

shall direct, to the satisfaction of the register and receiver of the proper district, that the land patented to them is unfit for cultivation, and on the surrender of the patent to them granted, accompanied with such a release of their interest as the commissioner of the general land office shall prescribe, such soldier, or his heirs, may locate and enter with the register of the land office, for the proper district, in the territory of Arkansas, according to the sectional and divisional lines, the like quantity on any of the unappropriated public lands in the military district in said territory; and upon such entry and location being made, it shall be the duty of the register to issue to the person so locating, a certificate specifying the quarter or half section of land so located and entered; and it shall be the duty of the commissioner of the general land office, if he is satisfied such certificate was fairly obtained, to issue a patent for the lands so located, whenever the certificate aforesaid shall be presented to him for that purpose. *Provided*, That before such certificate of location shall be granted, the applicant shall satisfy the register and receiver that his interest in the land originally patented to him, has not been divested, either by his own acts, or by the operation of law, for taxes, or otherwise. *And provided, also*, That such surrender and re-location shall be made on or before the first day of January, eighteen hundred and thirty. But, if said interest shall have been divested in either mode above mentioned, no title shall be acquired to the land subsequently patented.

APPROVED, May 22, 1826.

of the unappropriated lands in the military district in said territory.

Duty of the register.

Duty of the commissioner of the general land office.

Proviso.

Such surrender, &c., to be made on or before the 1st Jan. 1830, &c.

#### STATUTE I.

CHAP. CXLVIII.—*An Act making appropriations to carry into effect the treaty concluded between the United States and the Creek nation, ratified the twenty-second of April, eighteen hundred and twenty-six.*

May 22, 1826.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money not otherwise appropriated, to carry into effect the treaty concluded between the United States and the Creek nation, on the twenty-fourth of January, eighteen hundred and twenty-six, and ratified on the twenty-second of April, eighteen hundred and twenty-six, that is to say: For the payment of the sums to the chiefs and warriors of the Creek nation, stipulated in the third article of the said treaty, in addition to an unexpended balance of one hundred and seventy thousand dollars, appropriated by the act of the third of March, eighteen hundred and twenty-five, and which is hereby directed to be used for the purpose of this act, forty-seven thousand six hundred dollars, both of which sums shall be paid to the chiefs of the Creek nation, to be divided among the chiefs and warriors of said nation, and that the same be done under the direction of the Secretary of War, in a full council of the nation convened upon notice for that purpose.

Appropriation to carry into effect the treaty between the United States and the Creek nation.

Payment of the sum to the chiefs and warriors of said nation.

March 3, 1825, ch. 16.

For the payment of the permanent annuity to the Creek nation, provided for by the fourth article of the said treaty, the sum of twenty thousand dollars.

Annuity to the Creek nation.

For the payment of the sum to the friends and followers of General M'Intosh, stipulated for in the ninth article of the said treaty, one hundred thousand dollars.

For the payment of the sum to the friends of Gen. M'Intosh.

For the payment of the sum to the Creek nation, stipulated for by the supplemental article to the said treaty, thirty thousand dollars.

Payment to Creek nation.

For carrying into effect the stipulations of the sixth, seventh, eighth, tenth, eleventh, and sixteenth articles, and to defray all other expenses attending the faithful execution of the provisions of said treaty, one hundred and twenty thousand dollars.

For carrying into effect the stipulations of the treaty.

APPROVED, May 22, 1826.