

United States v. Hernandez.

shall appear to that court, that the tract of 10,400 acres has not been surveyed according to the concession made to Antonio Huertas, on the 15th of September 1817, that the same be re-surveyed on the land contained in the said concession, and be decreed and confirmed to the petitioner, if the same be now vacant.

\*484]      \*UNITED STATES, Appellants, v. PHILIP R. YOUNGE.

*Florida land-claims.*

The decree of the superior court of East Florida, confirming a grant of land to the appellee, affirmed.

APPEAL from the Superior Court of East Florida.

The case was submitted to the court by *Call*, for the United States; and by *White*, for the appellee.

MARSHALL, Ch. J., delivered the opinion of the court.—This is a claim for 5000 acres of land; part of a grant for 25,000 acres, made by the governor of East Florida to the petitioner, on the 22d of February 1817. Part of this land, 20,000 acres, was conveyed to Moses E. Levi, and both the validity of the claim, and the identity of the land, were established, in the opinion given in that case. The decree of the superior court for the district of East Florida is affirmed.

THIS cause came on to be heard, on the transcript of the record from the superior court for the eastern district of Florida, and was argued by counsel: On consideration whereof, it is ordered, adjudged and decreed, by this court, that the decree of the said superior court in this cause be and the same is hereby affirmed in all respects.

\*485]      \*UNITED STATES, Appellants, v. JOSEPH H. HERNANDEZ.

*Florida land-claims.*

The decree of the superior court of East Florida, confirming a concession of land by Governor Coppinger to the appellee, affirmed.

APPEAL from the Superior Court of East Florida.

The case was argued by *Call*, for the United States; and by *White*, for the appellee.

MARSHALL, Ch. J., delivered the opinion of the court.—This is an appeal from a decree of the judge of the superior court for the eastern district of Florida, declaring the claim of the appellee to 20,000 acres of land to be valid. His title commences with the following decree, made by Governor Coppinger on the 18th of November 1817.

“In attention to what the interested party sets forth and represents, and in virtue of the powers which are annexed to my authority, also conforming to the laws and royal dispositions on the distribution of lands, the memorialist being one of those settlers who most contributes to the improvement of