

ed from the Netherlands, in Dutch or American vessels, to be free of duty.

Repeal of so much of act 1842, ch. 270, as is inconsistent herewith.

Duties collected on coffee in American vessels from the Netherlands, between Aug. 30, 1842, and Sept. 11, 1845, to be refunded.

Discriminating tonnage duties collected on Spanish vessels, in certain cases, to be refunded.

1832 ch. 207.

No discriminating tonnage duties on Spanish vessels, except from Cuba or Porto Rico.

colonies or dependencies of the Netherlands, imported into the United States from the Netherlands, either in Dutch or American vessels, shall be admitted free of duty; and so much of the act approved the thirtieth day of August, eighteen hundred and forty-two, entitled, "An Act to provide Revenue from Imports, and to change and modify existing Laws imposing Duties on Imports, and for other Purposes," as is inconsistent herewith, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized and required to refund and pay, out of any money in the treasury not otherwise appropriated, to the several persons or parties entitled to the same, the amount of duties levied and collected upon the importations of coffee in American vessels from the Netherlands, the production or growth of the colonies or dependencies of the Netherlands, between the thirtieth day of August, eighteen hundred and forty-two, and the eleventh day of September, eighteen hundred and forty-five.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized and required to refund and pay, out of any money in the treasury not otherwise appropriated, to the persons or parties severally entitled to receive the same, the amount of discriminating tonnage duties heretofore levied and collected on Spanish vessels coming from foreign countries (except from Cuba and Porto Rico) under the act approved the thirteenth day of July, eighteen hundred and thirty-two, entitled "An Act concerning Tonnage Duties on Spanish Vessels;" and from and after the passage of this act, no discriminating tonnage duties shall be levied on Spanish vessels coming from foreign countries, except those coming from Cuba or Porto Rico.

APPROVED, August 3, 1846.

August 3, 1846.

1860, ch. 81.

Terms of Circuit and District Courts for Ohio to be held on 2d Monday of November annually.

Proviso as to actions, &c., now pending.

CHAP. LXXVI. — *An Act in Relation to the Time of holding the Circuit and District Courts of the United States for the District of Ohio.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the terms of the Circuit and District Courts of the United States for the District of Ohio, heretofore held on the third Monday of December, annually, shall hereafter be held on the second Monday of November, annually: *Provided*, That all actions, suits, appeals, recognizances, processes, writs, and proceedings, whatever, pending in said courts, or returnable to the term, as it now exists, shall have day therein, and be tried, proceeded with, and disposed of, at the term as fixed by this act.

APPROVED, August 3, 1846.

August 3, 1846.

CHAP. LXXVII. — *An Act to grant the Right of Preëmption to actual Settlers on the Lands acquired by Treaty from the Miami Indians in Indiana.*

Preëmption rights on the Miami cessions, who entitled to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every actual settler, being the head of a family, or widow or single man over the age of twenty-one years, who is now in possession, by actual residence as a housekeeper, of any tract of public land within the limits of the several cessions by the Miami Indians in Indiana, which have not yet been proclaimed for sale by the President, or any such person who shall hereafter settle, erect a dwelling-house, and become a housekeeper upon any such tract of land, shall be entitled to the same benefits and privileges, with respect to said land, as was granted to settlers

on other lands by the act approved twenty-second of June, eighteen hundred and thirty-eight, entitled "An Act to grant Preëmption 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.

1838, ch. 119.

1840, ch. 32.

1843, ch. 86.

Minimum price.

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.

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

Prior settlers to have preference.

APPROVED, August 3, 1846.

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

Aug. 3, 1846.

1848, ch. 101.

1853, ch. 152.

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

Proviso.

1848, ch. 101.

Power and jurisdiction cease at end of two years.

Commissioners to report list of adjudications to Congress.

Decisions to be arranged into classes.

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

Commissioner to order into market lands of second class.

*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.

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.

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.

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.

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