

on other lands by the act approved twenty-second of June, eighteen hundred and thirty-eight, entitled "An Act to grant Preemption Rights," and the several amendatory provisions of said act, effected by the subsequent acts bearing date first June, eighteen hundred and forty, and third March, eighteen hundred and forty-three: *Provided*, That the minimum price per acre of said land shall be two dollars per acre.

SEC. 2. *And be it further enacted*, That, in every case, the affidavit of the claimant under this act shall be like unto that prescribed by the act of twenty-second June, eighteen hundred and thirty-eight, and the same shall be filed, and proof and payment made for the land claimed, at any time before the day fixed by the President's proclamation for the public sale of the said land: *Provided*, That where a tract of land is now settled upon, a settlement made on such tract subsequent to the date of this law shall confer no right on the last-mentioned settler; and where settlements shall hereafter be made, the right shall be in the first settler, who shall otherwise comply with the conditions of this law.

APPROVED, August 3, 1846.

1838, ch. 119.

1840, ch. 32.

1843, ch. 86.

Minimum price.

Claimant to make oath as prescribed by act of 1838, ch. 119.

Prior settlers to have preference.

CHAP. LXXVIII. — *An Act providing for the Adjustment of all suspended Preemption Land Claims in the several States and Territories.*

Aug. 3, 1846.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of the General Land Office be, and he is hereby, authorized and empowered to determine, upon principles of equity and justice, as recognized in courts of equity, and in accordance with general equitable rules and regulations, to be settled by the Secretary of the Treasury, the Attorney-General, and Commissioner, conjointly, consistently with such principles, all cases of suspended entries now existing in said land office, and to adjudge in what cases patents shall issue upon the same: *Provided, however*, That such adjudications shall be made within two years from the passage of this act, and be first approved by the Secretary of the Treasury and the Attorney-General, and shall only operate to divest the United States of the title of the land embraced by such entries, without prejudice to the rights of conflicting claimants.

Commissioner of General Land Office to determine all suspended entries, under regulations of Secretary of Treasury and Attorney-General & Commissioner.

Proviso.

SEC. 2. *And be it further enacted*, That the power and jurisdiction given by this act to the Commissioner of the General Land Office shall cease and determine, at the expiration of two years from the passage thereof; and such Commissioner be, and he is hereby, directed to report to Congress at the first session after the said adjudications shall have been made, a list of the same, and under such classes as he may deem necessary, and of the principles upon which such class was determined.

1843, ch. 101.

Power and jurisdiction cease at end of two years.

Commissioners to report list of adjudications to Congress.

SEC. 3. *And be it further enacted*, That the said Commissioner shall arrange his decisions into two classes; the first class to embrace all such cases of equity as may be finally confirmed by the board aforesaid, and the second class to embrace all such cases as the board reject and decide to be invalid.

Decisions to be arranged into classes.

SEC. 4. *And be it further enacted*, That for all lands covered by entries or sales which are placed in the first class, patents shall issue to the claimants; and all lands embraced by entries or sales placed in the second class shall *ipso facto* revert to, and become part of, the public domain.

Patents to issue for lands in the first class, and lands in second class to revert to the U. S.

SEC. 5. *And be it further enacted*, That it shall and may be lawful for the Commissioner of the General Land Office to order into market, after due notice, without the formality and expense of a proclamation

Commissioner to order into market lands of second class.



Notice of sale.

of the President, all lands of the second class, though heretofore unproclaimed and unoffered, and such other isolated or disconnected tracts or parcels of unoffered lands, which, in his judgment, it would be proper to expose to sale in like manner: *Provided*, That public notice of at least thirty days shall be given by the land officers of the district in which such lands may be situated, pursuant to the directions of the Commissioner aforesaid.

APPROVED, August 3, 1846.

Aug. 4, 1846.

1845, ch. 48.

CHAP. LXXXII. — *An Act to define the Boundaries of the State of Iowa, and to repeal so much of the Act of the third of March, one thousand eight hundred and forty-five as relates to the Boundaries of Iowa.*

Boundaries declared.

1845, ch. 48.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following shall be, and they are hereby, declared to be the boundaries of the State of Iowa, in lieu of those prescribed by the second section of the act of the third of March, eighteen hundred and forty-five, entitled "An Act for the Admission of the States of Iowa and Florida into the Union," viz. Beginning in the middle of the main channel of the Mississippi River, at a point due east of the middle of the mouth of the main channel of the Des Moines River; thence up the middle of the main channel of the said Des Moines River, to a point on said river where the northern boundary line of the State of Missouri, as established by the constitution of that State, adopted June twelfth, eighteen hundred and twenty, crosses the said middle of the main channel of the said Des Moines River; thence, westwardly, along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersect the middle of the main channel of the Missouri River; thence, up the middle of the main channel of the said Missouri River, to a point opposite the middle of the main channel of the Big Sioux River, according to Nicollet's map; thence, up the main channel of the said Big Sioux River, according to said map, until it is intersected by the parallel of forty-three degrees and thirty minutes north latitude; thence east, along said parallel of forty-three degrees and thirty minutes, until said parallel intersect the middle of the main channel of the Mississippi River; thence, down the middle of the main channel of said Mississippi River, to the place of beginning.

Question in controversy between Missouri and Iowa referred to the Supreme Court.

SEC. 2. *And be it further enacted*, That the question which has heretofore been the subject-matter of controversy and dispute between the State of Missouri and the Territory of Iowa, respecting the precise location of the northern boundary line of the State of Missouri, shall be, and the same is hereby, referred to the Supreme Court of the United States for adjudication and settlement, in accordance with the act of the Legislature of Missouri, approved March twenty-five, eighteen hundred and forty-five, and the memorial of the Council and House of Representatives of the Territory of the Iowa, approved January seventeenth, eighteen hundred and forty-six, by which both parties have agreed to "the commencement and speedy determination of such suit as may be necessary to procure a final decision by the Supreme Court of the United States upon the true location of the northern boundary of that State;" and the said Supreme Court is hereby invested with all the power and authority necessary to the performance of the duty imposed by this section.

Supreme Court invested with necessary authority.

To be entitled to two representatives.

SEC. 3. *And be it further enacted*, That, until the next census and apportionment shall be made, the State of Iowa shall be entitled to two representatives in the House of Representatives of the United States.