Act of Feb. 24, 1814, ch. 15.

vice and consent of the Senate, be authorized to make all necessary appointments, and to fill all vacancies, which may happen in the same.

Approved, March 30, 1814.

Statute II.

March 30, 1814.

Chap. XXXVIII.—*An Act authorizing the President of the United States to exchange a certain parcel of land in the city of New York, for other lands in the same city or its vicinity.*

Release of the title of the United States to a certain lot of ground in favour of the corporation of the city of New York authorized.

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 hereby is authorized, in case the same can, in his opinion, be done without disadvantage to the United States, to grant and release to the mayor, aldermen, and commonalty of the city of New York, and their successors forever, all the right, title, and interest of the United States in and to a certain lot or parcel of land lying in the said city of New York, and being that parcel of land first described in a deed bearing date the sixth day of May, one thousand eight hundred and eight, signed by Daniel D. Tompkins, John Broome, John Lansing, James Kent, and Dewitt Clinton, acting as commissioners under the authority of the state of New York, for the purpose of granting to the United States the use and jurisdiction of three several parcels of land therein described: *Provided,* That there be conveyed in fee simple to the United States, in exchange for the same, other land necessary or proper to be occupied for the safety and defence of the city of New York, and which may be equally advantageous to the United States; and in case the lands to be conveyed in exchange to the United States shall be of less value than the land, with its improvements, hereby authorized to be conveyed to the mayor, aldermen, and commonalty, the difference in value may be paid to the United States in money; the respective valuation to be ascertained in such manner and form as the President of the United States may direct.

Proviso.

Approved, March 30, 1814.

Statute II.

March 31, 1814.

Chap. XXXIX.—*An act providing for the indemnification of certain claimants of public lands in the Mississippi territory.*

Supplementary act, Jan. 23, 1815, ch. 24.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person or persons claiming public lands in the Mississippi territory, south of the State of Tennessee and west of the State of Georgia, under the act, or pretended act of the State of Georgia, entitled "An act supplementary to an act, entitled 'An act for appropriating a part of the unlocated territory of this state for the payment of the late state troops and other purposes therein mentioned, declaring the right of this state to the unappropriated territory thereof, for the protection and support of the frontiers of this state and for other purposes,'" passed January the seventh, one thousand seven hundred and ninety-five, who have exhibited the evidence of their claims to the Secretary of State, for the purpose of having the same recorded in books in his office, conformable to the act of congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the state of Tennessee," shall be allowed until the first Monday of January next, to deposit in the office of the Secretary of State of the United States, a sufficient legal release of all such claim or claims to the United States, and an assignment and transfer to the United States of their right and claim to any sum or sums of money which by them, or the persons from whom they or any of them have derived their claims, were deposited or paid into the treasury of the State of Georgia, as the consideration of the purchase of the land for which their release of claim is deposit-

Conditions of indemnification.

Act of March 3, 1803, ch. 27.

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ed as aforesaid; and also, a power to sue, in the name of such claimant, for any sum or sums of money assigned as aforesaid, and which shall have been unlawfully or fraudulently withdrawn from the treasury of the State of Georgia, such release, assignment, transfer, and power, to take effect on the indemnification of such claimants being made conformably to the provisions of this act.

Commissioners to ascertain and decide upon conflicting claims.

SEC. 2. *And be it further enacted*, That the Secretary of State, the Secretary of the Treasury, and the Attorney General of the United States (for the time being) shall be, and they are hereby constituted and appointed a Board of Commissioners, to meet in the city of Washington, on the first Monday of January next; and as soon as may be practicable thereafter, they or any two of them, are hereby fully authorized and required to adjudge and determine upon the sufficiency of the releases and assignments and powers to be executed and deposited in the office of the Secretary of State in conformity with the foregoing section; and also to adjudge and finally determine upon all controversies arising from such claims so released as aforesaid, which may be found to conflict with, and to be adverse to, each other; and also to adjudge and determine upon all such claims under the aforesaid act, or pretended act of the State of Georgia, as may be found to have accrued to the United States by operation of law: *Provided*, That it shall be the duty of the said commissioners to cause to be published for the period of three months before the said meeting, at least once a week, in all the public newspapers in which the acts of Congress are by authority published, notice of the purposes and of the time and place of such meeting.

Act of Jan. 23, 1814, ch. 24.

SEC. 3. *And be it further enacted*, That as soon as the said commissioners shall have made report to the President of the United States of the sufficiency of such releases and assignments, to the amount of at least nine-tenths of the whole lands claimed by virtue of the sales made by the Legislature of the State of Georgia to the respective companies hereafter enumerated, exclusive of such claims to the said lands as shall have vested in the United States by the operation of law, and shall have certified to him the names of the claimants, whose claims they have finally adjudged and allowed, and the respective and relative proportions on which they are entitled to the indemnity under and by virtue of this act, the President shall be and he hereby is authorized and required to cause to be issued from the treasury of the United States, to such claimants respectively, (of convenient amount for circulation) certificates of stock, not bearing interest, and expressing on their face, that the same are payable out of the first moneys in the treasury of the United States, arising from the sale of public lands in the Mississippi territory, after the money due to the state of Georgia and the expenses of surveying such lands have been satisfied.

Certificates of stock to be issued upon report of the board of commissioners.

Upper Mississippi Company.

To the persons claiming in the name of, or under the Upper Mississippi Company, including such share or shares as may be found to have vested in the United States and for which the United States are to be considered entitled to the respective proportions for the same, (and exclusive of all claims usually denominated in the former report of the commissioners aforesaid *citizens' claims*) a sum not exceeding in the whole three hundred and fifty thousand dollars.

Tennessee Company

To the persons claiming in the name of, or under the Tennessee Company, under the foregoing terms and restrictions, a sum not exceeding in the whole six hundred thousand dollars.

Georgia Mississippi Company.

To the persons claiming in the name of, or under the Georgia Mississippi Company, under the like terms and restrictions, a sum not exceeding in the whole one million five hundred and fifty thousand dollars.

Georgia Company.

To the persons claiming in the name of, or under the Georgia Company, under the like terms and restrictions, a sum not exceeding in the whole two millions two hundred and fifty thousand dollars.

Citizens' rights.

To the persons claiming under citizens' rights, including such share

or shares as have already accrued to the United States by operation of law, or by the provisions of this act, and to which the United States are to be considered entitled to the respective proportions for the same, a sum not exceeding in the whole two hundred and fifty thousand dollars:

Proviso. *Provided*, That any person having claim under either of the said companies, and entitled to indemnity by virtue of this act, shall receive such

Proviso. indemnity only in proportion to the amount of such claims: *And provided also*, That no claim shall be allowed, or any indemnification made therefor, to any person or persons who have voluntarily surrendered the evidence of their claims to the said lands under the act of Georgia of the thirteenth of February, one thousand seven hundred and ninety-six, or under any subsequent act of the said state, and which at the time of the surrender would have vested the title in such claimants had the title from Georgia been valid, or who have received the money deposited as the consideration of the purchase of said land thus surrendered; but all such lands shall be deemed and taken to be vested in the United States, exonerated, and discharged from all such claims without any further surrender or release whatever, and the dividends to be made to claimants who shall be entitled to the benefits of this act shall be lessened in pro-

Proviso. portion to the claim so surrendered or withdrawn: *And provided also*, That no person or persons, nor the agent or trustee of any person or persons, shall be entitled to the benefits of this act, who, by himself, herself, or themselves, or by his, her, or their agent, or by any person or persons with privity and consent of him, her or them, shall have taken, received, or withdrawn from the Treasury of the State of Georgia any sum or sums of money, which had been paid and deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of the taking, receiving or withdrawing of the said money, was or were not the bona fide claimant or claimants of the lands for the purchase of which the said money had been deposited: but all and every the share or shares of such person or persons so fraudulently drawing the money as aforesaid, as may be found to have been claimed by such person or persons, at the time of recording in the office of the Secretary of State the evidences of their claim or claims shall be vested in the United States, and the dividends to be made to the claimants entitled to the benefits of this act shall be lessened in proportion

Proviso. thereto: *And provided also*, That each and every person before receiving the certificates of stock aforesaid, shall, after the two foregoing provisos have been read to him, take and subscribe the following oath, viz: "I, A. B., do solemnly swear, or affirm, as the case may be, that I have not, nor has any person for whose interest I now act, either as agent or trustee, or as executor, administrator, or heir at law, done and performed any act, which by the tenor of the two provisos I have heard read to me, would disqualify me from receiving the indemnity afforded by the provisions of this act."

Certificates of stock made receivable for public lands in Mississippi territory. Proviso.

Sec. 4. *And be it further enacted*, That the said certificates of stock shall be receivable in payment of the public lands, to be sold after the date of such certificates, in the Mississippi territory: *Provided*, That on every hundred dollars to be paid for such land, ninety-five dollars shall be receivable in said certificates, and five dollars in cash: *Provided*, That no person or persons making payment for lands in certificates authorized to be issued by this act, shall be entitled to the discount for prompt payment now allowed by law to purchasers of public lands.

Consideration money to be paid to the state of Georgia.

Sec. 5. *And be it further enacted*, That from and after such sufficient releases from the claimants to the United States shall be lodged in the office of Secretary of State, as is hereinbefore provided in this act, all such sum or sums of money remaining in the possession of the State of Georgia, which may have been deposited as the consideration of the purchase of the said lands, together with such interest, if any there be, as may have accrued thereon, shall be set over and paid by the said com-

missioners to the state of Georgia, in part payment of the one million two hundred and fifty thousand dollars, stipulated to be paid by the articles of agreement and cession between the United States and the state of Georgia.

Persons who withdrew money from the treasury of Georgia to be barred.

SEC. 6. *And be it further enacted*, That if any person or persons, in pursuance of the act of the state of Georgia, of the thirteenth of February, one thousand seven hundred and ninety-six, or of any subsequent act, shall have taken, received, or withdrawn from the treasury of the state of Georgia, any sum or sums of money which had been paid or deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of receiving or withdrawing said sum or sums of money as aforesaid, were not the bona fide claimants of the lands for the purchase of which said money had been paid or deposited: or if such person or persons had not, at the time the legal title vested in them, supposing the title of Georgia to have been valid, every such person or persons who shall have taken, received or withdrawn the money as aforesaid, shall be deemed and adjudged to have had and received the same to and for the use of the United States, and shall be and hereby are declared to be holden and liable to refund and pay to the United States, or to the treasury of the state of Georgia for the use of the United States, all such sum or sums of money so had and received as aforesaid, with legal interest from the time she or they so received the same. And the aforesaid commissioners shall be and they are hereby further authorized and directed to examine into and investigate all cases coming within the purview of this section, and to claim such sum or sums of money to be paid to the United States as to them shall appear just and reasonable, and in case of refusal to pay the same, to direct suits to be commenced for the recovery of the same, in such form and manner as shall be thought most advisable, making plaintiff or complainant, as they shall think best, either the United States, the claimants who shall have transferred to the United States their right of action against the aforesaid persons, or the state of Georgia as bailee of the money so taken, received, and withdrawn from the treasury of the said state: *Provided*, That if it should be thought advisable to institute the suits for the recovery of the moneys aforesaid in the name of the state of Georgia, or of its proper officers, the consent thereto from the proper authority of the state of Georgia shall be first had and obtained: *And provided also*, That the said suits shall be conducted at the proper expense of the United States.

Proviso.

Proviso.

Vouchers to be obtained from the state of Georgia.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to apply to the Governor of the State of Georgia, for all such vouchers and testimony within archives or treasury of the said state as may be necessary for carrying into effect the provisions of this act.

Cases of persons under age, &c. &c. provided for.

SEC. 8. *And be it further enacted*, That whenever the legal estate in any of the said lands (supposing the said act of the Legislature of the State of Georgia of the seventh of January, seventeen hundred and ninety-five, had been valid and effectual) shall be vested in any person or persons who, at the time of the passing of this act, shall be under the age of twenty-one years, it shall be lawful for the guardian or guardians of such person or persons, appointed in pursuance of the laws of the respective states in which such person or persons shall reside, to execute for and in behalf of such person or persons, and deposit in the office of the Secretary of State of the United States the release, assignment, and power mentioned in the first section of this act; which said release, assignment, and power, so executed and deposited as aforesaid, are hereby declared to be good and effectual to all intents and purposes, and that in case of femes-covert claiming lands under the act, or pretended act of the state of Georgia aforesaid, passed the seventh of January, seventeen hundred

and ninety-five, it shall be lawful for the husband and wife to join in the execution of the release, assignment, and transfer mentioned in the first section of this act, and that such release, assignment, and transfer shall be good and effectual as to the interest of such wife: *Provided*, That the release, assignment, and transfer, executed as aforesaid, shall be acknowledged before a judge or justice of a court of record, and shall have the attestation of such judge or justice, certifying that, on the separate examination of the wife, she had acknowledged that she had freely and voluntarily executed the same.

Proviso.

Persons refusing to compromise to be barred from any claim.

Sec. 9. *And be it further enacted*, That if any person or persons claiming lands under the aforesaid act, or pretended act, of the state of Georgia, passed January seventh, seventeen hundred and ninety-five, shall neglect or refuse to compromise and make settlement of all such claim or claims, in conformity with the provisions of this act, the United States shall be, and hereby are declared to be, exonerated and discharged from all such claim or claims, and the same shall be forever barred; and no evidence of any such claim or claims shall be admitted to be pleaded or allowed to be given in evidence in any court whatever against any grant derived from the United States.

Approved, March 31, 1814.

Statute II.
April 9, 1814.

Chap. XLVII.—*An Act making Elizabeth city the port of entry and delivery for the district of Camden, in the State of North Carolina.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of June next, the port of entry and delivery established by law at Plankbridge, on Sawyer's creek, for the district of Camden, in the state of North Carolina, shall be abolished, and the town of Elizabeth city, on Pasquotank river, shall be the port of entry and delivery for the said district; and the collector for the said district shall, from the said first day of June, keep his office at the town of Elizabeth city aforesaid.

Approved, April 9, 1814.

Statute II.
April 9, 1814.

Chap. XLIX.—*An Act for the better organization of the courts of the United States within the State of New York.*

1815, ch. 94.
1826, ch. 38.
1833, ch. 15.
1837, ch. 32.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the more convenient transaction of business in the courts of the United States within the state of New York, the said state shall be and the same is hereby divided into two districts, in manner following, to wit: the counties of Renssellaer, Albany, Schenectady, Schoharie and Delaware, together with all that part of the said state lying south of the said above mentioned counties, shall compose one district, to be called the southern district of New York; and all the remaining part of the said state shall compose another district, to be called the northern district of New York; and that the terms of the district court in the said southern district shall be held in the city of New York, at the several times at which they are now by law directed to be held in the said city; and that the terms of the said court in the said northern district shall be held at the several times and places at which they are now by law directed to be held in that part of the state of New York included in the said northern district, except that the term of the said court now holden at Geneva, shall hereafter be held at the village of Canandaigua.

Two districts formed; the first to be called the southern.

The second, the northern district.

Terms of the said court, where and when holden.

Sec. 2. *And be it further enacted*, That Matthias B. Tallmadge, one of the district judges of the district of New York, be, and he is hereby assigned as the judge to hold the said district court in the said northern district of New York, and to do and perform all the duties appertaining to his office

Judge Tallmadge assigned for the northern and Judge Van Ness for the southern district.