said inlet of Ocracocke, such only excepted as may be cast away within the said district. The office of surveyor of Beacon island shall be henceforth abolished, and the masters or commanders of every ship or vessel coming in at Ocracocke inlet, and intending to unlade her cargo, or any part thereof, at any port, other than the district of Ocracocke, connected with the waters of the said inlet, as well as the masters or commanders of all lighters or coasting vessels, who shall receive goods, wares or merchandise, to be transported to any such port, shall be bound to exhibit their reports and manifests to the said collector, and to perform all the other duties, which, by the eighteenth section of the act, intituled "An act to regulate the collection of duties on imports and tonnage," they are now bound to perform, under similar circumstances, in the inlet aforesaid.

Office of surveyor of Beacon island abolished.

1799, ch. 22.

Approved, April 21, 1806.

Statute I.

April 21, 1806.

Chap. XLVI.—*An Act in addition to an act, 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."*(a)

1803, ch. 27.

Persons losing their lands under pre-emption certificates entitled to others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any person who shall have received pre-emption certificates from either of the boards of commissioners, appointed for the purpose of ascertaining the rights of persons to lands in the Mississippi territory, shall, by a final judgment or decree of the highest court of law, or equity, in which a decision could be had, within the said territory, rendered in favour of another person claiming by virtue of a British patent, lose the whole or part of the tract of land to which he was entitled by virtue of such certificate, it shall be lawful for the receiver of public monies for the district where the land lies, to repay to such person or his assigns, so much of the purchase money as had been paid by him for the land thus recovered, by the holder of the British patent.

Interfering claims under British patents and certificates from the commissioners, how to be settled.

Proviso.

In all cases where only a part of a tract of land, to which any person may be entitled by virtue of a certificate granted by the commissioners aforesaid, is also claimed by the holder of a British patent, a patent may issue in favour of the owners of such certificate, for so much of such tract of land as is not claimed by virtue of such British patent: *Provided,* that he shall in every other respect have complied with the provisions of the acts of Congress, regulating the grants of land in the Mississippi territory. And the lands contained in British grants, which have been duly recorded in conformity with the provisions of former laws, and for which certificates have not been granted by the commissioners aforesaid, shall not be disposed of until otherwise directed by Congress.

Rights of pre-emption to lands in the Mississippi territory by what time to be paid for.

Penalty of neglect of payment.

Sec. 2. *And be it further enacted,* That persons entitled to a right of pre-emption to lands in the Mississippi territory, by virtue of certificates granted by either of the boards of commissioners aforesaid, shall be allowed till the first day of January, one thousand eight hundred and seven, to make the first payment of the purchase money of such lands: and if any such person shall neglect to make such first payment, on or before the first day of January, one thousand eight hundred and seven, his right of pre-emption shall cease and become void.

Compensation of commissioners.

Proviso.

Sec. 3. *And be it further enacted,* That each of the commissioners appointed to ascertain the claims to lands in the above-mentioned territory, west of Pearl river, shall be allowed at the rate of six dollars for every day he shall attend, subsequent to the first day of April, one thousand eight hundred and six: *Provided,* that such additional allowance shall not exceed five hundred dollars for each commissioner; and

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(a) See act of March 3, 1803, chap. 27.

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the agent appointed in behalf of the United States for the said board shall be allowed an additional compensation of three hundred and fifty dollars for the whole of his services. And the register and receiver of public monies, in each of the districts of the above-mentioned territory, shall, and they are hereby authorized, in their districts, respectively, and after the dissolution of the board of commissioners for their district, to regulate the location of any tract of land lying within such district, for which a certificate shall have been granted by the commissioners, whenever it shall appear that the location specified in such certificates, interfere with each other, or do not include the improvements, by virtue of which such certificates were granted: *Provided*, that the said register and receiver shall not be authorized to allow any location on land not improved and settled, in the manner provided by the former acts of Congress, regulating the grants of land in the above-mentioned territory; nor to allow, in any case, a greater quantity of land than had been allowed by the commissioners.

Registers and receivers of public monies to have discretionary powers with regard to certain locations, &c. &c.

Proviso.

Sec. 4. *And be it further enacted*, That whenever it shall appear to the satisfaction of the register and receiver of the district, east of Pearl river, that the settlement and occupancy, by virtue of which a pre-emption certificate had been granted by the commissioners, had been made and taken place, prior to the 30th day of March, one thousand seven hundred and ninety-eight, they shall be authorized to grant to the party a donation certificate, in lieu of such pre-emption; and the patent shall issue as in other cases of donations: *Provided*, that application shall be made for such an exchange, and evidence produced of the date of such settlement and occupancy, on or before the thirty-first day of December next.

Register and receiver of the district east of Pearl river authorized to grant donation certificates in certain cases.

Proviso.

Sec. 5. *And be it further enacted*, That the right of the United States, to all the land lying between the front street of the city of Natchez and the Mississippi river, and bounded on the north by north Fourth street, and the land granted to Stephen Minor, and on the south, by the lands annexed to the old fort, and those granted to William Barland, be, and the same hereby is, for ever vested in the corporation of said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic, or corporate, if any such there be: *Provided*, that the said land, as above described, be neither cultivated nor occupied by buildings, but that it be planted with trees, and preserved as a common, for the use, comfort, and health of the inhabitants of the city aforesaid, and all other persons who may occasionally resort thither.

Right of the United States in land near and adjoining to Natchez, vested in the corporation of that city.

Proviso.

Sec. 6. *And be it further enacted*, That whenever the section No. 16, shall fall upon land already granted, by virtue of any act of Congress, or claimed by virtue of a British grant, the Secretary of the Treasury shall locate another section, in lieu thereof, for the use of schools, which location shall be made in the same township, if there be any other vacant section therein, and otherwise, in an adjoining township.

Sec. No. 16, how to be located if it shall have fallen upon any land claimed by virtue of a British grant.

Sec. 7. *And be it further enacted*, That Richard Sparks be permitted to enter with the register of the land-office, for the district west of Pearl river, his claim to three hundred and twenty acres of land, lying within said district; and that Richard S. Bryan, and George Brewer, senior, be permitted to enter with the register of the land-office, for the district east of Pearl river, their certificate of a right of pre-emption for three hundred and twenty acres of land, lying within the district last mentioned: and such entry of the claim of the said Richard Sparks shall have the same effect, as if it had been made prior to the first day of December, one thousand eight hundred and four, and such entry of the certificate of the said Richard S. Bryan and George Brewer, senior, shall have the same effect as if it had been made within three months from the time it was issued.

Where Richard Sparks' claim is to be entered.

Also those of Richard S. Bryan and George Brewer, Senr.

Approved, April 21, 1806.