

dollars, and a further sum of five thousand dollars, in addition to the sums heretofore appropriated for that object.

Specific appropriations.

For defraying the expense of opening a road or roads through the territory lately ceded by the Indians to the United States, from the Mississippi to the Ohio, and to the former Indian boundary line, which was established by the treaty of Greenville, agreeably to the last above recited act; the balance of a former appropriation made for that object having been carried to the surplus fund, one thousand eight hundred dollars and forty-eight cents.

For defraying the expense of opening a road from Nashville, in the state of Tennessee, to Natchez, in the Mississippi territory, agreeably to the aforesaid act of the twenty-first day of April, one thousand eight hundred and six, the balance of a former appropriation for that object having been carried to the surplus fund, three thousand dollars.

1806, ch. 41.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted, in due course of settlement, at the treasury, four thousand dollars.

SEC. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States, and out of any monies in the treasury, not otherwise appropriated.

1790, ch. 34.

APPROVED, February 17, 1809.

STATUTE II.

CHAP. XIX.—*An Act extending the right of suffrage in the Indiana territory, and for other purposes.*(a)

Feb. 27, 1809.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the citizens of the Indiana territory, entitled to vote for representatives to the general assembly thereof, shall, at the time of electing their representatives to the said general assembly, also elect one delegate from the said territory to the Congress of the United States, who shall possess the same powers heretofore granted to the delegates from the several territories of the United States: any thing in the ordinance for the government of the said territory to the contrary notwithstanding.

Delegates to Congress, by whom to be elected, and when.

1809, ch. 13.

SEC. 2. *And be it further enacted*, That the sheriffs of the several counties which now are, or may hereafter be established in the said territory respectively, shall, within forty days next after an election for a delegate to Congress, transmit to the secretary of the territory a certified copy of the returns from the several townships in their counties respectively. And it shall be the duty of the governor, for the time being, to give to the person having the greatest number of votes, a certificate of his election.

Returns of the election, how to be made.

SEC. 3. *And be it further enacted*, That so soon as the governor of the said territory shall divide the same into five districts, the citizens thereof entitled to vote for representatives to the said general assembly, shall, in each of the said districts, elect one member of the legislative council, who shall possess the same powers heretofore granted to the legislative council in the said territory, and shall hold their offices four years, and no longer; any thing in the ordinance for the government of the said territory to the contrary notwithstanding.

Representatives to the legislative council, how to be chosen.

SEC. 4. *And be it further enacted*, That the general assembly of the said territory shall have power to apportion the representatives of the several counties therein, or which may hereafter be established therein, according to the number of free white male inhabitants, above the age of twenty-one years, in such counties: *Provided*, that there be not more

General assembly to apportion the representatives.

Proviso.

(a) See notes to act of February 3, 1809, chap. 13.

than twelve, nor less than nine, of the whole number of representatives; any act or acts to the contrary notwithstanding, until there shall be six thousand free male white inhabitants, above the age of twenty-one years, in said territory; after which time the number of representatives shall be regulated agreeably to the ordinance for the government thereof.

APPROVED, February 27, 1809.

STATUTE II.

Feb. 28, 1809.

CHAP. XX.—*An Act freeing from postage all letters and packets to Thomas Jefferson.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packets to Thomas Jefferson, now President of the United States, after the expiration of his term of office and during his life, shall be carried by the mail, free of postage.

APPROVED, February 28, 1809.

STATUTE II.

Feb. 28, 1809.

Act of March
3, 1803, ch. 27.
Act of March
27, 1804, ch. 61.
Act of March
2, 1805, ch. 24.
Act of Jan.
19, 1808, ch. 10.
Act of April 27,
1816, ch. 123.
Spanish grants,
how to be esta-
blished.

CHAP. XXII.—*An act for the disposal of certain tracts of land in the Mississippi territory, claimed under Spanish grants, reported by the land commissioners as antedated, and to confirm the claims of Abraham Ellis and Daniel Harregal.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several tracts of land, in the Mississippi territory, the titles to which have been derived under Spanish claims and which have been disallowed by the boards of commissioners east and west of Pearl river, on suspicion of the grants, warrants or orders of survey, on which the claims are grounded, being antedated or otherwise fraudulent, and which are embraced in the report of the said boards of commissioners, laid before Congress, agreeable to the third section of an act, intituled, "An act supplementary to the 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," shall be, and the same are hereby directed to be sold, in the same manner, at the same price, and on the same terms and conditions, as have been, or may be by law provided for the sale of the other public lands in the said territory; and any person or persons claiming under a Spanish grant, warrant or order of survey as aforesaid, shall be entitled to institute, in the highest court of law or equity in the said territory, his or their suit or action for the recovery of the tract or tracts so claimed as aforesaid: *Provided*, such claimant or claimants shall institute his or their suit or action within the term of one year from and after the tract or tracts so claimed shall have been sold by the United States, or in case the same is now inhabited and cultivated, in virtue of a pre-emption right, within one year from and after the passing of this act; and if any person or persons, claiming lands as aforesaid, shall fail or neglect to commence or institute his or their suit or action, in the manner and within the time prescribed by this section, or shall be non-suit or discontinue the same, his or their right to commence such suit or action, in any court whatsoever, shall be forever barred and foreclosed.

Proviso.

Grants to be
valid, must have
been surveyed
before the 27th
October, 1795.

SEC. 2. *And be it further enacted,* That if the person or persons claiming under such grant, warrant or order of survey, shall make it appear to the satisfaction of the court, before whom such suit or action shall be pending, that the tract of land therein specified, was actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, then, and in that case, the same shall be deemed and held to be good and valid, to all intents and purposes, any thing in this act to the contrary notwithstanding: But in case the claimant or claimants shall fail to prove the tract or tracts of land so claimed, to