tracts of land, to be offered at public sale.

may be offered at public sale, at such time as the President of the United States may think expedient, and sold as other public lands of the United States.

Approved, March 2, 1827.

Statute II.

March 2, 1827.

Chap. LXI.—*An Act amendatory of the act regulating the Post-office Department.* (a)

Act of March 3, 1825, ch. 64.
Act of March 3, 1845, ch. 43.
Postmaster General to allow postmasters a certain commission.
Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General be authorized to allow to the postmasters at the several distributing offices, a commission, not to exceed five per cent. on the amount of postage on letters and packets received for distribution. The allowance to commence on the third of March, eighteen hundred and twenty-five: *Provided,* That if the number of mails received at, and despatched from, any such office, is not increased by the distributing system, then no allowance shall be made therefor, except where special provision is made.

One cent to be allowed to each postmaster, for every letter received from any ship, &c.
Proviso.

Sec. 2. *And be it further enacted,* That the Postmaster General be authorized to allow to each postmaster, one cent for every letter received from any ship or vessel, and mailed by him: *Provided,* his usual commission, together with the allowance aforesaid, shall not exceed the sum of two hundred dollars a year; and the letter carriers employed at post-offices shall be authorized to receive, for each newspaper delivered by them, an half cent, and no more.

No person other than the Postmaster General, or his authorized agents, to set up any foot or horse post.

Sec. 3. *And be it further enacted,* That no person, other than the Postmaster General, or his authorized agents, shall set up any foot or horse post, for the conveyance of letters and packets, upon any post-road, which is or may be established as such by law; and every person who shall offend herein, shall incur a penalty of not exceeding fifty dollars, for each letter or packet so carried.

Authority of franking given to the commissioners of the navy board, &c.
Act of March 3, 1845, ch. 43.
1825, ch. 64.

Sec. 4. *And be it further enacted,* That the commissioners of the navy board, the adjutant general, commissary general, inspectors general, quartermaster general, paymaster general, the secretary of the Senate, clerk of the House of Representatives, and the superintendent of the patent office, be authorized to frank, and to receive letters and packets by post free of postage, and that no other persons or officers, excepting those enumerated herein, and in the act to "reduce into one the several acts establishing and regulating the Post-office Department," passed on the third of March, eighteen hundred and twenty-five, shall be authorized to frank or to receive letters through the mail free of postage.

One or more pieces of paper, mailed as a letter, and weighing one ounce, to be charged with quadruple postage, &c.
Act of March 3, 1845, ch. 43.

Sec. 5. *And be it further enacted,* That one or more pieces of paper, mailed as a letter, and weighing one ounce, shall be charged with quadruple postage, and at the same rate, should the weight be greater; and quadruple postage shall be charged on all packets containing four pieces of paper. Every printed pamphlet or magazine which contains more than twenty-four pages on a royal sheet, or any sheet of less dimensions, shall be charged by the sheet, and small pamphlets printed on a half or quarter sheet of royal, or less size, shall be charged with half the amount of postage charged on a full sheet; and there shall be printed or written, on one of the outer pages of all pamphlets and magazines to be sent by mail, the number of sheets they contain; and if such number shall not be truly stated, double postage shall be charged.

No postmaster or assistant postmaster, to act as agent for lottery offices.

Sec. 6. *And be it further enacted,* That no postmaster, or assistant postmaster, shall act as agent for lottery offices, or, under any colour of purchase, or otherwise, vend lottery tickets; nor shall any postmaster receive free of postage, or frank lottery schemes, circulars, or tickets.

(a) For notes of the decisions of the courts of the United States on "The Post-office," see vol. i. p. 363.

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For a violation of this provision, the person offending shall suffer a penalty of fifty dollars.

Approved, March 2, 1827.

Statute II.

March 2, 1827.

Chap. LXII.—*An Act to increase the salary of the Postmaster General.*

2,000 dollars to be paid him, annually, in addition to his present pay.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from the first day of the present year, there shall be paid, annually, to the Postmaster General, two thousand dollars, in addition to his present salary.

Approved, March 2, 1827.

Statute II.

March 3, 1827.

Chap. LXXVII.—*An Act for altering the times of holding the district court of the United States for the eastern district of Virginia, holden at the city of Richmond.* (*a*)

Terms of the district court for the eastern district, changed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the terms of the district court of the United States for the eastern district of Virginia, now directed to be holden in the city of Richmond, on the second day of April, and the fifteenth day of October, in every year, shall, in future, be held in the said city on the fifteenth day of May, and on the fifteenth day of November, annually; and that all suits, actions, and proceedings of whatever kind, now depending in, or returnable to, said court, shall be taken to be continued or returnable to the terms herein established.

Approved, March 3, 1827.

Statute II.

March 3, 1827.

Chap. LXXVIII.—*An Act supplementary to the several acts providing for the adjustment of land claims in the state of Alabama.* (*b*)

Course to be pursued by claimants of lands, &c. within a certain part of the former land district of Jackson Courthouse.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the claimants of lands, town lots, or out-lots, within that part of the limits of the former land district, of Jackson Courthouse, which is embraced in the state of Alabama, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands, in said district of Jackson Courthouse, or to the register and receiver of the land office at Jackson Courthouse, acting as commissioners under the provisions of the act

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(*a*) See notes to the act of Feb. 4, 1819, ch. 12, for a list of the acts relating to the district courts in Virginia.

(*b*) A concession of lands made by the Spanish authorities at Mobile in the year 1806, cannot be given in evidence in support of an ejectment in the courts of the United States, the same not having been recorded or passed upon by the board of commissioners or register of the land office established by the acts of Congress relating to land titles in that country. De La Croix *v.* Chamberlain, 12 Wheat. 599, 6 Cond. Rep. 659.

It is the settled doctrine of the judicial department of the government, that the treaty of 1819, with Spain, ceded to the United States no territory west of the Perdido. It had already been acquired by the Louisiana treaty. Pollard et al. *v.* Files, 2 Howard, 591.

In the interval between the Louisiana treaty and the time when the United States took possession of the country west of the Perdido, the Spanish government had the right to grant permits to settle and improve by cultivation or to authorize the erection of establishments for mercantile purposes. *Ibid.*

These incipient concessions are not disregarded by Congress, but are recognised in the acts of 1804, 1812, 1819, and as claims are within the act of 1824. *Ibid.*

The act of 1824 gives a title to the owners of old water lots in Mobile, only where an improvement was made east of Water street, and made by the proprietor of the lot on the west side of that street, such person could not claim as riparian proprietor, or where his lot had a definite limit on the east. *Ibid.*

See the case of Foster and Elam *v.* Neilson, 2 Peters, 253.

See notes to the act of May 26, 1824, ch. 185, "An act granting certain lots of ground to the corporation of the city of Mobile, and to certain individuals of said city."