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LAW OF THE U. STATES. Passed at the second Session of the 27th Congress. OFFICIAL PUBLICATION.

[PUBLIC—No. 40.] AN ACT to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person, being the head of a family, a single man over eighteen years of age, able to bear arms, who has made or shall make within one year from the passage of this act, an actual settlement within that part of Florida situated and being south of the line dividing townships numbers nine and ten south, and east of the base line, shall be entitled to one quarter section of said land, on the following conditions and stipulations:

First, That said settler shall obtain from the register of the land office, in the district in which he proposes to settle, a permit describing, as particularly as may be practicable, the place where his or her settlement is intended to be made: Provided, That no person who shall be a resident of Florida at the time of the passage of this act, who shall be the owner of one hundred and sixty acres of land at the time he proposes to settle, shall be entitled to a permit from the register.

Second, That said settler shall reside in the Territory of Florida, south of said township line, for five consecutive years, and to take his grant on any public land south of that township.

Third, That said settler shall erect thereon a house fit for the habitation of man, and shall clear, enclose, and cultivate at least five acres of said land, and reside thereon for the space of four years next following the first year after the date of his permit, if he or she shall so long live.

Fourth, That such settler shall, within one year after the survey of said lands, and the opening of the proper office for the entry and sale of the same by the United States, prove, before such tribunal, and in such manner and form as shall be prescribed by the Commissioner of the General Land Office, with the approval of the President, the fact that the settlement has been commenced, and the particular quarter section upon which it is located; and also that such settler shall, within six months after the expiration of five years from the date of his permit, prove, in like manner, the fact of continued residence and cultivation, as required in the second and third conditions herein above prescribed; whereupon, and not until then, a patent shall issue to said settler, for such quarter section.

Sec. 2. And be it further enacted, That in the case of the settlement of the same quarter section by two or more settlers, the right to the location shall be determined by priority of settlement, to be ascertained under such rules as the Commissioner of the General Land Office, with the approval of the President, may prescribe; the subsequent settler or settlers shall be permitted to locate the quantity he, she, or they may be entitled to elsewhere within the same township, upon vacant public lands.

Sec. 3. And be it further enacted, That no right or donation shall be acquired under this act within two miles of any permanent military post of the United States, established and garrisoned at the time such settlement and residence was commenced.

Sec. 4. And be it further enacted, That all sales, gifts, devises, agreements, bonds, or powers to sell, transfers, or liens whatsoever, private or judicial, of the lands, or any portion thereof, acquired by this act, made at any time before patents shall have issued for the same, shall be utterly void and without effect, to every intent and purpose, whether in law or equity; and the purchaser or obligee, under any such sale, agreement, bond, or power to sell, transfer, or lien, shall not be entitled to recover back the price or consideration paid therefor, but shall forfeit the same absolutely to such settler or his heirs.

Sec. 5. And be it further enacted, That upon the death of any settler before the end of the five years, or before the issuing of the patent, all his rights under this act shall descend to his widow, and heirs at law, if he leaves a widow, and to his heirs at law, if he leaves none, to be held and divided by them according to the laws of Florida, any previous sale or transfer of the same or of any interest, legal or equitable, in the same, to the contrary notwithstanding. And proof of his compliance with the conditions of this act, up to the time of his death, shall be sufficient to entitle them to the patent.

Sec. 6. And be it further enacted, That where any settlement, by the erection of a dwelling, or the cultivation of any portion thereof, shall be made upon the sixteenth section before the same shall be surveyed, then and in that case other lands shall be selected by the school commissioners of the township, in lieu of said section sixteen, or such part thereof as may be claimed under this act.

Sec. 7. And be it further enacted, That not exceeding two hundred thousand acres of land shall be taken for settlement under this act.

Sec. 8. And be it further enacted, That the President of the United States may, at any time, by proclamation, suspend all further permits and settlements under this act, by giving six months' notice thereof.

Sec. 9. And be it further enacted, That the Commissioner of the General Land Office shall, on or before the first day of February, eighteen hundred and forty-four, report to Congress the names of every individual who shall have made the actual settlement required by the first section of this act, specifying the heads of families and the single men, and the location of each quarter section occupied by each said settler.

JOHN WHITE, Speaker of the House of Representatives. WILLIE P. MANGUM, President of the Senate pro tempore. JOHN TYLER.

Approved, August 4, 1842.

[PUBLIC—No. 41.] AN ACT to regulate appeals and writs of error from the district court of the United States for the northern district of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to refund the balance of the amount paid for lands purchased from the United States, at the land office of the St. Helena district, in the State of Louisiana, on the tenth and twenty-third days of February, of the year eighteen hundred and thirty-seven, in the name of Clark Woodroff, either to said Woodroff, or to any other person or persons jointly interested with him in said purchase, or to his or their heirs, assigns, or legal representatives on his or their complying with the conditions of said act.

Approved, August 4, 1842.

[PUBLIC—No. 42.] AN ACT to amend a part of the town of Tiverton, in the State of Rhode Island, to the collection district of Fall river, in the State of Massachusetts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the town of Tiverton, in the State of Rhode Island, which lies north of the south line, of the farm of William Shide, and of the farm of the heirs of Bolyton Brynton, to Wompatow Pond, and by said pond to the south line of the State of Massachusetts, and the waterward shores adjoining thereto, be, and the same hereby, annexed to, and made a part of the collection district of Fall river in the State of Massachusetts.

Approved, August 4, 1842.

[PUBLIC—No. 43.] AN ACT authorizing the settlement and payment of certain claims of the State of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to audit and adjust the claims of the State of Alabama, under such laws and regulations as he may hereafter govern the Department in auditing and allowing the claims of the States on the United States, for moneys advanced and paid by said State for subsistence, supplies, and services of local troops called into service by and under the authorities of said State, but not mustered into the service of the United States, and for provisions and forage furnished the friendly Indians during the Creek and Seminole hostilities, in the years eighteen hundred and thirty-six and eighteen hundred and thirty-seven, in all cases in which the payment was for subsistence, supplies, services, provisions, and forage, which would have been paid for under existing laws and regulations, if such troops had been mustered into the service of the United States, and the provisions and forage had been furnished by an agent of the United States; and that the sum so found due to said State be paid out of any money in the Treasury not otherwise appropriated: Provided, That, in auditing and adjusting said claims, duly authenticated copies of papers which

have been lost or destroyed, upon due proof of such loss or destruction, shall be received as evidence.

Sec. 2. And be it further enacted, That the Secretary of War be, and he is hereby, required to report to the House of Representatives a schedule of such claims as may be presented for adjustment under this act, and not allowed, with the reasons for such disallowance, at the next session of Congress.

Approved, August 16, 1842.

[PUBLIC—No. 52.] AN ACT to grant pre-emption rights to settlers on the "Dubuque claim," so called, in the Territory of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands lying in the county of Dubuque, in the Territory of Iowa, heretofore reserved for the Dubuque claim, as called, which have not been sold by the United States by virtue of the acts of the fourth of July, one thousand eight hundred and thirty-six, and the third day of March, one thousand eight hundred and thirty-seven, be, and the same are hereby, declared to be public lands; and that settlers on said land, who, but for said reservation, would have been enabled to enter the same under the pre-emption laws of nineteenth June, one thousand eight hundred and thirty-four, twenty second June, one thousand eight hundred and thirty-eight, first June, one thousand eight hundred and forty, or fourth September one thousand eight hundred and forty-one, be, and they are hereby, authorized to enter the same at one dollar and twenty-five cents per acre, at any time within one year after the date of this act, upon complying with the provisions of each of said acts under which such person may claim; the settlers under the earlier law being entitled to the preference over those under a subsequent one: Provided, That this section is not to be regarded as extending the right of pre-emption to lands reserved for lead mines, salt springs, school sections, or town lots: And provided further, That, should the said claim of Dubuque heretofore prove valid, compensation to the claimants shall be made by the United States in other public lands equal in quantity, subject to private entry.

Approved, August 16, 1842.

[RESOLUTION—PUBLIC, No. 6.] A RESOLUTION declarative of the pension act of July seventh, eighteen hundred and thirty-eight.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of the act entitled "An act granting half-pay and pensions to certain widows," approved the seventh day of July, eighteen hundred and thirty-eight, shall not be withheld from any widow whose husband died after the passage of the act of the seventh of June, eighteen hundred and thirty-two, and before the act of the seventh of July, eighteen hundred and thirty-eight, if otherwise entitled to the same.

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[PUBLIC—No. 55.] AN ACT to amend an act entitled "An act to provide for the payment of horses, or other property, lost or destroyed in the military service of the United States," approved the eighteenth day of January, eighteen hundred and thirty-seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the above recited act be amended as to embrace the claims of any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry who has or shall sustain damage, without any fault or negligence on his part, while in the military service of the United States, by the loss of a horse, destroyed or abandoned by order of the commanding general or other commanding officer, or by the loss of a horse by being shot, or otherwise lost or destroyed, by an unavoidable accident, without any fault or negligence of the owner, and when he was in the line of his duty, and for the loss of necessary equipment in consequence of the loss of his horse, as aforesaid, shall be allowed and paid the value thereof at the time of entering the service.

Sec. 2. And be it further enacted, That in auditing and settling the claims provided for in this, and in the act which this is intended to amend, an appeal may be taken and prosecuted from the decision of the Auditor rejecting the claim, to the Second Comptroller of the Treasury, under the direction of the Secretary, whose decision shall be conclusive.

Sec. 3. And be it further enacted, That it shall and may be lawful to make compensation for horses, bridles, saddles, and equipments, turned over to the service of the United States, under the act approved October fourteenth, eighteen hundred and thirty-seven, whenever it shall be made to appear that the person to whom they were ordered to be delivered was acting as an officer, although there may be no returns in the Department to show his regular appointment as such officer. And the certificates of proper officers, whether given during or since the expiration of their term of service, shall be receivable by the Auditor in the settlement of such claims.

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[PUBLIC—No. 47.] AN ACT explanatory of an act entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river a collection district."

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[PUBLIC—No. 54.] AN ACT to establish an auxiliary watch for the protection of public and private property in the city of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established an auxiliary guard or watch for the protection of public and private property against incendiaries, and for the enforcement of the police regulations of the city of Washington, consisting of a captain, to be appointed by the Mayor of the city, at an annual salary of one thousand dollars; and fifteen of whom shall receive a compensation of thirty-five dollars per month.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands lying in the county of Dubuque, in the Territory of Iowa, heretofore reserved for the Dubuque claim, as called, which have not been sold by the United States by virtue of the acts of the fourth of July, one thousand eight hundred and thirty-six, and the third day of March, one thousand eight hundred and thirty-seven, be, and the same are hereby, declared to be public lands; and that settlers on said land, who, but for said reservation, would have been enabled to enter the same under the pre-emption laws of nineteenth June, one thousand eight hundred and thirty-four, twenty second June, one thousand eight hundred and thirty-eight, first June, one thousand eight hundred and forty, or fourth September one thousand eight hundred and forty-one, be, and they are hereby, authorized to enter the same at one dollar and twenty-five cents per acre, at any time within one year after the date of this act, upon complying with the provisions of each of said acts under which such person may claim; the settlers under the earlier law being entitled to the preference over those under a subsequent one: Provided, That this section is not to be regarded as extending the right of pre-emption to lands reserved for lead mines, salt springs, school sections, or town lots: And provided further, That, should the said claim of Dubuque heretofore prove valid, compensation to the claimants shall be made by the United States in other public lands equal in quantity, subject to private entry.

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[PUBLIC—No. 54.] AN ACT to establish an auxiliary watch for the protection of public and private property in the city of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established an auxiliary guard or watch for the protection of public and private property against incendiaries, and for the enforcement of the police regulations of the city of Washington, consisting of a captain, to be appointed by the Mayor of the city, at an annual salary of one thousand dollars; and fifteen of whom shall receive a compensation of thirty-five dollars per month.

I completed my medical education about the time of the first settlement of old Monroe. Captivated by the dazzling accounts which land speculators gave of the richness of the soil in the then new purchase, particularly in Monroe county, my father was induced to sell his beautiful plantation in old Putnam, at less than a fourth of its value, and buy wild unimproved lands in Monroe, at more than four times their real worth. But you know very well how it always is when a country is to be settled, how the old farms run down and the new ones up. The same notion that brought my father to Monroe, brought me to Alabama. So true it is that the experience of others is but a feeble monitor to us.

Well, my father sold out in Putnam while I was attending the lectures at the North; and before my return, having been four years absent, had got pretty well established in his new home, so I learnt from the letter I received.

Having obtained a diploma of M. D., I started for home with spirits as light as ether. I crossed the Ocmulgee on the road from Clinton to Forsyth, and entered the new purchase, still but scarcely settled. The ferryman I found knew my father, at least he said he did, and gave me directions to his house some ten miles distant.

I followed the direction of the ferryman—took a right hand, then a left, then crossed a branch at the foot of a steep hill, went over another right hand &c. and found a plantation exactly as described, cotton field on one side, with corn ground on the other a double log house, with a passage between, a piazza in front, and a number of negro houses and stables, and corn cribs &c., to match.

Well, said I to myself, 'Old Dad is pretty well fixed—reckon he did a good business in selling his worn-out Putnam plantation.'

It was about two o'clock as I approached the house, on one of the hottest days in July perhaps, you ever saw. A number of well fed, long legged shoats, were asleep in the lane that led up to the house; in the horse lot some seven or eight horses and mules stood over their corn and fodder, winking at the flies, or lay rolling in the sand. Here and there a negro might be seen stretched at his full length in the sun fast asleep. A pack of hounds was also enjoying the same luxury in the shade. Nobody was stirring in the yard, the house or kitchen. Really thought I, this is the land of nod. The fact was, as I afterwards learned, they had just laid by their crop, and the hands were enjoying the customary holiday on such occasions.

To humor a sudden fancy that came into my head, I stripped my horse and turned him into an empty stable, where a supply of provisions seemed inviting him, and walked into the piazza without awakening any one of the sleepers. From the loud snoring in one end of the house, I guessed where the old people were asleep; and certain signs in the fixments of the window and bed curtains, looking glass, &c., the door being open, showed which was the girl's room, where I presumed my sister was also sleeping.

I was prodigious hungry, but still hated to spoil the joke I calculated on, by waking any body. An old fashioned safe stood in the passage, which I was sure contained something in the eating line. I opened it and found half a boiled ham, the best part of a chicken pie, a plate of biscuit, &c. and a jug of buttermilk, quietly cooling itself in a pale of water. Beside these a basket