

TERRITORY OF MICHIGAN, *District of Detroit, to wit:*

I, Henry B. Brevoort, register of the land office for the district of Detroit, do solemnly swear that I will impartially exercise and discharge the duties imposed on me by an act of Congress entitled "An act regulating the grants of land in the Territory of Michigan," passed March 3, 1807; and also "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the Territory of Michigan," passed May 11, 1820. So help me God.

HENRY B. BREVOORT, *Register.*

TERRITORY OF MICHIGAN, *Land District of Detroit:*

Personally appeared before me, this 14th day of May, A. D. 1821, the above-named Henry B. Brevoort, esquire, register of the land district of Detroit, who took and subscribed the above-written affidavit in my presence.

Given under my hand the day and year above written.

GEORGE McDOUGALL,
Justice of the Peace, County of Wayne, Michigan Territory.

Extract from the letter of instructions to the agent appointed to receive claims and take evidence concerning land claims at Green Bay and Prairie des Chiens.

TERRITORY OF MICHIGAN, *Land District of Detroit, August 8, 1821.*

SIR: You are hereby notified of your appointment, (with the approbation of the Secretary of the Treasury,) and in conformity with the provisions of the act entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the Territory of Michigan," passed May 11, 1820, as agent for the purpose of ascertaining the titles and claims to land at the settlements of Green Bay and Prairie des Chiens.

The Secretary of the Treasury has given general directions that you proceed with as little delay as possible, taking the various laws which relate to your duties as your guide in the execution of the trust reposed.

The evidence of titles and claims which it is presumed you will receive are such as are founded upon legal grant made or authorized prior to the treaty of Paris (February 10, 1763,) by the French government, or subsequent to that period, and prior to the treaty of peace between the United States and Great Britain, (September 3, 1783,) or such as may be deducible from some act of Congress.

The whole system heretofore applicable to the land district of Detroit is presumed to have been reinstated in its full extent, except so far as controlled by the late law, and made specially applicable to the settlements of Green Bay and Prairie des Chiens. You will therefore not fail to notice that *occupancy* and *possession* of tracts within either of those settlements, between July 1, 1796, and March 3, 1807, by the present claimants, or those under whom they may successively make claim, are, by the act of March 3, 1807, recognized as conferring just claims for confirmation. And you will also see, by reference to the fourth section of the act of April 25, 1808, that so much of the act of March 3, 1807, as limited the claim to one tract is repealed.

These references are given you that your records may not be needlessly burdened. It is nevertheless believed that you cannot of right refuse to receive and record any evidence of title, of whatsoever nature, that may be offered; for the law clearly contemplates that the power of rejecting as well as of confirming all claims resides, in the first instance, in the commissioners, and not in the agent.

It is presumed to be the intention of the law that all the evidence of title and claims shall be recorded in the English language; yet it is recommended, in all cases of doubtful or technical expressions, that you preserve the original expressions used; also, in all cases where it is desired by the claimants, that you record also true copies of entire documents in their original language. After being recorded with every proof of authentication which is offered, it is considered that the claimants will be entitled to receive again of you their deeds or other documents. The originals, it is believed, are not required to be brought here, unless by the consent and desire of the claimants.

A doubt occurs how far it may be competent for you, as agent, to administer oaths; that power is not expressly given you by the law; it is there given only to those who have the right to examine and decide. Such implied powers can only be supposed to have been given you as are really necessary to enable you conveniently to receive the notices and record the evidences of the titles and claims adduced. The commissioners do not deem it necessary, at this time, to express an opinion on that point, as they are advised that you will receive commissions as justice of the peace for each of the two counties of Crawford and Brown before your departure, in virtue of which, under the territorial laws, you will be qualified to administer all necessary oaths and take all proper affidavits.

As it is feared (from the characteristic want of caution of the Canadian French as it regards the presentation of their title deeds) that most of their claims will be attempted to be supported by proving continued possession, (this proof will, of course, consist principally of affidavits to be taken at the time of preferring their claims,) it is specially recommended to you that you attend, whenever practicable, personally, to the taking of such affidavits; that you have special regard to the prevention of all attempts at deception; and that you certify them in both your capacities of agent and justice of the peace. This form of authentication must remove all doubt as to your competency to administer oaths, and will be particularly convenient also, as it will enable you to draw the affidavits in the English language.

It is not practicable for the commissioners to prescribe the period of time which, by your notices, you will assign at Green Bay and Prairie des Chiens, respectively, for receiving the evidences of claims and titles. The law requires *reasonable* notice; what may be deemed *reasonable* notice must depend upon the number of claimants and the remoteness of their relative situations. You must judge of it.

Though the settlement of Green Bay is spoken of by Charlevoix as early as 1720, yet it is believed the whole number of claimants there cannot exceed one hundred and fifty. The settlement of Prairie des