

fund of the Department under whose direction the proceedings shall have been instituted. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LI. — *An Act extending the Time for carrying into Effect the Provisions of the Third Section of the Act entitled "An Act relating to Highways in the County of Washington and District of Columbia," approved May three, eighteen hundred and sixty-two.*

1862, ch. 63, § 3. Ante, p. 383.

Time extended to three years.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the period named in the third section of the act entitled "An act relating to highways in the county of Washington and District of Columbia," approved May three, eighteen hundred and sixty-two, requiring that the roads designated in said section shall be surveyed, platted, and recorded within one year from the passage of said act, be extended to three years; and the levy court of said county of Washington is hereby authorized to cause the survey, platting, and recording of such roads, in each year, as it may deem proper and necessary: *Provided,* That all of said roads be so surveyed, platted, and recorded within the period of three years.

President may fill vacancies in levy court.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby empowered, by and with the advice and consent of the Senate, to fill any vacancy that may hereafter occur in said levy court; and all acts or parts of acts inconsistent with the above recited act or with this act are hereby repealed.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LII. — *An Act to annex a Part of the State of New Jersey to the Collection District of New York, and to appoint an Assistant Collector, to reside at Jersey City.*

Portions of New Jersey added to collection district of New York.

Assistant collector at Jersey city.

Salary.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that part of the State of New Jersey which lies north and east of Elizabethtown and Staten Island, comprising the counties of Hudson and Bergen, be, and the same is hereby, annexed to the collection district of New York; that an assistant collector, to be appointed by the President of the United States, shall reside at Jersey City, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do, but such assistant collector shall, nevertheless, act in conformity to such instructions and regulations as he shall from time to time receive from the collector of New York; and that the said assistant collector shall receive for his annual salary two thousand dollars in full for all services to be by him performed, and in lieu of commissions and fees.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LIII. — *An Act for the Removal of the Winnebago Indians, and for the Sale of their Reservation in Minnesota for their Benefit.*

President may set apart a tract of land for the Winnebago Indians,

and remove them from Minnesota.

Subdivisions of present reservation to be appraised.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized to assign to and set apart for the Winnebago Indians a tract of unoccupied land beyond the limits of any State, in extent at least equal to their diminished reservation, the same to be well adapted for agricultural purposes. And it shall be lawful for the President to take such steps as he may deem proper to effect the peaceful and quiet removal of the said Indians from the State of Minnesota, and to settle them upon the lands which may be assigned to them under the provisions of this act.

SEC. 2. *And be it further enacted,* That, upon the removal of the said Indians from the reservation where they now reside, it shall be the duty

of the Secretary of the Interior to cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preëmption, settlement, entry, or location under any act of Congress, unless the party preëmpting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

When to be subject to preëmption.

SEC. 3. *And be it further enacted*, That after the appraisal of the said reservation the same shall be opened to preëmption, entry, and settlement, in the same manner as other public lands: *Provided*, That before any person shall be entitled to enter any portion of the said lands, by preëmption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bonâ fide settler thereon, and shall conform to all the regulations now provided by law in cases of preëmption, and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portion of the said reservation which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, unless otherwise provided by law: *Provided*, That where improvements have been made upon said lands by persons authorized by law to trade with said Indians, the value of such improvements, or the price for which the same may be sold, shall be paid to the parties making the same; and in case the land upon which such improvements shall have been made shall be purchased by the parties making the same, at the appraised value as aforesaid, the value of the improvements so made by him shall form no part of the purchase price to be paid for said land.

After appraisal to be opened to preëmption, &c.

Who may preëempt.

What is not preëmpted may be sold.

Minimum price.

Improvements.

SEC. 4. *And be it further enacted*, That the lands of said Indians which have been set apart for the payment of the debts of the said Indians, shall be sold on sealed bids for the best price the same will bring; but no bids shall be received for said lands until the first day of January, Anno Domini eighteen hundred and sixty-five, for less than two dollars and fifty cents per acre. Bids shall be received for tracts of quarter sections; and for such tracts conforming to the Government surveys less than one hundred and sixty acres as will secure the largest price for said lands, the Secretary is authorized to receive, in payment of said lands, certificates of indebtedness of said Indians, issued by the Commissioner of Indian Affairs for the debts of said Indians, secured to be paid out of the sale of said lands by the third article of the treaty of the said Indians with the United States, concluded at Washington on the fifteenth day of April, eighteen hundred and fifty-nine. The money arising from the sale of their said lands, after paying the indebtedness required by said treaty to be paid, shall be paid into the treasury of the United States, and shall be expended as the same is received, under the direction of the Secretary of the Interior, in necessary improvements upon their new reservation; and it shall be the duty of the Secretary of the Interior to allot to said Indians in severalty lands which they may respectively cultivate and improve, not exceeding eighty acres to each head of a family other than to the chiefs, to whom larger allotments may be made, which lands, when so allotted, shall be vested in said Indian and his heirs, without the right of alienation, and shall be evidenced by patent.

Lands set apart for debts to be sold by sealed bids.

Time, &c., for bidding.

What received in payment.

Proceeds, how disposed of.

Allotments in severalty.

SEC. 5. *And be it further enacted*, That the money to be annually

Annual appro-

priations, how expended.

Discrimination in favor of faithful chiefs.

Contracts of Indians.

Education.

appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the President, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the Government. And in such expenditure reasonable discrimination may be made in favor of the chiefs who shall be found faithful to the Government of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the State or Territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be deemed incapable of making any valid civil contract with any person other than a native member of their tribe without the consent of the President of the United States. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

APPROVED, February 21, 1863.

Feb. 24, 1863.

CHAP. LIV. — *An Act to divide the State of Michigan into two Judicial Districts, and to provide for holding the District and Circuit Courts therein.*

Michigan divided into two judicial districts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Michigan be, and the same is hereby, divided into two judicial districts, in the following manner, namely: —

#### THE EASTERN AND WESTERN DISTRICTS.

Western district.

The western district shall embrace all the territory and waters within the following boundaries, to wit: Commencing at the southwest corner of Hillsdale county, in the State of Michigan, and running from thence north, on the west line of said county, to the south line of Calhoun county; thence east, on the south line thereof, to the southeast corner of said last-named county; thence north, on the east boundary of said county, to the south line of Eaton county; thence east, on said south line, to the southeast corner of Eaton county; thence north, on the east boundary of Eaton county, to the south line of Clinton county; thence west, on the south boundary of said county, to the southwest corner thereof; thence north, on the west boundary of Clinton and Gratiot counties, to the south boundary of Isabella county; thence west, on its south boundary, to the southwest corner of said last-named county; thence north, on the west line of Isabella and Clare counties, to the south boundary of Missaukee county; thence east, on its south boundary, to the southeast corner of Missaukee county; thence north, on the east line of Missaukee, Kalamazoo, and Antrim counties, to the south boundary [of] Emmet county; thence east to the southeast corner of Emmet county; thence north, on the east boundary of Emmet county, to the Straits of Mackinac; thence north to midway across said straits; thence westerly, in a direct line, to a point on the shore of Lake Michigan where the north boundary of Delta county reaches Lake Michigan; thence west, on the north line of Delta county, to the northwest corner of said Delta county; thence south, on the west boundary of said county, to the dividing line between the States of Michigan and Wisconsin in Green Bay; thence northeasterly, on the said dividing line, into Lake Michigan; and thence southerly, through Lake Michigan, to the southwest corner of the State of Michigan, on a line that will include within said boundaries the waters of Lake Michigan within the admiralty jurisdiction of the State of Michigan; thence east, on the south boundary of the State of Michigan, to the intersection of the west line of Hillsdale county. The judicial centre of which district shall be at Grand Rapids, in the county of Kent, where the courts of

Courts, where held.