

the same terms and conditions as have been or may be provided for lands in the said district. All the said unlocated land, remaining unsold at the close of the public sales, may be disposed of at private sale by the register of the said land office, in the same manner, under the same regulations, for the same price, and on the same terms as are or may be provided by law for the sale of lands in the said district; and patents shall be obtained in the same manner, and on the same terms, as for other public lands in the said district.

SEC. 2. *And be it further enacted*, That the superintendents of the public sales directed by this act shall each receive four dollars a day for each day's attendance on the said sales.

APPROVED, April 29, 1816.

Lands, undisposed of this way, to be sold by private bargains.

STATUTE I.

April 29, 1816.

[Obsolete.]

CHAP. CLIV.—*An Act supplemental to the act, entitled "An act regulating and defining the duties of the judges of the territory of Illinois, and for vesting in the courts of the territory of Indiana, a jurisdiction in chancery cases, arising in the said territory."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when a new county shall be established in the territory of Illinois by the legislature thereof, such new county shall be attached to the judicial circuit from which the largest portion thereof is taken; and it shall be the duty of the judges allotted to such circuit, in pursuance of the act to which this is a supplement, to hold courts in such new county twice in each year, at such time and place as the legislature of the territory may designate.

Act of March 3, 1815, ch. 97.

To what judicial circuits new counties are attached.

SEC. 2. *And be it further enacted*, That when any judge in the said territory shall be unable to hold the courts within the circuit to which he is allotted, by reason of any disability, it shall be the duty of the judge allotted to the circuit nearest thereto, to hold the courts in such circuit, until the disability of the judge allotted to the circuit shall be removed, or (in case of the death or resignation of a judge) until a successor is appointed.

Provision in case of the inability of the regular judges to hold the prescribed courts.

SEC. 3. *And be it further enacted*, That the judge of any circuit within the said territory shall have power to appoint a clerk to each court within his court [circuit], and to fill any vacancy occasioned by the death or resignation of the clerk.

Judges to appoint clerks of courts.

SEC. 4. *And be it further enacted*, That when any person charged with felony, shall be committed to prison in any county within the territory aforesaid, it shall be lawful for the governor of the territory to issue his writ, directed to the judge allotted to the circuit including the county where such accused person may be committed, commanding him to hold a court of oyer and terminer, for the trial of the accused; and it shall be the duty of the judge to whom such writ is directed, to hold the court at the courthouse of the county at such time as may be specified in such writ; and all process issued, or proceeding had before the writ shall be issued, shall be returned to the said court of oyer and terminer.

Courts of oyer and terminer for the trial of persons charged with felonies to be held upon the order of the governor.

SEC. 5. *And be it further enacted*, That this act, and the act to which this is supplemental, shall be and remain in force until the end of the next session of the legislature of the said territory, and no longer; and the legislature of the said territory shall have power and authority to make laws in all cases, for the good government of the territory aforesaid, not repugnant to the principles and articles of the ordinances, and to organize the courts of the said territory, and prescribe the times and places of their session.

Limitation of this act, and of the one to which it is supplemental.

Legislative power—how to be exercised.

SEC. 6. *And be it further enacted*, That the general court of the

Chancery jurisdiction conferred upon the general court of Indiana.

territory of Indiana be, and it is hereby authorized and empowered to exercise chancery powers as well as a common law jurisdiction, under such regulations as the legislature of said territory may prescribe.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLV.—*An Act to alter certain parts of the act providing for the government of the territory of Missouri.*

Act of June 4, 1812, ch. 95.
Act of March 2, 1819, ch. 49.
Electors to choose members of legislative council.
Act of June 4, 1812, ch. 95.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the electors of the territory of Missouri, entitled to vote for members of the house of representatives of the territory at the time of electing the representatives to the general assembly, shall in each county in said territory elect one member of the legislative council to serve for two years and no longer, qualified according to the provisions of the fifth section of the "Act providing for the government of the territory of Missouri," passed June fourth, one thousand eight hundred and twelve, a majority of whom shall be a quorum, and shall possess the same powers as are granted to the legislative council by the said recited act; and in case of a vacancy of a member of the legislative council by resignation or otherwise, the governor of the territory shall issue a writ to the county to elect another person to serve the residue of the term.

Biennial meetings of the general assembly to be held at St. Louis.

SEC. 2. *And be it further enacted,* That so much of the eighth section of the said recited act as requires the general assembly of said territory to meet once in each year be repealed, and the said general assembly shall meet once in every other year at St. Louis, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day: *Provided,* That the governor for the time being shall have authority by proclamation to convene the general assembly whenever he shall deem the interest of the territory may require it.

Proviso.

Judges of the superior court may be required by the general assembly to hold superior and circuit courts at the times and under rules to be prescribed by it.

SEC. 3. *And be it further enacted,* That the general assembly of the said territory shall be, and are hereby authorized, to require the judges of the superior court of the said territory to hold superior and circuit courts, to appoint the times and places of holding the same, and under such rules and regulations as the general assembly may in that behalf prescribe; the circuit courts shall be composed of one of the said judges, and shall have jurisdiction in all criminal cases, and exclusive original jurisdiction in all those which are capital, and original jurisdiction in all civil cases of the value of one hundred dollars, and the superior and circuit courts shall possess and exercise chancery powers as well as common law jurisdiction in all civil cases; *Provided,* That there shall be an appeal in matters of law and equity, in all cases from the circuit courts to the superior court of the said territory.

Proviso.

Repeal of parts of former acts.

SEC. 4. *And be it further enacted,* That such part of the said recited acts as is repugnant to, or inconsistent with the provisions of this act, be, and the same is hereby repealed.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLIX.—*An Act for the confirmation of certain claims to land in the western district of the state of Louisiana and in the territory of Missouri.*

Act of March 3, 1807, ch. 36.
Preamble.

WHEREAS by the eighth section of the act of third [of] March, one thousand eight hundred and seven, it is required that the commissioners for ascertaining and adjusting the titles and claims to land in the then territories of Orleans and Louisiana, should arrange their reports into three general classes, the second of which classes should contain claims which, though not embraced by the provisions of the several acts of Congress, ought nevertheless, in the opinion of the commissioners, to be confirmed,