

SEC. 6. *And be it further enacted*, That so much of the act, of which this is an amendment, as requires that the governor of Florida shall not leave the territory without the permission of the President of the United States, be, and the same is hereby, repealed.

APPROVED, May 26, 1824.

Part of the former act repealed.
1823, ch. 23.

STATUTE I.

CHAP. CLXIV.—*An Act granting donations of land to certain actual settlers in the territory of Florida.*(a)

May 26, 1824.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioners for ascertaining titles and claims to lands in Florida, be, and they are hereby, authorized and required, within their respective districts, and in addition to their former duties, to receive and examine all claims that may be presented to them, and the evidence in support of each of such claims, founded on habitation and cultivation of any tract of land, town, or city lot, or out-lot, by any person, being the head of a family, and twenty-one years of age, who, on the twenty-second day of February, one thousand eight hundred and nineteen, actually inhabited and cultivated such tract of land, or actually cultivated and improved such lot, or who, on that day, cultivated any tract of land in the vicinity of any town or city, having a permanent residence in such town or city, in said territory; and to grant certificates of confirmation for any tract of land thus inhabited and cultivated, or cultivated by any person of the above description, residing in any town or city in the vicinity of the tract so cultivated; which land shall be located in an entire body, as nearly as possible, in conformity to the surveys of the contiguous public lands, and so as to embrace the principal improvements then made on any tract so claimed, and shall not exceed in quantity six hundred and forty acres: And it shall also be the duty of said commissioners to receive claims to land founded on habitation and cultivation, commenced between the twenty-second of February, one thousand eight hundred and nineteen, and the seventeenth of July, one thousand eight hundred and twenty-one, when Florida was surrendered to the United States, and evidence in support of the same; and to report an abstract of all such claims to Congress, and of the claims by them confirmed, to the Secretary of the Treasury; and the claims merely reported on, shall be laid before Congress at their next session, with the evidence of the time, nature, and extent, of such inhabitation and cultivation, in each case, and the extent of the claim: *Provided*, That no claim shall be received, confirmed, or reported, to Congress, by the said commissioners, for confirmation, in favour of any person, or the legal representatives of any person, who claims any tract of land in said territory, by virtue of any written evidence of title derived from either the British or Spanish government.

APPROVED, May 26, 1824.

The commissioners for ascertaining titles to lands in Florida authorized and required to receive and examine all claims presented to them within their respective districts.

Duty of said commissioners.

Proviso.

STATUTE I.

CHAP. CLXV.—*An Act to authorize the state of Indiana to open a canal through the public lands, to connect the navigation of the rivers Wabash and the Miami of Lake Erie.*

May 26, 1824.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Indiana be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal, by which to connect the navigation of the rivers Wabash and Miami of Lake Erie; and ninety feet

A route for a canal to be surveyed and marked, by which the navigation of the Wabash and

(a) See notes to act of May 26, 1824, ch. 154.

Miami of Lake Erie may be connected.

The reservation and grant to be void, if a canal be not completed in twelve years.

Proviso.

Proviso.

Each section of land through which said canal may pass, to be reserved from future sale.

of land, on each side of said canal, shall be reserved from sale on the part of the United States, and the use thereof, forever, be vested in the state aforesaid, for a canal, and for no other purpose whatever.

SEC. 2. *And be it further enacted*, That, if the said state shall not survey, and direct by law said canal to be opened, and furnish the commissioner of the general land office a map thereof, within three years from and after the date of this act; or, if the said canal be not completed, suitable for navigation, within twelve years thereafter; or, if said land, hereby granted, shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal, suitable for navigation; the reservation and grant aforesaid shall be void, and of none effect: *Provided*, That nothing in this act contained, or [that] shall be done in pursuance thereof, shall be deemed to imply any obligation on the part of the United States, to appropriate money to defray the expense of surveying or opening said canal: *And provided, likewise*, That the said canal, when completed, shall be, and forever remain, a public highway, for the use of the government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service, on public business, passing through the same.

SEC. 3. *And be it further enacted*, That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from future sale, under the direction of the commissioner of the general land office, until hereafter specially directed by law; and the said state is hereby authorized, without waste, to use any materials on the public lands adjacent to said canal, that may be necessary for its construction.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

[Obsolete.]

The secretary of the navy authorized to have surveyed the harbours of Charleston, South Carolina, and St. Mary's in Georgia, for certain purposes.

CHAP. CLXVI.—*An Act authorizing an examination and survey of the harbour of Charleston, in South Carolina, of St. Mary's in Georgia, and of the coast of Florida, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to cause to be made, an examination and survey of the harbours of Charleston, in South Carolina, and St. Mary's, in Georgia, in reference to the expediency of establishing a navy yard at either of those places, for the building and repairing sloops of war and other vessels of an inferior class; and, also, to cause to be made and perfected an examination and survey of the harbour of Pensacola, and the coast of Florida, in order to ascertain the expediency of establishing a naval depot at Pensacola, or at such place in the vicinity of it, as may be most advantageous to the United States; and that the sum of five thousand dollars be, and the same is hereby, appropriated, for the purposes aforesaid, out of any money in the treasury not otherwise appropriated.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

Counties to compose a part of the western, instead of the

CHAP. CLXVII.—*An Act to alter the judicial districts of Virginia, and for other purposes. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following counties in the state of Virginia shall cease to be a part of the eastern judicial dis-

(a) See notes to act of February 4, 1819, ch. 12.