of Maryland, and Tiverton, in the district of Newport, and state of Rhode Island, shall be ports of delivery, and a surveyor shall be appointed to each; each of whom shall be entitled to receive, in addition to the fees and emoluments already allowed by law, a salary of two hundred dollars per annum.

verton, Rhode Island, ports of delivery.
Surveyor to each.
Salaries.

Sec. 3. *And be it further enacted,* That it shall be lawful for the President of the United States to establish, when it shall appear to him to be proper, in addition to the port of entry and delivery already established on Lake Ontario, one other port of entry and delivery on the said lake, or on the waters or rivers emptying therein, and to appoint a collector of the customs, to reside and keep an office thereat.

Additional port of entry and delivery, on Lake Ontario.
1799, ch. 22, sec. 5.
With a collector.

Sec. 4. *And be it further enacted,* That from and after the said thirtieth day of June next, such place within the district of Passamaquoddy, in the state of Massachusetts, as the Secretary of the Treasury may direct, shall be a port of entry and delivery, (at which place the collector shall reside) as well for foreign as for vessels of the United States.

Port of entry and delivery in Passamaquoddy, Massachusetts.

Approved, March 3, 1803.

Statute II.

Chap. XXVII.—*An Act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee.*(a)

March 3, 1803.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person or persons, and the legal representatives of any person or persons, who were resident in the Mississippi territory on the twenty-seventh day of October, in the year one thousand seven hundred and ninety-five, and who had prior to that day obtained, either from the British government of West Florida or from the Spanish government, any warrant or order of survey for lands lying within the said territory, to which the Indian title had been extinguished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands in the same manner as if their titles had been completed: *Provided, however,* that no such incomplete title shall be confirmed, unless the person in whose name such 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.

Residents in the Mississippi territory, confirmed in their claims.

Proviso.

Sec. 2. *And be it further enacted,* That to every person, or to the legal representative or representatives of every person who, being either the head of a family, or of twenty-one years of age, did on that day of the year seventeen hundred and ninety-seven, when the Mississippi territory was finally evacuated by the Spanish troops, actually inhabit and cultivate a tract of land in the said territory, not claimed by virtue either of the preceding section, or of any British grant, or of the articles of agreement and cession between the United States and the state of Georgia, the said tract of land thus inhabited and cultivated, shall be granted: *Provided, however,* that not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres: *And provided also,* that this donation shall not be made to any person who claims any other tract of land in the said territory by virtue of any British or Spanish grant, or order of survey.

Grants to inhabitants where the territory was evacuated by the Spaniards.

Limitations.

Sec. 3. *And be it further enacted,* That every person, and the legal representatives of every person, who being the head of a family, or above the age of twenty-one years, doth at the time of passing this act, inhabit and cultivate a tract of land in the said territory, not claimed by virtue of the preceding sections of this act, or of any British grant, or of the

Residents entitled to a preference as purchasers.

(a) Act of March 27, 1804, chap. 61; act of March 2, 1805, chap. 24; act of April 21, 1806, chap. 46; act of March 3, 1807, chap. 46; act of January 19, 1808, chap. 10; act of March 3, 1815, chap. 87, sec. 4; act of May 8, 1822, chap. 128, sec. 4; act of March 2, 1833, chap. 85.

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articles of agreement and cession above-mentioned, shall be entitled to a preference in becoming the purchaser from the United States, of such tract of land, at the price at which the other lands of the United States in the said territory, are by this act directed to be sold; and payment may be made therefor in the same manner, and under the same conditions, as directed by this act for such other lands: *Provided, however*, that no interest shall be charged upon any of the instalments until they respectively become payable.

Without interest on instalments.

Two land-offices in the Mississippi Territory.

Sec. 4. *And be it further enacted*, That for the disposal of the lands of the United States within the Mississippi territory, two land-offices shall be established in the same, one at such place in the county of Adams, as shall be designated by the President of the United States, for the lands lying west of "Pearl river," sometimes called "half-way river;" and one at such place in the county of Washington, as shall be designated by the President of the United States, for the lands lying east of Pearl river: and for each of the said offices, a register and receiver of public monies shall be appointed, who shall give security in the same manner, and in the same sums, and whose duties and authority shall in every respect be the same in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and the receivers of public monies in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky river.

Register and receiver of public money in each.

Security.

Claimants and residents to state their claims before the thirty-first of March, one thousand eight hundred and four.

Sec. 5. *And be it further enacted*, That every person claiming lands by virtue of any British grant, or of the three first sections of this act, or of the articles of agreement and cession between the United States and the state of Georgia, shall, before the last day of March in the year one thousand eight hundred and four, deliver to the register of the land-office, within whose district the land may be, a notice in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed, and shall also, on or before that day, deliver to the said register, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim, and the same shall be recorded by the said register, in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents, for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice in writing, of his claim, together with a plot as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the above-mentioned articles of agreement, or from the three first sections of this act, shall become void, and for ever thereafter be barred; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence in any court in the United States, against any grant derived from the United States.

To be recorded.

Neglect thereof to bar their claims.

Commissioners appointed to settle the claims.

Sec. 6. *And be it further enacted*, That the register of the land-office in Adams county, and two other persons who shall be appointed by the President of the United States alone, shall for the lands lying west of Pearl river, and the register of the land-office of Washington county, together with two other persons who shall be appointed by the President of the United States alone, shall for the lands lying east of Pearl river, respectively be commissioners, for the purpose of ascertaining the rights of persons claiming the benefit of the articles of agreement and cession between the United States and the state of Georgia, or of the three first sections 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 im-

Their oath or affirmation.

posed upon me, by an act of Congress, intituled 'An act regulating the grants of land and providing for the disposal of the lands of the United States south of the state of Tennessee,' to the best of my skill and judgment." And it shall be the duty of the said commissioners to meet in the county of Adams, and in Washington county aforesaid, respectively, on or before the first day of December next, and they shall not adjourn to any other place, or for a longer time than three days, until the first day of April, one thousand eight hundred and four, and until they shall have completed the business of their appointment. And each board, or a majority of each board, shall, in their respective districts, have power to hear and decide in a summary manner, all matters respecting such claims, also to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity; which determination, so far as relates to any rights derived from the articles of agreement above mentioned, or from the three first sections of this act, shall be final; and for the safe keeping of the papers and evidence produced and recording their proceedings, the said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, perfect and correct minutes of the proceedings, decisions, meetings and adjournments of the boards, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards, shall be transmitted to, and lodged in the office of the Secretary of State; and on or before such clerk's entering on the duties of his office, he shall take and subscribe the following oath or affirmation, to wit: "I do solemnly swear (or affirm as the case may be) that I will truly and faithfully enter and record all minutes, proceedings and decisions of the board of commissioners for the county of appointed under and by virtue of an act of the United States, intituled 'An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee,' and well and faithfully do and perform all other acts and things in the said act pointed out as the duty of a clerk of the said board," which oath shall be entered on the minutes of the board; and when it shall appear to them that the claimant is entitled to a tract of land under the articles of agreement and cession with Georgia aforesaid, in virtue of a British or Spanish grant legally and fully executed, they shall give a certificate thereof, describing the tract of land and the grant, and stating that the claimant is confirmed in his title thereto by virtue of the said articles; which certificate, being recorded by the register of the land-office, whose duty it shall be to record the same in a book to be kept by him for that purpose, shall amount to a relinquishment for ever, on the part of the United States to any claim whatever to such tract of land: and when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of a settlement under the Bourbon act of Georgia, recognized in the said articles of agreement and cession, or of either of the two first sections 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 certificate being duly entered with the register of the land-office, on or before the first day of January, eighteen hundred and five, shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by this act for the other lands of the United States, without the party paying any thing therefor, except the surveying expenses and the fees of office. And when it shall appear to the said commissioners that the claimant is entitled to a right of pre-emption by virtue of the third section of this act, they shall give a certificate thereof, directed to the register of the land-office; which certificate being duly entered with the register of the land-office, on or

Duties.

Powers.
The determination of the board to be final.

Appointment of clerks.
Duties.
Papers, &c. on dissolution of the boards to be lodged in the Secretary of State's office.

Oath or affirmation of the clerk.

Titles, when to be granted, and how,—under the Georgia cession.

A certificate to be given.

Under the Bourbon act of the state of Georgia.

Certificate to be returned before January 1, 1805, which shall entitle the party to a patent.
Right of pre-emption.

before the first day of January, eighteen hundred and five, shall entitle the party to become a purchaser of such tract of land: *Provided*, that he shall, prior to the first day of January, eighteen hundred and six, also produce a receipt from the treasurer of the United States, or from the receiver of public monies, for at least one fourth part of the purchase money, and also for the payment of the surveying expenses; and the party shall, upon payment in full of the purchase money, on which, if any of the three last payments shall be made in advance, he shall be allowed the same discount allowed in similar cases by this act, be entitled to receive a patent, which shall issue in like manner, and on payment of the same fees as are provided by this act for the other lands of the United States; but if such person shall neglect to enter his certificate, on or before the first day of January, eighteen hundred and five, or to make such first payment as above provided; his right of pre-emption shall cease and become void: *Provided also, and it is further enacted*, that whenever a tract of land to which any person might be entitled by virtue of the three first sections of this act, shall also be claimed by the holder of a British patent, legally and fully executed, and duly recorded in conformity to the provisions of this act, who is not confirmed in his claim by the articles of agreement above mentioned, the commissioners shall, in the certificate granted to the person claiming the land by virtue of this act, state the existence of the adverse claims, in which case the party shall not be entitled to a patent, unless he shall have obtained in his favour a judicial decision in a court having jurisdiction therein, and for every certificate so granted by the boards respectively, the clerk of the board granting the same, shall be entitled to demand and receive of the party to whom the same is granted, the sum of two dollars.

Proviso that receipts for purchase money be produced.

Proviso. Reference to be made to adverse claims.

Clerk to receive two dollars for every certificate.

Sec. 7. *And be it further enacted*, That the commissioners aforesaid shall, on or before the first day of December, one thousand eight hundred and four, make to the Secretary of the Treasury, a full report of all the British grants legally and fully executed, which have been duly recorded in conformity to the provisions of this act, the title of which is not confirmed to the holders thereof, by the articles of agreement above mentioned, stating the present situation of the lands, the date of such grants, the conditions annexed thereto, and how far the same have been fulfilled, together with such other remarks thereon as they may think proper; which report shall be laid before Congress at their next session, and the lands contained in such grants shall not be otherwise disposed of, until the end of one year after that time.

Commissioners shall report to the Secretary of the Treasury.

Report to be laid before Congress.

Sec. 8. *And be it further enacted*, That so much of the five millions of acres reserved for that purpose by the articles of agreement above mentioned, as may be necessary to satisfy the claims not confirmed by that agreement, which are embraced by the two first sections of this act, or which may be derived from British grants for lands which have not been regranted by the Spanish government, be, and the same is hereby appropriated for that purpose; and so much of the residue of the said five millions of acres or of the nett proceeds thereof as may be necessary for that purpose, shall be, and is hereby appropriated, for the purpose of satisfying, quieting and compensating, for such other claims to the lands of the United States south of the state of Tennessee, not recognized in the above-mentioned articles of agreement, and which are derived from any act or pretended act of the state of Georgia, which Congress may hereafter think fit to provide for; provided, however, that no other claims shall be embraced by this appropriation, but those, the evidence of which shall have, on or before the first day of January next, been exhibited by the claimants to the Secretary of State, and recorded in books to be kept in his office for that purpose, at the expense of the party exhibiting the same, who shall pay to the person employed by the Secretary of State for recording the same, at the rate of twelve and an

Unconfirmed claims provided for.

Proviso, that no claims shall be embraced by the appropriation in this act which have not been presented before the first of January, 1804.

half cents for every hundred words contained in each document thus recorded; nor shall any grant, deed, conveyance, or other written evidence of any claim to the said lands, derived, or pretended to be derived from the state of Georgia, and not recognized by the above mentioned articles of agreement, ever after be admitted or considered as evidence in any of the courts of the United States, unless it shall have been exhibited, and recorded, in the manner and within the time above mentioned; and provided also, that nothing herein contained, shall be construed to recognize or affect the claims of any person or persons, to any of the lands above mentioned; and provided also, that no certificate shall be granted for lands lying east of the Tombigby river, nor for lands situated without the boundary lines established by treaty between the United States and the Choctaws, made the seventeenth day of October, in the year eighteen hundred and two.

Fees on recording.

No grant, deed or conveyance from the state of Georgia to be evidence unless recorded.

Claims not recognized.

Sec. 9. *And be it further enacted,* That the Secretary of State, the Secretary of the Treasury and the Attorney-General for the time being, be, and are hereby authorized and empowered to receive such propositions of compromise and settlement, as may be offered by the several companies, or persons claiming public lands in the territory of the United States, lying south of the state of Tennessee, and west of the state of Georgia; and report their opinion thereon to Congress at their next session.

Authority given to receive propositions of compromise.

Sec. 10. *And be it further enacted,* That a surveyor of the lands of the United States, south of the state of Tennessee, shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause the lands above mentioned, to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner hereafter directed, and to do and perform all such other acts, in relation to the said lands, as the surveyor-general is authorized and directed to do in relation to the lands lying northwest of the river Ohio, and above the mouth of the river Kentucky.

Land surveyor south of Tennessee appointed, who shall engage deputies.

Duties.

Sec. 11. *And be it further enacted,* That the lands for which certificates of any description whatever, shall have been granted by the commissioners in pursuance of the provisions of this act, shall, as soon as may be, be surveyed under the direction of the surveyor of the lands of the United States above mentioned, in conformity to the true tenor and intent of such certificates; and the said surveyor shall also cause all the other lands of the United States, in the Mississippi territory, to which the Indian title has been extinguished, to be surveyed as far as practicable, into townships, and subdivided into half sections, in the manner provided for the surveying of the lands of the United States, situate northwest of the river Ohio, and above the mouth of the Kentucky river, and shall transmit to the registers of the land-offices respectively, 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; and he shall also, with the approbation of the said secretary, fix the compensation of the deputy surveyors, chain carriers, and axe men: *Provided,* that the whole expense of surveying and marking the lines shall not exceed four dollars for every mile that shall be actually run, surveyed and marked: *And provided,* that the expense of surveying those tracts of land, to which the title of the claimants is confirmed by the articles of agreement, or by the two first sections of this act, and those tracts claimed under British grants, a return of which is to be made to Congress, shall not be advanced by the United States, but shall be paid to the deputy surveyor by the parties claiming the same; and that in relation to all the land sold by the United States, the purchaser shall make the same payment for surveying expenses, which is directed by law to be made for lands sold north of the river Ohio.

Further duties of the surveyor.

Other lands in the Mississippi territory to be surveyed.

Expenses of surveying.

1800, ch. 55.

Sec. 12. *And be it further enacted,* That all the lands aforesaid, not

The lands aforesaid unappropriated to be sold.

otherwise disposed of, or excepted by virtue of the preceding sections of this act, shall, with the exception of the section number sixteen, which shall be reserved in each township for the support of schools within the same, with the exception also of thirty-six sections to be located in one body by the Secretary of the Treasury for the use of Jefferson College, and also with the exception of such town lots not exceeding two in the town of Natchez, and of such an outlot adjoining the same, not exceeding thirty acres, as may be the property of the United States, to be located by the governor of the Mississippi territory, for the use of the said college, be offered for sale to the highest bidder, under the direction of the governor of the Mississippi territory, of the surveyor of the lands of the United States, above mentioned, and of the register of the land-office at the places respectively, where the land-offices are kept, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at each place for three weeks and no longer; and all lands, other than the section number sixteen, remaining unsold at the closing of the public sales, may be disposed of at private sale by the registers of the respective land-offices in the same manner, under the same regulations, for the same price, and on the same terms and conditions as is provided by law, for the sale of the lands of the United States, north of the river Ohio, by an act, intituled "An act to amend the act intituled, An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky river:" *Provided always*, that the lands which may be sold at public sale by virtue of this act, shall not be sold for less than two dollars per acre, and shall in every other respect be sold on the same terms and conditions as was provided for the lands sold at public sale, by the last-recited act. And patents shall be obtained for all lands granted or sold in the Mississippi territory in the same manner and on payment of the same fees as is provided for lands sold north of the river Ohio, by the said last-recited act: *Provided, however*, that evidences of the public debt of the United States shall not be received in payment for the purchase of said lands.

Under the directions of the governor, surveyor and register.

Sales to remain open for three weeks—then private sales, by whom,

and on what terms.

Proviso. Lands not to be sold for less than two dollars per acre.

Patent fees.

Proviso.

Sec. 13. *And be it further enacted*, That the registers of the land-offices, and the receivers of public monies, appointed in pursuance of this act, shall receive the same fees and compensation as the registers and receivers of the land-offices north of the river Ohio, and the registers shall also be entitled to receive twenty-five cents for entering each certificate granted by the commissioners above mentioned. The surveyor of the lands of the United States, appointed in pursuance of this act, shall receive an annual compensation of fifteen hundred dollars, and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed one thousand dollars per annum. The commissioners appointed to ascertain the rights of persons claiming the benefit of the articles of agreement above mentioned, and of this act shall receive each a compensation of two thousand dollars for the whole of their services, the registers of the land-offices excepted, who shall receive only five hundred dollars each, for their services as commissioners; the clerks of the boards of commissioners a compensation not exceeding seven hundred and fifty dollars each; and the superintendents of the public sales shall receive six dollars each, for each day's attendance on the said sales.

Fees of the registers of the land-offices, and receivers of public monies.

Salary of the surveyor,

and of his two clerks.

Compensation of the commissioners,

and of their clerks.

Pay of the superintendents.

Sec. 14. *And be it further enacted*, That the President of the United States shall have full power to appoint and commission the surveyor, registers of the land-offices, and receivers of public monies above mentioned, in the recess of Congress, and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

Commissions of the surveyor, registers of the land-offices, and receivers of public monies.

Sec. 15. *And be it further enacted*, That a sum not exceeding twenty

thousand dollars be, and the same is hereby appropriated for the purpose of carrying this act into effect; which sum shall be paid out of any unappropriated monies in the treasury.

Appropriation for the execution of this act.

Sec. 16. *And be it further enacted*, That the nett proceeds of the lands which may be sold by virtue of this act, after deducting the surveying expenses and other expenses incident to the sale thereof, shall, and the same are hereby appropriated in the first place, towards paying to the state of Georgia a sum of one million two hundred and fifty thousand dollars, in pursuance of the articles of agreement and cession entered into between the United States and that state; and the Secretary of the Treasury is hereby authorized and directed to pay accordingly, and from time to time, as the same shall be received in the treasury of the United States, so much of the said nett proceeds as will amount to the said sum of one million two hundred and fifty thousand dollars.

Appropriation of the monies arising from the above sales.

Sec. 17. *And be it further enacted*, That all navigable rivers within the territory of the United States, south of the state of Tennessee, shall be deemed to be and remain public highways.

Navigable rivers south of Tennessee to remain public.

Approved, March 3, 1803.

Statute II.

March 3, 1803.

[Obsolete.]

Chap. XXVIII.—*An Act concerning the Salt Springs on the waters of the Wabash river.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of procuring articles necessary to the establishment of salt works, at the springs near the Wabash river, which have been ceded to the United States, by certain Indian tribes, the sum of three thousand dollars be, and the same is hereby appropriated, to be paid out of any unappropriated money in the treasury, and under the direction of the President of the United States, who is hereby authorized to cause the said springs to be worked at the expense of the United States; or, if he shall deem it more proper, to lease the same for a term not exceeding three years, on such conditions as will insure the working the same most extensively, and to the most advantage to the United States.

Salt works to be established on the Wabash river.

1807, ch. 46.

Approved, March 3, 1803.

Statute II.

March 3, 1803.

[Obsolete.]

Chap. XXIX.—*An Act concerning the City of Washington.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of the city of Washington shall be, and he hereby is allowed as a compensation for his services, a salary of one thousand two hundred dollars, annually.

Salary of the superintendent.

Sec. 2. *And be it further enacted*, That the surveyor of the city shall receive as a compensation for his services, an allowance of three dollars for every day during which he shall be actually employed.

Allowance to the surveyor.

Sec. 3. *And be it further enacted*, That the following sums be, and the same hereby are appropriated for defraying the expense in relation to the said officers, that is to say:

Sums appropriated.

For the salary of the superintendent for the year one thousand eight hundred and three, including an allowance at the same rate for six months of the preceding year, one thousand eight hundred dollars.

For clerk hire in his office, five hundred dollars.

For the wages of the surveyor, one thousand dollars.

For a messenger to both offices, and also to attend the surveyor in the field, two hundred dollars.

For fuel, stationery and other contingent expenses of both offices, two hundred dollars.