

STATUTE I.

March 25, 1830.

CHAP. XLI.—*An Act making appropriations to carry into effect certain Indian treaties.*

[Obsolete.]

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

Permanent annuity under treaty of July, 1829.

For payment, for the year one thousand eight hundred and thirty, of the permanent annuity provided for by the second article of the treaty concluded at Prairie du Chien, the twenty-ninth July, one thousand eight hundred and twenty-nine, with the Chippewa, Ottawa, and Pattawattamie Indians, sixteen thousand dollars.

Goods.

For the purchase of goods, stipulated by the said article to be delivered to the said Indians, twelve thousand dollars.

Salt.

For the purchase of fifty barrels of salt, for one thousand eight hundred and thirty, stipulated by the said article, one hundred and twenty-five dollars.

Transportation.

For transportation of the said annuity and salt, and expense of provisions at the delivery of the same, one thousand dollars.

Claims.

For the payment of claims provided for by the fifth article of the said treaty, eleven thousand six hundred and one dollars.

Surveying boundaries.

For the expense of surveying the boundaries of the cession made by the said treaty, two thousand dollars.

Limited annuity under treaty August, 1829.

For the payment, for the year one thousand eight hundred and thirty, of the limited annuity provided by the second article of the treaty made at Prairie du Chien, the second August, one thousand eight hundred and twenty-nine, with the Winnebago Indians, eighteen thousand dollars.

Goods.

For purchasing goods to be delivered at the treaty, as stipulated by the said second article, thirty thousand dollars.

Tobacco.

For purchasing three thousand pounds of tobacco, per same article, for one thousand eight hundred and thirty, three hundred dollars.

Transportation.

For transportation of the same, sixty dollars.

Salt.

For purchasing fifty barrels of salt, per said second article, one hundred and twenty-five dollars.

Transportation.

For transportation of the same, one hundred dollars.

Blacksmith shops.

For support of three blacksmiths' shops, including pay of smiths, and assistants, also tools, iron, steel, &c. for the year one thousand eight hundred and thirty, as per third article of said treaty, three thousand dollars.

Oxen and cart, &c.

For the purchase of two yoke of oxen, and a cart, and for the services of a man at the portage of Wisconsin and Fox rivers, for one thousand eight hundred and thirty, as per same article, five hundred and thirty-five dollars.

Claims against Winnebagoes.

For the payment of sundry claims against the Winnebagoes, as provided for by the fourth article of said treaty, twenty-three thousand five hundred and thirty-two dollars.

Survey of boundaries.

For expense of surveying the boundaries of the territory ceded by the said treaty, one thousand seven hundred and forty dollars.

APPROVED, March 25, 1830.

STATUTE I.

March 31, 1830.

CHAP. XLVIII.—*An Act for the relief of the purchasers of public lands, and for the suppression of fraudulent practices at the public sales of the lands of the United States. (a)*

Lands which have reverted to U. S. under relief laws,

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all purchasers, their heirs or assignees, of such of the public lands of the United States as

(a) See notes to act of May 23, 1828, ch. 71.

were sold on a credit, and on which a further credit has been taken, under any of the laws passed for the relief of purchasers of public lands, and which lands have reverted to the United States, on account of the balance due thereon not having been paid or discharged agreeably to said relief laws, such persons may avail themselves of any one of the three following provisions contained in this section, to wit: First, They shall have a right of pre-emption of the same lands, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office the sum per acre therefor, which shall, at the time of payment, be the minimum price per acre of the public lands of the United States, in addition to the amount heretofore paid thereon, and forfeited: *Provided*, That the price, including what has already been paid, and the amount to be paid, shall not, in any case, exceed three dollars and fifty cents per acre: Second, they shall have the right of completing the payment of said lands, by paying the balance of the principal debt due thereon, in cash, subject to a deduction of thirty-seven and a half per cent. as heretofore, at any time previous to the fourth day of July, one thousand eight hundred and thirty-one: Third, They shall have the right, within nine months from the passage of this act, in all cases where the price for which said lands were sold did not exceed two dollars and fifty cents per acre, to draw scrip for the amount paid thereon, in the manner prescribed in the act, approved the twenty-third day of May, one thousand eight hundred and twenty-eight, entitled "An act for the relief of purchasers of public lands that have reverted for non-payment of the purchase money;" and which scrip shall be receivable in the same manner as directed by said act, except only that it shall not be taken in payment for lands hereafter bought at public sale.

SEC. 2. *And be it further enacted*, That all purchasers, their heirs, or assignees, of such of the public lands of the United States as were sold on credit, and which lands have, by such persons, been relinquished under any of the laws passed for the relief of purchasers of public lands, and the amount paid thereon applied in payment of other lands retained by them, and which relinquished lands, or any part thereof, may now be in possession of such persons; or in case the certificate of purchase, and part payment of said lands, has been transferred by the persons now in possession of said lands, or part thereof, or the persons under whom the present occupants may hold such possession, to some other person not in possession thereof, and the payment made thereon applied by such other person, or his assignee, in payment for land held in his own name: in either case, the persons so in possession, shall have the right of pre-emption of the same lands, according to the legal sub-divisions of sections, not exceeding the quantity of two quarter sections, in contiguous tracts, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office, the sum per acre therefor, which shall, at the time of payment, be the minimum price per acre of the United States' public lands; and in addition thereto, the same amount per acre heretofore paid thereon, and applied to other lands, subject to a deduction of thirty-seven and a half per cent. on the last mentioned sum: *Provided*, That the sum to be paid shall not, in any case, exceed three dollars and fifty cents per acre: *Provided also*, That such persons only shall be entitled to the benefits of this section, who shall apply for the same, and prove their possession, to the satisfaction of the register and receiver of the district in which the land may lie, in the manner to be prescribed by the commissioner of the general land office, within nine months from the passage of this act; for which, such register and receiver shall each be entitled to receive from such applicants, the sum of fifty cents each; *And provided further*, That the provisions of this section shall not extend to any lands that have, in any manner, been disposed of by the United States.

may be redeemed in either of the three following ways :

1. Pre-emption until July 30, 1831, at minimum price of public lands, in addition to amount already paid.

Proviso: entire price not to exceed 2 dolls. and 50 c.

2. Payment before July 4, 1831, of 62½ per cent. on the balance due.

3. Where the price did not exceed 2 dolls. and 50 c. purchasers may, within nine months, draw scrip for the amount paid, in manner prescribed in act of May 23, 1828, ch. 71.

Where lands relinquished under relief laws (the sum paid having been applied in payment of other lands) remain in possession of the relinquishers; or where such relinquished lands remain in possession of persons (or of persons holding under these) who transferred the certificate of purchase and part payment of those lands, to another person by whom said part payment was applied in payment of land held in his own name: in either case, the persons so in possession shall have a right of pre-emption, &c.

Provisoes.

On failure to comply with provisions of this act, lands to be offered for sale.

All agreements or acts having for object to prevent any one from bidding upon or purchasing public lands, prohibited.

Penalty.

All agreements to the effect that one person shall pay to another, a premium of any kind upon the price at which lands of the U. S. may be bid off by the latter, to be null and void.

Any premium paid in consequence of such agreement may be recovered.

Discovery may be enforced by bill in equity.

Proviso: suit to be commenced within six years.

SEC. 3. *And be it further enacted*, That, on failure to apply for, and show a right of pre-emption, under the second section of this act, within the time allowed therefor; and also on failure to complete the payment on any of the lands, agreeably to the provisions of this act, within the period allowed for that purpose, in either case, the whole of such lands shall be forthwith offered for sale without delay.

SEC. 4. *And be it further enacted*, That if any person or persons shall, before or at the time of the public sale of any of the lands of the United States, bargain, contract or agree, or shall attempt to bargain, contract, or agree with any other person or persons, that the last named person or persons, shall not bid upon, or purchase the land so offered for sale, or any parcel thereof, or shall by intimidation, combination, or unfair management, hinder or prevent, or attempt to hinder or prevent any person or persons from bidding upon or purchasing any tract or tracts of land so offered for sale, every such offender, his, her, or their aiders and abettors, being thereof duly convicted, shall, for every such offence, be fined not exceeding one thousand dollars, or imprisoned not exceeding two years, or both in the discretion of the court.

SEC. 5. *And be it further enacted*, That if any person or persons, shall, before, or at the time of the public sale of any of the lands of the United States, enter into any contract, bargain, agreement, or secret understanding with any other person or persons, proposing to purchase such land, to pay or give to such purchasers for such land, a sum of money, or other article of property, over and above the price at which the land may or shall be bid off by such purchasers, every such contract, bargain, agreement, or secret understanding, and every bond, obligation, or writing of any kind whatsoever founded upon, or growing out of the same, shall be utterly null and void. And any person or persons being a party to such contract, bargain, agreement, or secret understanding, who shall or may pay to such purchasers, any sum of money or other article of property, as aforesaid, over and above the purchase money of such land, may sue for, and recover such excess from such purchasers in any court having jurisdiction of the same. And if the party aggrieved, have no legal evidence of such contract, bargain, agreement, or secret understanding, or of the payment of the excess aforesaid, he may, by bill in equity, compel such purchasers to make discovery thereof; and if in such case, the complainant shall ask for relief, the court in which the bill is pending, may proceed to final decree between the parties to the same; *Provided*, every such suit either in law or equity shall be commenced within six years next, after the sale of said land by the United States.

APPROVED, March 31, 1830.

STATUTE I.

March 31, 1830.

Port of entry changed from Nova Iberia to Franklin.

CHAP. XLIX.—*An Act to change the port of entry from Nova Iberia to Franklin, in the state of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That hereafter, the port of entry in the district of Teche, in the state of Louisiana, shall be at Franklin, instead of Nova Iberia, in said district; and the collector thereof shall hereafter reside at said Franklin.

APPROVED, March 31, 1830.

STATUTE I.

March 31, 1830.

Collector of Burlington.

CHAP. L.—*An Act changing the residence of the collector in the district of Burlington, in the state of New Jersey.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That hereafter, the collector of