shall be located on lands to which the Indian title has been extinguished, and subject to the disposition of the legislature of the state, but shall not be granted or sold for less than two dollars per acre, and the proceeds of the sales of the lands aforesaid, shall be vested in funds for the respective uses aforesaid, for ever. And the state of Tennessee shall moreover, in issuing grants and perfecting titles, locate six hundred and forty acres to every six miles square in the territory hereby ceded, where existing claims will allow the same, which shall be appropriated for the use of schools for the instruction of children for ever: *Provided*, that nothing contained in this act shall be construed to affect the Indian title, or to subject the United States to the expense of extinguishing the same. *And provided also*, that the lowest price of all lands granted or sold within the ceded territory, shall be the same, as shall be established by Congress for the lands of the United States: *And provided nevertheless*, that the people residing in said state, south of French Broad and Holston, and west of Big Pigeon rivers, provided for by the constitution of the state of Tennessee, shall be secured in their respective rights of occupancy and pre-emption, and shall receive titles for such quantities as they may respectively claim, including their improvements, not exceeding six hundred and forty acres each, nor exceeding the quantities they have heretofore claimed respectively, according to their conditional lines, where such have been established, at a price not less than one dollar per acre. *And provided further*, that nothing herein contained shall be construed to enable any person or persons, until authorized by the legislature of the state of Tennessee, to locate any warrant issued under the authority of the state of North Carolina, within the limits of the lands reserved to the Cherokee Indians, by the fifth section of the act of said state, intituled "An act for opening the land-office for the redemption of specie and other certificates, and discharging the arrears due to the army," passed in the year one thousand seven hundred and eighty-three.

Nothing in this act to affect the Indian title.

Prices of the land.

Proviso.

Proviso, that this act shall not affect titles under the laws of North Carolina and Tennessee.

Sec. 3. *And be it further enacted*, That if the territory herein before ceded to the state of Tennessee, shall not contain a sufficient quantity of land fit for cultivation, according to the true intent and meaning of the original act of cession, including the lands within the limits reserved by the state of North Carolina, to the Cherokee Indians, to perfect all existing legal claims charged thereon by the conditions contained in this act of cession, Congress will hereafter provide by law for perfecting such as cannot be located in the territory aforesaid, out of the lands lying west or south of the before described line.

If the territory hereby ceded to the state of Tennessee falls short, the deficiency to be made up elsewhere.

Approved, April 18, 1806.

Statute I.

April 18, 1806.

Chap. XXXII.—*An Act authorizing a detachment from the Militia of the United States.*

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, at such time as he shall deem necessary, to require of the executives of the several states, to take effectual measures to organize, arm and equip, according to law, and hold in readiness to march at a moment's warning, their respective proportions of one hundred thousand militia, officers included; to be apportioned by the President of the United States, by the militia returns of the last year, in cases where such returns were made, and in cases where such returns were not made the last year, by such other data as he shall judge equitable.

President authorized to call upon the executives of the several states to have their proportions of militia ready for immediate service.

Apportionment how to be made.

1808, ch. 39.

Sec. 2. *And be it further enacted*, That the President may, if he shall judge it expedient, authorize the executives of the several states, to accept, as part of the said detachment, any corps of volunteers, who shall

President may authorize the acceptance of volunteer corps.

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engage to continue in service six months after they arrive at the place of rendezvous.

How the militia are to be officered.

Sec. 3. *And be it further enacted*, That the detachment of militia and volunteers aforesaid, shall be officered out of the present militia officers, or others, at the option and direction of the constitutional authority in each state, respectively; the President of the United States apportioning the general officers among the respective states as he may deem proper.

President apportioning the general officers.

Length of time which the militia may be compelled to serve.

Their pay, &c.

Sec. 4. *And be it further enacted*, That the said detachment shall not be compelled to serve a longer time than six months after they arrive at the place of rendezvous: and that during the time of their service, they shall be entitled to the same pay, rations and allowance for clothing, that are established by law, as the pay, rations and allowance for clothing of the army of the United States.

President may call into service any proportion of the detachment.

Sec. 5. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to call into actual service any part, or the whole of the said detachment, when he shall judge the exigencies of the United States require it; if a part of the said detachment only shall be called into actual service, they shall be taken from such part thereof as the President in his discretion shall deem most proper.

Appropriation.

Sec. 6. *And be it further enacted*, That two millions of dollars be, and are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the pay and subsistence of such part of the said detachment as may be called into service.

Act of March 3, 1803, ch. 32, repealed.

Sec. 7. *And be it further enacted*, That an act, intituled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals," approved the third of March, one thousand eight hundred and three, be, and the same is hereby repealed.

1812, ch. 55.

Commencement and duration of this act.

Sec. 8. *And be it further enacted*, That this act shall continue, and be in force for the term of two years from the passing thereof, and no longer.

Approved, April 18, 1806.

Statute I.

April 18, 1806.

Chap. XXXIII.—*An Act making appropriations for the support of Government for the year one thousand eight hundred and six.*

Objects of appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and officers; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for the defraying the expenses of surveying the public lands, in the territories of Indiana and Mississippi; and for satisfying certain miscellaneous claims; the following sums be, and the same hereby are respectively appropriated, that is to say:

Specific appropriations.

For compensations granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, two hundred thousand five hundred and eighty-five dollars.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of Congress, thirty-two thousand dollars.

For all contingent expenses of the library, and librarian's allowance for the year one thousand eight hundred and six, four hundred and fifty dollars.

For compensation to the President and Vice President of the United States, thirty thousand dollars.