exposed to sale, and sold to the highest bidder.

the same terms and conditions as have been or may be provided for lands in the said district. All the said unlocated land, remaining unsold at the close of the public sales, may be disposed of at private sale by the register of the said land office, in the same manner, under the same regulations, for the same price, and on the same terms as are or may be provided by law for the sale of lands in the said district; and patents shall be obtained in the same manner, and on the same terms, as for other public lands in the said district.

SEC. 2. *And be it further enacted*, That the superintendents of the public sales directed by this act shall each receive four dollars a day for each day's attendance on the said sales.

APPROVED, April 29, 1816.

Lands, undisposed of this way, to be sold by private bargains.

STATUTE I.

April 29, 1816.

[Obsolete.]

CHAP. CLIV.—*An Act supplemental to the act, entitled "An act regulating and defining the duties of the judges of the territory of Illinois, and for vesting in the courts of the territory of Indiana, a jurisdiction in chancery cases, arising in the said territory."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That when a new county shall be established in the territory of Illinois by the legislature thereof, such new county shall be attached to the judicial circuit from which the largest portion thereof is taken; and it shall be the duty of the judges allotted to such circuit, in pursuance of the act to which this is a supplement, to hold courts in such new county twice in each year, at such time and place as the legislature of the territory may designate.

Act of March 3, 1815, ch. 97.

To what judicial circuits new counties are attached.

SEC. 2. *And be it further enacted*, That when any judge in the said territory shall be unable to hold the courts within the circuit to which he is allotted, by reason of any disability, it shall be the duty of the judge allotted to the circuit nearest thereto, to hold the courts in such circuit, until the disability of the judge allotted to the circuit shall be removed, or (in case of the death or resignation of a judge) until a successor is appointed.

Provision in case of the inability of the regular judges to hold the prescribed courts.

SEC. 3. *And be it further enacted*, That the judge of any circuit within the said territory shall have power to appoint a clerk to each court within his court [circuit], and to fill any vacancy occasioned by the death or resignation of the clerk.

Judges to appoint clerks of courts.

SEC. 4. *And be it further enacted*, That when any person charged with felony, shall be committed to prison in any county within the territory aforesaid, it shall be lawful for the governor of the territory to issue his writ, directed to the judge allotted to the circuit including the county where such accused person may be committed, commanding him to hold a court of oyer and terminer, for the trial of the accused; and it shall be the duty of the judge to whom such writ is directed, to hold the court at the courthouse of the county at such time as may be specified in such writ; and all process issued, or proceeding had before the writ shall be issued, shall be returned to the said court of oyer and terminer.

Courts of oyer and terminer for the trial of persons charged with felonies to be held upon the order of the governor.

SEC. 5. *And be it further enacted*, That this act, and the act to which this is supplemental, shall be and remain in force until the end of the next session of the legislature of the said territory, and no longer; and the legislature of the said territory shall have power and authority to make laws in all cases, for the good government of the territory aforesaid, not repugnant to the principles and articles of the ordinances, and to organize the courts of the said territory, and prescribe the times and places of their session.

Limitation of this act, and of the one to which it is supplemental.

Legislative power—how to be exercised.

SEC. 6. *And be it further enacted*, That the general court of the