

ted States of America, and is hereby admitted into the Union on an equal footing with the original States, in all respects whatever.

SEC. 2. *And be it further enacted*, That the assent of Congress is hereby given to the change of boundary proposed in the first article of said constitution, to wit: leaving the boundary line prescribed in the act of Congress entitled "An Act to enable the People of Wisconsin Territory to form a Constitution and State Government, and for the Admission of such State into the Union," at the first rapids in the River St. Louis, thence in a direct line southwardly to a point fifteen miles east of the most easterly point in Lake St. Croix, thence due south to the main channel of the Mississippi River or Lake Pepin, thence down the said main channel, as prescribed in said act.

Change of boundary, &c.

1846, ch. 89.

SEC. 3. *And be it further enacted*, That the assent of Congress is hereby given to the resolutions adopted by said convention and appended to said constitution, and the acts of Congress referred to in said resolutions are hereby amended so that the lands thereby granted and the proceeds thereof, and the five per centum of the net proceeds of the public lands, may be held and disposed of by said State, in the manner and for the purposes recommended by said convention: *Provided, however*, That the liabilities incurred by the territorial government of Wisconsin, under the act entitled "An Act to grant a Quantity of Land to the Territory of Wisconsin, for the Purpose of aiding in opening a Canal to connect the Waters of Lake Michigan with those of Rock River," shall be paid and discharged by said State: *And provided, further*, That the even-numbered sections along the route of said proposed canal shall be brought into market, and sold at the same minimum price, and subject to the same rights of preëmption to all the settlers thereon, at the passage of this act, as other public lands of the United States.

Assent of Congress to resolutions of convention relative to grants of lands, and the 5 per ct. fund.

Proviso.

1833, ch. 114.

Price of public lands.

SEC. 4. *And be it further enacted*, That it is made and declared to be a fundamental condition of the admission of said State of Wisconsin into the Union, that the constitution adopted at Madison, on the sixteenth day of December, in the year one thousand eight hundred and forty-six, shall be assented to by the qualified electors, in the manner and at the times prescribed in the ninth section of the twentieth article of said constitution. And as soon as such assent shall be given, the President of the United States shall announce the same by proclamation; and therefrom, and without any further proceedings on the part of Congress, the admission of said State of Wisconsin into the Union, on an equal footing in all respects whatever with the original States, shall be considered as complete.

Assent to a certain constitution required as a condition of admission.

President to make proclamation.

APPROVED, March 3, 1847.

CHAP. LIV.—*An Act to create an additional Land District in the Territory of Wisconsin, and for other Purposes.*

March 3, 1847.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all that portion of the public lands lying within the Territory of Wisconsin, north and west of the following boundary, to wit: commencing at the Mississippi River on the line between townships twenty-two and twenty-three north, running thence east along said line to the fourth principal meridian, thence north along said meridian line to the line dividing townships twenty-nine and thirty, thence east along said township line to the Wisconsin River, thence up the main channel of said river to the boundary line between the State of Michigan and the Territory of Wisconsin, shall form a land district, to be called the Chippewa Land District; and, for the sale of the lands in said district,

Chippewa land District created.

Boundary.

Land office to be established.

Geological examination of lands in said district to be made.

Mineral and other lands to be exposed to sale.

16th sections, &c., to be reserved.

Preemption right to actual occupants of mines.

Proof to be made.

Appeals may be made to Secretary of Treasury.

Joint occupation.

How mineral lands shall be offered for sale.

Occupied lands to be withheld.

a land office shall be established at such place therein as the President of the United States may select.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall cause a geological examination and survey of the lands embraced in said district to be made and reported to the Commissioner of the General Land Office. And the President is hereby authorized to cause such of said lands as may contain copper, lead, or other valuable ores, to be exposed to sale, giving six months' notice of the times and places of sales in such newspapers of general circulation in the several States as he may deem expedient, with a brief description of the lands to be offered; showing the number and localities of the mines known, the probability of discovering others, the quality of the ores, the facilities of working the mines, and the means and expense of transporting their products to the principal markets in the United States. And all the lands embraced in said district, not reported as aforesaid, shall be sold in the same manner as other lands under the laws now in force for the sale of the public lands, excepting and reserving from such sales section sixteen in each township for the use of schools, and such reservations as the President shall deem necessary for public uses.

SEC. 3. *And be it further enacted*, That every person or persons who shall be in possession, by actual occupancy, of a mine or mines, actually discovered previous to the passage of this act, and who shall pay the same rents as those who hold under leases from the Secretary of War, and which rents accruing from such occupants and lessees shall be paid and delivered to such officer of the government as the Secretary of the Treasury shall direct, shall be entitled to purchase the lands on which the same is or are situated at any time prior to the day of sale fixed by the President, in legal subdivisions, not exceeding in the aggregate one hundred and sixty acres, to include such mine or mines, paying to the United States therefor at the rate of five dollars per acre: *Provided*, That, prior to any entry being made under the provisions of this section, proof of possession and occupancy as aforesaid of the mine or mines claimed shall be made to the register and receiver of the land district, together with the evidence of the payment of all rents due the United States, agreeably to such rules as may be prescribed by the Secretary of the Treasury for that purpose, which register and receiver shall each be entitled to receive one dollar for his services therein: *Provided*, That an appeal from the decision of the register and receiver to the Secretary of the Treasury may be had, under such regulations as the said Secretary may prescribe. And if two or more persons are in possession of the same quarter-section, the first occupant shall be entitled to a preference, unless the same can be so divided by legal subdivisions as to give to each the discovery claimed by him.

SEC. 4. *And be it further enacted*, That, the said mineral lands shall be offered for sale in subdivisions of quarter-quarter sections, and no bid shall be received at a less rate than five dollars per acre; and if such lands shall not be sold at public sale, they shall be subject to entry at private sale at that price: *Provided*, That no legal division or subdivision of any of said lands, upon which there may be an outstanding lease or leases from the Secretary of War unexpired or undetermined, and which is actually occupied for mining purposes, and the occupants of which have complied with all the requisites of such lease or leases, and continued to perform the same, shall be sold until after the determination of such lease or leases by efflux of time, voluntary surrender, or other legal extinguishment thereof, except in such cases as are provided for in the third section of this act; and the lessees, respectively, shall be entitled to the privilege secured by said

section upon the voluntary surrender of the lease or leases held by them.

SEC. 5. *And be it further enacted*, That the management and control of the mineral lands shall be transferred from the War Department, and placed under the jurisdiction and control of the Treasury Department, and all books, maps, papers, instruments, and other property procured to be used and employed in the management, survey, exploring, or conducting of said mineral lands by the War Department, shall be delivered over and made subject to the disposition of the Secretary of the Treasury.

Management and control of mineral lands to be transferred to Treasury Department, &c.

SEC. 6. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the General Land Office, to authorize the commencement of the sales in said district, shall appoint one register and one receiver for the land office in said district, who shall reside at the place designated by the President for the land office, receive such compensation, give security, and discharge all duties pertaining to such office, as are prescribed by law.

Register and receiver to be appointed.

APPROVED, March 3, 1847.

CHAP. LV.—*An Act for the Reduction of the Costs and Expenses of Proceedings in Admiralty against Ships and Vessels.*

March 3, 1847.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in any case brought in the courts of the United States, exercising jurisdiction in admiralty, where a warrant of arrest, or other process *in rem*, shall be issued, it shall be the duty of the marshal to stay the execution of such process, or to discharge the property arrested if the same has been levied, on receiving from the claimant of the same a bond or stipulation in double the amount claimed by the libellant, with sufficient surety, to be approved by the judge of the said court, or, in his absence, by the collector of the port, conditioned to abide and answer the decree of the court in such cause; and such bond or stipulation shall be returned to the said court, and judgment on the same, both against the principal and sureties may be recovered at the time of rendering the decree in the original cause: *Provided*, That the entire costs in any such case, in which the amount recovered by the libellant shall not exceed one hundred dollars, shall not be more than fifty per cent. of the amount recovered in the same, which costs shall be applied, first, to the payment of the usual fees for witnesses, and the commissioner, where a commissioner shall act on the case, and the residue to be divided, pro rata, between the clerk and marshal, under the direction of the judge of the court where the cause may be tried: *Provided, further*, That no attorney's or proctor's fees shall be allowed or paid out of the said costs.

Marshal to stay execution in admiralty cases and discharge the property arrested, on receiving bond and security from claimant to abide decree of court.

Proviso — costs, how limited and applied.

No attorney's or proctor's fees to be paid out of said costs.

APPROVED, March 3, 1847.

CHAP. LVI.—*An Act to give the Consent of Congress to the Sale of certain Salt Spring Lands heretofore granted to the States of Michigan, Illinois, and Arkansas.*

March 3, 1847.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Michigan shall be, and hereby is, authorized and empowered to sell, in such manner as the Legislature of said State shall by law direct,

Sale of salt spring lands granted to State of Michigan authorized.