said inlet of Ocracoke, such only excepted as may be cast away within
the said district. The office of surveyor of Beacon island shall be hence-
forth abolished, and the masters or commanders of every ship or vessel
coming in at Ocracoke inlet, and intending to unlade her cargo, or any
part thereof, at any port, other than the district of Ocracoke, connected
with the waters of the said inlet, as well as the masters or commanders
of all lighters or coasting vessels, who shall receive goods, wares or mer-
chandise, to be transported to any such port, shall be bound to exhibit
their reports and manifest to the said collector, and to perform all the
other duties, which, by the eighteenth section of the act, intitled "An
act to regulate the collection of duties on imports and tonnage," they
are now bound to perform, under similar circumstances, in the inlet afore-
said.

APPROVED, April 21, 1806.

STATUTE I.

April 21, 1806.

1803, ch. 27.

Persons losing
their lands un-
der pre-emption
certificates en-
titled to others.

Interfering
claims under
British patents
and certificates
from the com-
missoners, how
to be settled.

Rights of pre-
emption to
lands in the
Mississippi ter-
ritory by what
time to be paid
for.

Penalty of ne-
glect of pay-
ment.

Compensation
of commis-
ioners.

Proviso.

Chap. XLVI.—An Act in addition to an act, intitled "An act regulating the
grants of land and providing for the disposal of the lands of the United States,
south of the state of Tennessee." (a)

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That whenever any person
who shall have received pre-emption certificates from either of the boards
of commissioners, appointed for the purpose of ascertaining the rights
of persons to lands in the Mississippi territory, shall, by a final judgment
or decree of the highest court of law, or equity, in which a decision
could be had, within the said territory, rendered in favour of another per-
son claiming by virtue of a British patent, lose the whole or part of the
tract of land to which he was entitled by virtue of such certificate, it shall
be lawful for the receiver of public monies for the district where the land
lies, to repay to such person or his assigns, so much of the purchase
money as had been paid by him for the land thus recovered, by the
holder of the British patent.

In all cases where only a part of a tract of land, to which any person
may be entitled by virtue of a certificate granted by the commissioners
aforesaid, is also claimed by the holder of a British patent, a patent may
issue in favour of the owners of such certificate, for so much of such tract
of land as is not claimed by virtue of such British patent: Provided,
that he shall in every other respect have complied with the provisions of the
acts of Congress, regulating the grants of land in the Mississippi terri-
tory. And the lands contained in British grants, which have been duly
recorded in conformity with the provisions of former laws, and for
which certificates have not been granted by the commissioners aforesaid,
shall not be disposed of until otherwise directed by Congress.

Sec. 2. And be it further enacted, That persons entitled to a right
of pre-emption to lands in the Mississippi territory, by virtue of certifi-
cates granted by either of the boards of commissioners aforesaid, shall be
allowed till the first day of January, one thousand eight hundred and
seven, to make the first payment of the purchase money of such lands:
and if any such person shall neglect to make such first payment, on or
before the first day of January, one thousand eight hundred and seven,
his right of pre-emption shall cease and become void.

Sec. 3. And be it further enacted, That each of the commissioners
appointed to ascertain the claims to lands in the above-mentioned terri-
tory, west of Pearl river, shall be allowed at the rate of six dollars for
every day he shall attend, subsequent to the first day of April, one
thousand eight hundred and six: Provided, that such additional allow-
ance shall not exceed five hundred dollars for each commissioner; and

(a) See act of March 3, 1803, chap. 27.
the agent appointed in behalf of the United States for the said board shall be allowed an additional compensation of three hundred and fifty dollars for the whole of his services. And the register and receiver of public monies, in each of the districts of the above-mentioned territory, shall, and they are hereby authorized, in their districts, respectively, and after the dissolution of the board of commissioners for their district, to regulate the location of any tract of land lying within such district, for which a certificate shall have been granted by the commissioners, whenever it shall appear that the location specified in such certificates, interfere with each other, or do not include the improvements, by virtue of which such certificates were granted: Provided, that the said register and receiver shall not be authorized to allow any location on land not improved and settled, in the manner provided by the former acts of Congress, regulating the grants of land in the above-mentioned territory; nor to allow, in any case, a greater quantity of land than had been allowed by the commissioners.

Sec. 4. And be it further enacted, That whenever it shall appear to the satisfaction of the register and receiver of the district, east of Pearl river, that the settlement and occupancy, by virtue of which a pre-emption certificate had been granted by the commissioners, had been made and taken place, prior to the 30th day of March, one thousand seven hundred and ninety-eight, they shall be authorized to grant to the party a donation certificate, in lieu of such pre-emption; and the patent shall issue as in other cases of donations: Provided, that application shall be made for such an exchange, and evidence produced of the date of such settlement and occupancy, on or before the thirty-first day of December next.

Sec. 5. And be it further enacted, That the right of the United States, to all the land lying between the front street of the city of Natchez and the Mississippi river, and bounded on the north by north Fourth street, and the land granted to Stephen Minor, and on the south, by the lands annexed to the old fort, and those granted to William Barland, be, and the same hereby is, for ever vested in the corporation of said city, as not to affect the legal or equitable claims of any individuals, or of any body politic, or corporate, if any such there be: Provided, that the said land, as above described, be neither cultivated nor occupied by buildings, but that it be planted with trees, and preserved as a common, for the use, comfort, and health of the inhabitants of the city aforesaid, and all other persons who may occasionally resort therewith.

Sec. 6. And be it further enacted, That whenever the section No. 16, shall fall upon land already granted, by virtue of any act of Congress, or claimed by virtue of a British grant, the Secretary of the Treasury shall locate another section, in lieu thereof, for the use of schools, which location shall be made in the same township, if there be any other vacant section therein, and otherwise, in an adjoining township.

Sec. 7. And be it further enacted, That Richard Sparks be permitted to enter with the register of the land-office, for the district west of Pearl river, his claim to three hundred and twenty acres of land, lying within said district; and that Richard S. Bryan, and George Brewer, senior, be permitted to enter with the register of the land-office, for the district east of Pearl river, their certificate of a right of pre-emption for three hundred and twenty acres of land, lying within the district last mentioned: and such entry of the claim of the said Richard Sparks shall have the same effect, as if it had been made prior to the first day of December, one thousand eight hundred and four, and such entry of the certificate of the said Richard S. Bryan and George Brewer, senior, shall have the same effect as if it had been made within three months from the time it was issued.

Approved, April 21, 1806.

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