

shall be allowed the same rate of compensation, as is provided by law for attending a meeting of the board of commissioners.

SEC. 6. *And be it further enacted*, That a sum not exceeding thirteen thousand five hundred and ninety-three dollars, and twenty-three cents, to be paid out of any monies in the treasury, not otherwise appropriated, be, and the same is hereby appropriated, for defraying the further expenses incident to the valuation of houses and lands, and the enumeration of slaves within the United States.

APPROVED, January 30, 1805.

Appropriation.

CHAP. XIV.—*An Act concerning the mode of surveying the Public Lands of the United States.*(a)

STATUTE II.

Feb. 11, 1805.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the surveyor-general shall cause all those lands north of the river Ohio, which, by virtue of the act, intituled "An act providing for the sale of the lands of the United States, in the territory northwest of the river Ohio, and above the mouth of the Kentucky river," were subdivided, by running through the townships, parallel lines each way, at the end of every two miles, and by marking a corner on each of the said lines, at the end of every mile; to be subdivided into sections, by running straight lines from the mile corners thus marked, to the opposite corresponding corners, and by marking on each of the said lines, intermediate corners as nearly as possible equidistant from the corners of the sections on the same. And the said surveyor-general shall also cause the boundaries of all the half sections, which had been purchased previous to the first day of July last, and on which the surveying fees had been paid, according to law, by the purchaser, to be surveyed and marked, by running straight lines from the half-mile corners, heretofore marked, to the opposite corresponding corners; and intermediate corners shall, at the same time, be marked on each of the said dividing lines, as nearly as possible equidistant from the corners of the half section on the same line: *Provided*, that the whole expense of surveying and marking the lines, shall not exceed three dollars for every mile which has not yet been surveyed, and which shall be actually run, surveyed, and marked by virtue of this section. And the expense of making the subdivisions, directed by this section, shall be defrayed out of the monies appropriated, or which may be hereafter appropriated, for completing the surveys of the public lands of the United States.

Act of May 18, 1796, ch. 29.

Mode of surveying public lands north of the Ohio.

Corners to be marked.

Half sections purchased before July 1, 1804, to be surveyed and marked.

Whole expense of survey not to exceed three dollars per mile.

How the expense of making the surveys is to be paid.

SEC. 2. *And be it further enacted*, That the boundaries and contents of the several sections, half sections, and quarter sections of the public lands of the United States, shall be ascertained in conformity with the following principles, any act or acts to the contrary notwithstanding:

Principles upon which the boundaries and contents of the public lands are to be ascertained.

1st. All the corners marked in the surveys, returned by the surveyor-general, or by the surveyor of the land south of the state of Tennessee, respectively, shall be established as the proper corners of sections, or subdivisions of sections, which they were intended to designate; and the corners of half and quarter sections, not marked on the said surveys, shall be placed as nearly as possible equidistant from those two corners which stand on the same line.

2d. The boundary lines, actually run and marked in the surveys returned by the surveyor-general, or by the surveyor of the land south of the state of Tennessee, respectively, shall be established as the proper boundary lines of the sections, or subdivisions, for which they were intended, and the length of such lines, as returned by either of the surveyors aforesaid, shall be held and considered as the true length thereof.

Boundary lines run and marked by the surveyor south of the Tennessee river to be the proper boundaries of sections.

(a) See notes to the act of May 18, 1796, chap. 29, vol. i. 465.

Boundary lines not actually run to be ascertained.

And the boundary lines, which shall not have been actually run, and marked as aforesaid, shall be ascertained, by running straight lines from the established corners to the opposite corresponding corners; but in those portions of the fractional townships, where no such opposite corresponding corners have been or can be fixed, the said boundary lines shall be ascertained, by running from the established corners, due north and south, or east and west lines, as the case may be, to the water-course, Indian boundary line, or other external boundary of such fractional township.

Surveys to be returned.

3d. Each section, or subdivision of section, the contents whereof shall have been, or by virtue of the first section of this act, shall be returned by the surveyor-general, or by the surveyor of the public lands south of the state of Tennessee, respectively, shall be held and considered as containing the exact quantity, expressed in such return or returns: and the half sections and quarter sections, the contents whereof shall not have been thus returned, shall be held and considered as containing the one half, or the one fourth part respectively, of the returned contents of the section of which they make part.

Part of a former act repealed.

Act of March 26, 1804, ch. 35.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act making provision for the disposal of the lands in the Indiana territory, and for other purposes," as provides the mode of ascertaining the true contents of sections or subdivisions of sections, and prevents the issue of final certificates, unless the said contents shall have been ascertained, and a plot certified by the district surveyor, lodged with the register, be, and the same is hereby repealed.

APPROVED, February 11, 1805.

STATUTE II.

Feb. 14, 1805.

CHAP. XV.—*An Act for carrying into more complete effect the tenth article of the treaty of friendship, limits and navigation with Spain.*

Cargoes of Spanish vessels, arriving in distress in the U. States, may be reshipped in other vessels without any charges, &c.

Act of March 2, 1799, ch. 22. sec. 60, vol. i. 672.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any Spanish vessel shall arrive in distress, in any port of the United States, having been damaged on the coasts, or within the limits of the United States, and her cargo shall have been unladen, in conformity with the provisions of the sixtieth section of the act, intituled "An act to regulate the collection of duties on imports and tonnage," the said cargo, or any part thereof, may, if the said ship or vessel should be condemned, as not sea worthy, or be deemed incapable of performing her original voyage, afterwards be re-laden on board any other vessel or vessels, under the inspection of the officer who superintended the landing thereof, or other proper person. And no duties, charges, or fees whatever, shall be paid on such part of the cargo, as may be re-laded and carried away, either in the vessel in which it was originally imported, or in any other whatever.

Collector of Norfolk to refund certain duties on goods re-shipped which were landed from the Spanish brig Nancy. Proviso.

SEC. 2. *And be it further enacted*, That the collector of the district of Norfolk, in Virginia, shall be, and he hereby is authorized and required to refund to the owners or agents of the Spanish brigantine Nancy, (which vessel arrived in distress at that port, in the year one thousand eight hundred and four) the amount of the duties secured by him on such part of her cargo as was re-exported: *Provided*, that the debenture or debentures issued by the said collector for the drawback of the duties on the exportation of the said cargo, shall be duly surrendered to him, and cancelled.

APPROVED, February 14, 1805.