

in case of involuntary hostility; and that the guns, arms and ammunition of such vessel shall be returned within the United States, or otherwise accounted for, and shall not be sold or disposed of in any port or place in the West Indies; which bond may be sued for, and recovered with costs of suit, in the name and for the use of the United States, in any court competent to try the same.

SEC. 2. *And be it further enacted*, That no armed merchant vessel or vessel prepared for armament, owned as aforesaid, shall receive a clearance, or be permitted to depart from any port in the United States, for any port or place, other than those described in the first section of this act, unless the owner or owners, agent or agents, and the commander of such vessel shall make oath that such vessel is not bound, or intended to proceed to any island in the West Indies, or any port or place on the continent between Cayenne and the southern boundary of Louisiana, nor on the continent of America between Cayenne and the southern boundary of Louisiana, and also unless a bond be given by the owner or owners, agent or agents, and commander, in a sum equal to double the value of such vessel, her arms, tackle, apparel and furniture, to the use of the United States, conditioned that such vessel shall not proceed to any island in the West Indies, or port on the continent as aforesaid, unless compelled thereto by unavoidable accident; and if so compelled, that no part of the cargo of such vessel shall be sold except so much thereof as may be absolutely necessary to defray the expenses necessary to enable such vessel to proceed on her intended voyage.

SEC. 3. *And be it further enacted*, That if any armed vessel, as aforesaid, shall proceed to sea without a clearance, contrary to the provision of this act, such vessel, with her arms, ammunition, tackle, apparel and furniture, shall be forfeited to the use of the United States, and be liable to be seized, prosecuted and condemned; or the value thereof may be sued for, and recovered with costs of suit, of the owner or owners of such vessel, in any court of competent jurisdiction: and the collector within whose district such forfeiture shall accrue, is hereby enjoined to cause prosecutions for the same to be commenced without delay, and prosecuted to effect.

SEC. 4. *And be it further enacted*, That this act shall be in force until the end of the next session of Congress, and no longer.

APPROVED, March 3, 1805.

Bonds may be sued for and recovered, &c. &c.

Armed merchant vessels, &c. &c. not to proceed to any other ports than those described in the first section of this act, &c. &c.

Vessels going to sea, and armed as above, forfeited, if they depart from the U. States without the clearance prescribed in the last preceding section.

Collectors to cause prosecutions to be instituted, &c.

STATUTE II.

March 3, 1805.

CHAP. XLIII.—*An Act supplementary to the act intituled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes."*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands lately purchased

Act of March, 26, 1804, ch. 35.
Act of April 27, 1816, ch. 118.

(a) Public lands in Indiana:—

An act for granting lands to the inhabitants and settlers at Vincennes, and the Illinois country in the territory northwest of the Ohio, and for confirming them in their possessions, March 3, 1791, ch. 27.

An act making provision for the disposal of the public land in the Indiana territory, and for other purposes, March 26, 1804, chap. 35.

An act to suspend the sale of certain lands in the state of Ohio, and the Indiana territory, April 15, 1806, chap. 28.

An act confirming claims to lands in the district of Vincennes, and for other purposes, March 3, 1807, chap. 47.

An act providing for the sale of certain lands in the Indiana territory, and for other purposes, April 30, 1810, chap. 35.

An act confirming the titles of certain purchasers of lands who purchased from the board of trustees of the Vincennes University, April 27, 1816, chap. 118.

An act providing for the sale of certain lands in the district of Marietta, and for the location of claims and sale of certain lands in the district of Vincennes, March 18, 1818, chap. 17.

An act to designate the boundaries of the districts, and establish land-offices for the disposal of public lands not heretofore offered for sale in the states of Ohio and Indiana, March 3, 1819, chap. 90.

An act to designate the boundaries of a land district, and for the establishment of a land-office in the state of Indiana, May 8, 1822, chap. 126.

Lands purchased from the Wabash Indians, and lying between the Wabash and Ohio, attached to the district of Vincennes, and offered for sale, &c. at Vincennes.

Lands lying northwest of the Indian boundary by the treaty of Greenville, shall be surveyed, &c. &c. and offered for sale at Detroit.

Lands purchased from the Sacs and Foxes attached to the district of Kaskaskias, &c.

Lands in the districts of Vincennes, &c. claimed under French or British grants, &c. &c. shall be re-surveyed at the expense of the United States.

Claimants of lands in the foregoing districts, to give notice in writing to the registers of the land offices of their claims, &c.

Powers, duties, &c. &c. of the commissioners.

from the Indian tribes of the Wabash, and lying between the rivers Wabash and Ohio, and the road leading from the falls of the river Ohio to Vincennes, shall be attached to, and made a part of the district of Vincennes, and be offered for sale at that place, under the same regulations, at the same price, and on the same terms as other lands lying within the said district.

SEC. 2. *And be it further enacted,* That such and so many of the tracts of land lying north and west of the Indian boundary, established by the treaty of Greenville, which were ceded by that treaty to the United States, as the President of the United States shall direct, shall be surveyed and subdivided in the same manner as the other public lands of the United States, and shall be offered for sale at Detroit, or at such of the other land-offices established by law in the state of Ohio, or in the Indiana territory, as the President of the United States shall judge most expedient, under the same regulations, at the same price, and on the same terms, as other lands lying within the same district.

SEC. 3. *And be it further enacted,* That so much of the tract of land lately purchased from the Indian tribes known by the name of Sacs and Foxes, as the President of the United States shall think expedient and shall direct, shall be attached to and made a part of the district of Kaskaskias, and shall be offered for sale at that place, under the same regulations, at the same price, and on the same terms, as other lands lying within the said district.

SEC. 4. *And be it further enacted,* That the lands lying within the districts of Vincennes, Kaskaskias and Detroit which are claimed by virtue of French or British grants, legally and fully executed, or by virtue of grants issued under the authority of any former act of Congress, by either of the governors of the Northwest or Indiana territories, and which had already been surveyed by a person authorized to execute such surveys, shall, whenever it shall be found necessary to re-survey the same for the purpose of ascertaining the adjacent vacant lands, be surveyed at the expense of the United States; any act to the contrary notwithstanding.

SEC. 5. *And be it further enacted,* That persons claiming lands in either of the said three districts, either under legal grants derived from the French or British governments, or by virtue of actual possession and improvement, or for any other account whatever, may until the first day of November next, give notice in writing to the register of the land-office of their claims, and have the evidence of the same recorded, in the manner and on payment of the fees provided by the act to which this act is a supplement; and the right of any person neglecting to give such notice in writing of his claim, and to have the evidence of the same recorded, shall become void and forever be barred.

The commissioners appointed for the purpose of examining the claims of persons claiming lands in the said three districts, shall, in their respective districts, have the same powers, and perform the same duties in relation to the claims thus filed, as if notice of the same had been given before the first day of January last; and as was provided by the act to which this act is a supplement, in relation to the claims therein described. It shall be the duty likewise of the clerk of each board to prepare two transcripts of all the decisions made by the said commissioners in favour of the claimants, and to transmit one to the surveyor-general and one to the Secretary of the Treasury. It shall also be the duty of the said commissioners, respectively, to make to the Secretary

An act to authorize the President of the United States to cause the public surveys to be connected with the line of demarcation between the states of Indiana and Illinois, March 2, 1833, chap. 89.

An act to authorize the states of Indiana and Illinois, to select certain quantities of land in lieu of like quantities heretofore granted to the said states, for the construction of the Wabash and Erie, and Illinois and Michigan canals. August 29, 1842, chap. 262.—See Vol. i. 464, 465. Act of March 3, 1845, ch. 42.

of the Treasury a report of all the claims filed with the register of the land-office, which they may have rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; and they shall in relation to any such rejected claims which were founded on possession and actual settlement and improvement, particularly state the date of the improvement and the quantity, situation and boundaries of the land claimed. Those reports, together with the transcripts of the decisions of the commissioners, in favour of claimants, shall be laid by the Secretary of the Treasury before Congress at their next session; and the lands, the claims to which shall have been affirmed by the commissioners, as well as those, the claims to which, though rejected by the commissioners, were derived from actual possession, improvement and settlement, shall not be otherwise disposed of until the decision of Congress thereupon shall have been made. Each of the said commissioners, and each of the clerks of the respective boards, shall be allowed an additional compensation of five hundred dollars, in full for his services as such in relation to such claims; and each of the registers of the land-offices for the said three districts, shall be allowed a further sum of five hundred dollars, as a compensation in full for translating and recording, or causing to be translated and recorded, grants, deeds or other evidences of claims in the French language.

Compensations of the commissioners, clerks, and registers of land-offices.

SEC. 6. *And be it further enacted*, That the governor of the Michigan territory shall act as one of the superintendents of the sales of public lands at Detroit, in lieu of the governor of the Indiana territory. (a)

Act of March 3, 1807, ch. 34.

SEC. 7. *And be it further enacted*, That all the sections heretofore reserved for the future disposition of Congress, and lying within either of the districts established for the disposal of public lands in the state of Ohio, with the exception of the section No. 16, of the Salt Springs, and lands reserved for the use of the same, and of the other sections or tracts of land otherwise heretofore specially appropriated, shall be offered for sale in that district within which such reserved sections may lie, on the same terms, and under the same regulations, as other lands in the same district: *Provided*, that such sections shall previously be offered to the highest bidder at public sales, to be held under the superintendence of the register and receiver of the land-offices, respectively, to which they are attached, on the same terms as has been provided for the public sales of the other public lands of the United States, and on such day or days as shall by a public proclamation of the President of the United States be designated for that purpose: *And provided also*, that no such heretofore reserved section shall be sold either at public or private sale for less than eight dollars per acre.

Sections reserved for the disposition of Congress, to be offered for sale.

Proviso.

Proviso.

SEC. 8. *And be it further enacted*, That the expenses which may be incurred by virtue of this act, shall be defrayed out of the sums which have been or may hereafter be appropriated for defraying the expenses incident to the surveying and disposal of the public lands of the United States, in the Mississippi and Indiana territories.

Expenses, how to be defrayed.

APPROVED, March 3, 1805.

STATUTE II.

CHAP. XLIV.—*An Act in addition to "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States, during the revolutionary war."*

March 3, 1805.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions contained in the first section of "An act to make provision for persons that have been disabled by known wounds, received in the actual service of the

The provisions contained in the first section of the act of March 3,

(a) See note to act of March 3, 1807, chap. 34, for the acts relating to the sale of lands in the Michigan territory, and state.