

STATUTE I.

July 4, 1832.

CHAP. CLXV.—*An Act to authorize the surveying and making of a road from La Plaisance bay, in the territory of Michigan, to intersect the Chicago road.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from La Plaisance bay, in the territory of Michigan, to intersect, at some suitable point, the road from Detroit to Chicago, established under the provisions of the act of the third of March, one thousand eight hundred and twenty-five; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approve of said surveys, shall cause the plats thereof to be deposited in the office of the Treasury of the United States, and the said road shall be considered as established and accepted: *Provided*, That said commissioners shall be disinterested persons, not residents of the counties of Monroe or Lenewee, in said territory.

Commissioners to be appointed to survey and lay out road.

Plats of surveys to be certified, and transmitted to the President; if approved to be deposited, &c. Proviso.

SEC. 2. *And be it further enacted*, That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day they shall be necessarily employed in the surveying, exploring, and marking, of said road, and making their returns thereof: *Provided*, That the whole expense thereof shall not exceed the sum of five hundred dollars.

Pay of commissioners and assistants.

Proviso.

SEC. 3. *And be it further enacted*, That, for the purpose of compensating the said commissioners and their assistants, and for opening and making said road, there shall be, and is hereby, appropriated, the sum of fifteen thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the President of the United States, for the purposes aforesaid: *Provided, however*, That the money applied to the making of said road, shall be laid out first in making such parts of it from La Plaisance bay, to the crossing of the river Raisin, at or near Tesecumseh, as have not heretofore been improved; and the residue, if any, upon such parts of it as, in the judgment of the superintendent, the public good may most require.

Appropriation.

Proviso.

APPROVED, July 4, 1832.

STATUTE I.

July 4, 1832.

CHAP. CLXVI.—*An Act for the final adjustment of the claims to lands in the south-eastern land district of the state of Louisiana. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any person or persons, claiming lands within the limits of the south-eastern land district of the

(a) Decisions of the Supreme Court on land titles in Louisiana, in addition to the cases stated in notes to vol. ii, 288, 713.

The treaty by which Louisiana was ceded to the United States, recognised complete grants, issued anterior to the cession, and a decision of a state court against the validity of a title set up under such a grant, would be subject to reversal by the Supreme Court, under the twenty-fifth section of the Judiciary act. *McDonough v. Millaudon*, 3 Howard, 693.

But, if the state court only applies the local laws of the state to the construction of the grant, it is not a decision against its validity, and the Supreme Court has no jurisdiction. *Ibid*.

Congress, in acting upon complete grants, recognised them as they stood; and the act of 11th of May, 1820, confirming such as were recommended for confirmation by the register and receiver, had no reference to any particular surveys. *Ibid*.

A decision of a state court, therefore, which may be in opposition to one of these surveys, is not against the validity of a title existing under an act of Congress; and this court has no jurisdiction in such a case. *Ibid*.

The certificate of survey alleged to have been given by Trudeau, on the 14th of June, 1797, and brought forward to sustain a grant to the Marquis de Maison Rouge, declared ante-dated and fraudulent. *United States v. King et al.*, 3 Howard, 773.

The circumstance that a copy of this paper was delivered by the Spanish authorities in 1803, is not sufficient to prevent its authenticity from being impeached. *Ibid*.

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