

FEBRUARY 3, 1807.

Read the first and second time, and committed to a committee of the whole House, on Friday next.

A Bill,

Respecting claims to land in the territories of Orleans and Louisiana.



1 Sec. 1. *BE it enacted by the senate and house of representatives of*
2 *the United States of America, in congress assembled,* That so much
3 of the first section of the act entitled “An act for ascertaining and
4 adjusting the titles and claims to land within the territory of Orleans
5 and the district of Louisiana,” as provides that no incomplete title
6 shall be confirmed, unless the person in whose name the warrant
7 or order of survey had been granted, was at the time of its date
8 either the head of a family, or above the age of twenty one years,
9 be and the same is hereby repealed.

1 Sec. 2. *And be it further enacted,* That any person or persons,
2 and the legal representative of any person or persons, who, on

the twentieth day of December, 1803, had for consecutive years, prior to that day, been in possession of a tract of land not claimed by any other person, and not exceeding two thousand arpens Louisiana measure, and who were on that day resident in the territory of Orleans or Louisiana, and had still possession of such tract of land, shall be confirmed in their titles to such tract of land: *Provided*, That no claim to a lead mine, or salt spring, shall be confirmed merely by virtue of this section: *And provided also*, That no more land shall be granted by virtue of this section, than is actually claimed by the party, nor more than is contained within the acknowledged and ascertained boundaries of the tract claimed.

Sec. 5. *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming land in the territories of Orleans and Louisiana, shall have full powers to decide according to the laws and established usages and customs of the French and Spanish governments, upon all claims to lands within their respective districts, where the claim is made by any person or persons, or the legal representative of any person or persons, who were on the 20th of December, 1803, inhabitants of Louisiana, and for a tract not exceeding the quantity of acres contained in a league square and which does not include either a lead mine or salt spring, which decision of the commissioners shall be final, any act of Congress to the contrary notwithstanding.

1 Sec. 4. *And be it further enacted*, That the time fixed by the
 2 act above mentioned, and by the act supplementary to the same, for
 3 delivering to the proper register or recorder, notices in writing and
 4 the written evidences of claims to land, be, and the same is hereby
 5 extended, for the territories of Orleans and Louisiana, till the 1st
 6 day of July, 1808, and persons delivering such notices and eviden-
 7 ces shall be entitled to the same benefit as if the same had been
 8 delivered within the time limited by the former acts; but the rights
 9 of such persons as shall neglect so doing within the time limited by
 10 this act, shall, so far as they are derived from or founded on any
 11 act of Congress, ever after be barred and become void, and the evi-
 12 dences of their claims never after admitted as evidence in any
 13 court of law or equity whatever.

1 Sec. 5. *And be it further enacted*, That the commissioners ap-
 2 pointed or to be appointed for the purpose of ascertaining the rights
 3 of persons claiming lands in the territories of Orleans and Louisi-
 4 ana, shall respectively transmit to the secretary of the treasury and
 5 to the surveyor general, or officer acting as surveyor general, tran-
 6 scripts of the final decisions made in favor of claimants by virtue
 7 of this act, and they shall deliver to the party a certificate stating
 8 the circumstances of the case, and that he is entitled to a patent for
 9 the tract of land therein designated, which certificate shall be filed
 10 with the proper register or recorder, within twelve months after its
 11 date. And the register or recorder shall thereupon (a plat of the
 12 tract of land therein designated, being previously filed with him
 13 or transmitted to him by the officer acting as surveyor general in

the manner hereinafter provided,) issue a certificate in favor of the party, which certificate being transmitted to the secretary of the treasury, shall entitle the party to a patent to be issued in like manner, as is provided by law for the issuing of patents for public lands lying in other territories of the United States.

Sec. 6. *And be it further enacted,* That the tracts of land thus granted by the commissioners shall be surveyed at the expense of the parties, under the direction of the surveyor general, or officer acting as surveyor general, in all cases where an authenticated plat of the land as surveyed under the authority of the officer acting as surveyor general under the French, Spanish or American governments respectively, during the time either of the said governments had the actual possession of the said territories of Orleans and Louisiana, shall not have been filed with the proper register or recorder, or shall not appear of record on the public records of the said territories of Orleans and Louisiana. The said commissioners shall also be authorized whenever they may think it necessary to direct the surveyor general, or acting officer as such, to cause any tract of land already duly surveyed to be re-surveyed at the expense of the United States. And the surveyor general, or officer acting as such, shall transmit general and particular plats of the tracts of land thus surveyed to the proper register or recorder, and shall also transmit copies of the said plats to the secretary of the treasury.

Sec. 7. *And be it further enacted,* That the commissioners aforesaid shall respectively report to the secretary of the treasury their opinion on all the claims to land within their respective districts,

4 on which they are not authorized by the third section of this act,
 5 to make a final decision. The claims shall in the said report or
 6 reports be arranged into three general classes, that is to say: first,
 7 claims which in the opinions of the commissioners ought to be con-
 8 firmed in conformity with the provisions of the several acts of con-
 9 gress, for ascertaining and adjusting the titles and claims to land
 10 within the territories of Orleans and Louisiana; secondly, claims
 11 which though not embraced by the provisions of the said acts, ought
 12 nevertheless in the opinion of the commissioners to be confirmed
 13 in conformity with the laws, usages, and customs of the Spanish
 14 government; thirdly, claims which neither are embraced by the
 15 provisions of the said acts, nor ought in the opinion of the commis-
 16 sioners to be confirmed in conformity with the laws, usages, and
 17 customs of the Spanish government; and the said report and reports
 18 being in other respects made in conformity with the forms prescribed
 19 according to law, by the secretary of the treasury, shall by him be
 20 laid before Congress for their final determination thereon, in the
 21 manner and at the time heretofore prescribed by law for that pur-
 22 pose.

1 Sec. 8. *And be it further enacted,* That the following allowances
 2 and compensations, shall be made to the several officers hereinafter
 3 mentioned, that is to say, to the principal deputy of the surveyor
 4 general, for the district of Louisiana, at the rate of five hundred
 5 dollars a year, from the time he entered into the duties of his of-
 6 fice, in addition to the fees which he is entitled to receive by law.
 7 To the register of the western district of the Orleans territory, and

8 to the clerk of the board of commissioners for that district, one
9 thousand dollars each, for their services as commissioners and clerk
10 respectively, during the year 1806. To each of the deputy regis-
11 ters of the territory of Orleans, five hundred dollars in full, for their
12 services subsequent to the first day of January last, in addition to
13 the fees to which they are legally entitled. To each of the com-
14 missioners at the rate of two thousand dollars a year; to each of the
15 clerks of the boards, and to each of the agents employed by the secre-
16 tary of the treasury, at the rate of fifteen hundred dollars a year, and
17 to each of the translators, at the rate of six hundred dollars a year;
18 to commence from the first day of July next, in the district of
19 Louisiana, and from the first day of January next, in the territory
20 of Orleans, and to continue to the time when each board shall be
21 respectively dissolved: *Provided*, That no more than eighteen
22 months compensation be thus allowed to the said commissioners,
23 clerks, and translators, and that the compensation of any such of-
24 ficer absenting himself from his district or failing to attend to the
25 duties of his office, shall cease during such absence or failure.