by a board of commissioners of three in number, any two of whom shall be a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially: *Provided*, That the action of the commissioners appointed under the present act shall not interfere with any of the acts performed by the Surveyor General, prior to the time of the passage hereof, in pursuance of instructions under the act to which this is amendatory.

done by the surveyor under the act to which this is an amendment shall be done by a board of commissioners, to be appointed by the President, &c.

Proviso.

Sec. 2. *And be it further enacted*, That the said commissioners shall have power to hear evidence and determine all claims to lots arising under the act to which this is an amendment; and for this purpose, the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the proper register and receiver for the district within which the towns are situated respectively, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption under the provisions of the act of which this is amendatory; and upon making payment to the proper receiver of public moneys for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and the register issue certificates of purchase, to be transmitted to the Commissioner of the General Land Office, as in other cases of the sale of public lands.

The commissioners to have power to determine all claims to lots, &c.

Upon payment being made to the proper receiver for a lot, he shall grant a receipt, &c.

Sec. 3. *And be it further enacted*, That the proper register and receiver of public moneys, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of the lots to public sale to the highest bidder, after advertising the same in three public newspapers at least three months prior to the day of sale, in the same manner as is provided for the sale of public lands in other cases; and after paying the commissioners the compensation hereafter allowed them, and all other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the trustees of the respective towns aforesaid, to be expended by them in the erection of public buildings, the construction of suitable wharves, and the improvement of the streets in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru and Mineral Point.

The proper register and receiver, after the commissioners have determined all cases of pre-emption, shall expose residue of lots at public sale, to the highest bidder, &c.

After paying the commissioners, &c. the receiver shall pay over the residue to the trustees of the towns aforesaid.

Sec. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver of public moneys, of the proper land district, six dollars each, per day, for their services, for every day they are necessarily employed.

The commissioners to be paid six dollars per day.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

[Obsolete.]

Chap. XXXVII.—*An Act to continue in force for a limited time the act entitled "An act to carry into effect a convention between the United States and Spain."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act, entitled "An act to carry into effect a convention between the United States and Spain," approved on the seventh day of June, one thousand eight hundred and thirty-six, be, and the same are hereby, extended until the first day of February, one thousand eight hundred and thirty-eight; and the commissioner appointed under the said act, shall, on or before the said day, terminate his duties.

Act of June 7, 1836, ch. 87.

The provisions of the act extended to 1st February, 1838.

Approved, March 3, 1837.

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