

STATUTE I.

May 26, 1830.

CHAP. CV.—*An Act to quiet the titles of certain purchasers of lands, between the lines of Ludlow and Roberts, in the state of Ohio.*

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 he is hereby, authorized to pay, out of any money in the treasury, not otherwise appropriated, to the Virginia military claimants of lands situated between the two lines in the state of Ohio, commonly called Ludlow's and Roberts' lines, and south of the Greenville treaty line, located prior to the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and twelve, the sum of sixty-two thousand five hundred and fifteen dollars and twenty-five cents, with interest thereon from the fourth March, eighteen hundred and twenty-five, at six per cent. per annum, until paid; being the amount at which said lands were valued, exclusive of improvements, under the act of Congress, entitled "An act to authorize the President of the United States to enter into certain negotiations relative to the lands located under Virginia military land warrants, lying between Ludlow's and Roberts' lines, in the state of Ohio;" *Provided however,* That before the payment of said sum, the said claimant or claimants shall relinquish, by deed or deeds, to the United States, in such manner as the President shall direct, their title or titles to the said lands.

Appropriation of \$62,515 25, to pay Virginia military claimants.

Act of May 26, 1824, ch. 183.

Proviso: Titles to be relinquished.

Payment to be made according to valuation.

SEC. 2. *And be it further enacted,* That the payments aforesaid shall be made as directed to the said claimants, according to the valuation of their respective tracts of land, made under the above-recited act of Congress.

APPROVED, May 26, 1830.

STATUTE I.

May 26, 1830.

CHAP. CVI.—*An Act to provide for the final settlement of land claims in Florida. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the claims and titles to land filed before the register and receiver of the land office, acting as commissioners, in the district of East Florida, under the quantity contained in one league square, which have been decided and recommended for confirmation, contained in the reports, abstracts and opinions, of said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the fourteenth day of January, one thousand eight hundred and thirty, be, and the same are hereby confirmed, with the exception of such claims as were confirmed by the Spanish government, subsequent to the twenty-fourth of January, one thousand eight hundred and eighteen, which shall be re-examined and reported, with the evidence by the register and receiver, before the next session of Congress, to the Secretary of the Treasury, to be laid before Congress.

Certain claims confirmed, except, &c.

Report to be laid before Congress.

(a) See notes of the decisions of the Supreme Court, as to Florida land claims, vol. iii. p. 709.

Where the Supreme Court has affirmed the title to lands in Florida, and referred in its decree to a particular survey, it would not be proper in the court below to open the case for a rehearing, for the purpose of adopting another survey. *Chaires v. The United States*, 3 Howard, 611.

The court below can only execute the mandate of the Supreme Court; it has no authority to disturb the decree, and can only settle what remains to be done. *Ib.*

The act of 26th May, 1830, ch. 106, providing for the final settlement of land claims in Florida, must be construed to contain the same limitation of time, within which claims were to be presented, as that provided by the act of May 23, 1828, ch. 70. *United States v. Marvin*, 3 Howard, 620.

The limitation was one year. The courts of Florida, therefore, had no right to receive a petition for the confirmation of an incomplete concession, after the 26th May, 1831. *Ib.*

Under the Florida treaty, the United States did not succeed to those rights which the king of Spain had held by virtue of his royal prerogative, but possessed the territory, subject to the institutions and laws of its own government. *Pollard's Lessee v. Hagan*, 3 Howard, 212.

Conflicting Spanish claims confirmed as to United States.

Act of May 8, 1822, ch. 122, sec. 4.

Certain other claims confirmed.

Remaining claims to be settled.

Act of May 23, 1828, ch. 70.

Disposition of papers relative to claims.

Operation of confirmation.

Act of May 23, 1828, ch. 70, explained.

Time for relinquishment extended.

Title-deeds.

SEC. 2. *And be it further enacted*, That all the conflicting Spanish claims, reported in obedience to the fourth section of the act of Congress, approved May the eighth, one thousand eight hundred and twenty-two, and recommended for confirmation as valid titles, be, and the same are hereby, confirmed, so far as the United States have any title to the same.

SEC. 3. *And be it further enacted*, That all claims derived from the former British government, contained in the reports of the commissioners of East Florida, or the register and receiver, acting as such, who did not avail themselves of the provisions of the treaty between Spain and England, signed at Versailles on the twentieth of January, one thousand seven hundred and eighty-three, by leaving said province, but who remained in the same, and became Spanish subjects, and whose titles were approved by the Spanish authorities, and have been recommended for confirmation by said commissioners, or register and receiver, acting as such, be, and the same are hereby, confirmed.

SEC. 4. *And be it further enacted*, That all the remaining claims which have been presented according to law, and not finally acted upon, shall be adjudicated and finally settled upon the same conditions, restrictions, and limitations, in every respect, as are prescribed by the act of Congress, approved twenty-third May, one thousand eight hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida."

SEC. 5. *And be it further enacted*, That it shall be the duty of the register and receiver to deliver over all papers relative to private land claims in East Florida to the keeper of the public archives.

SEC. 6. *And be it further enacted*, That all confirmations of land titles, under this act, shall only operate as a relinquishment of the right of the United States to the said lands respectively, and shall not be construed either as a guarantee of any such titles, or in any manner affecting the rights of other persons to the same lands.

SEC. 7. *And be it further enacted*, That so much of the act of twenty-third of May, one thousand eight hundred and twenty-eight, as directed that the selection of claimants who availed themselves of the first section of said act by accepting a quantity equal to one league square within their respective grants, which confined the selection to sectional lines, shall not be held to extend to the selection by the claimants of a greater quantity than a section, but the said claimants who have, or may hereafter select, under the provisions of said law, any quantity equal to the amount granted in bodies larger than a section in the form of any Spanish survey, or plat of survey, or where the sections are broken by any river, the said land so selected, or which may be so selected, is hereby confirmed to said claimants; and it shall be the duty of the surveyor general to make a survey and certificate of all such claims, to return the same to the commissioner of the general land office, and thereupon a patent shall issue to the original grantee, or to his assignee, if the land has been sold or transferred to any other person, or to the legal owner by purchase or descent.

SEC. 8. *And be it further enacted*, That the claimants, who are entitled to the provisions of that act, or who may avail themselves of the foregoing provisions of this act, by taking a quantity equal to a league square in lieu of the whole grant, shall be, and they are hereby, allowed the further time of one year, from the passage of this act, to execute their relinquishments, and to file their acceptance of the provisions of said law.

SEC. 9. *And be it further enacted*, That it shall be the duty of the registers and receivers to restore to the claimants the title-deeds on which they may have finally rejected the claims.

APPROVED, May 26, 1830.