

cial powers to ministers and consuls of the United States in those countries, approved the eleventh day of August, eighteen hundred and forty-eight, as extends jurisdiction over, or the right to exercise any of the powers conferred by said act in Macao, be, and the same is hereby, repealed.

APPROVED, September 20, 1850.

CHAP. LXIX. — *An Act to authorize the Secretary of the Treasury to permit Vessels from the British North American Provinces to lade and unlade at such Places in any Collection District of the United States as he may designate.*

Sept. 26, 1850

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury, with the approbation of the President of the United States, provided the latter shall be satisfied that similar privileges are extended to vessels of the United States in the colonies hereinafter mentioned, is hereby authorized, under such regulations as he may prescribe, to protect the revenue from fraud, to permit vessels laden with the products of Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward's Island, or either of them, to lade or unlade at any port or place within any collection district of the United States which he may designate; and if any such vessel entering a port or place so designated, to lade or unlade, shall neglect or refuse to comply with the regulations so prescribed by the Secretary of the Treasury, such vessel, and the owner or owners, and master thereof, shall be subject to the same penalties as if no authority under this act had been granted to lade or unlade in such port or place.

Secretary of the Treasury authorized to permit vessels from British North American provinces to lade or unlade at such places as he may designate, provided the same privileges are extended to vessels of the U. States by said provinces.

APPROVED, September 26, 1850.

CHAP. LXX. — *An Act to increase the Commissariat of the United States Army.*

Sept. 26, 1850.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be added to the subsistence department four commissaries of subsistence with the rank of captain, to be taken from the line of the army.

Four commissaries to be taken from the line of the army.

SEC. 2. *And be it further enacted,* That the senior aid-de-camp of the major-general commanding the army may be taken from the captains or majors of the army, and shall be allowed the pay and emoluments of a major of cavalry.

Senior aid-de-camp of the major-general commanding the army.

APPROVED, September 26, 1850.

CHAP. LXXI. — *An Act providing for the Examination and Settlement of Claims for Land at the Sault Ste. Marie, in Michigan.*

Sept. 26, 1850.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the register and receiver of the land office at the Sault Ste. Marie be, and they are hereby, authorized to examine and report upon claims to lots at the Sault Ste. Marie, in township forty-seven north, of ranges one east and one west, in Michigan, according to the provisions hereinafter contained, and pursuant to such instructions as may be given by the commissioner of the general land office.

Register and receiver authorized to examine claims to certain lots.

SEC. 2. *And be it further enacted,* That the said commissioner shall cause the register and receiver to be furnished with a map, on a large scale, of the lines of the public surveys at the Sault Ste. Marie, and it shall be the duty of the Secretary of War to direct the proper military officer, on the application of the register and receiver, to designate, or

Commissioner of general land office to furnish the register and receiver with a large map, upon which the tracts

for military and other public purposes are to be designated.

Claimants under the original claims to present a *sworn* notice in writing to the register, setting forth the nature of their claim, its position, and the time of occupation thereof.

1823, ch. 10.

Register and receiver to receive testimony.

Register authorized to administer oaths and receive fees.

Claimants without any right under original claim, but being bona fide settlers, to file a *sworn* notice of the time of possession, improvements, extent, &c.

Officers to arrange cases and testimony under certain classes of abstracts.

cause to be designated, upon the map aforesaid, the position and the extent of lots necessary for military purposes, as also the position and the extent of any other lot or lots, which may be required for other public purposes, and also the position and extent of the Indian agency tract, and of the Indian reserve.

SEC. 3. *And be it further enacted*, That in the case of any person or persons, or the legal representatives of any person or persons, who are the present bona fide claimants, under the original claims, which are entered in book number seven of the report of the Board of Commissioners, under the act of Congress approved twenty-first of February, eighteen hundred and twenty-three, entitled, "An Act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," it shall and may be lawful for such person, within one year from the passage of this act, to present a *sworn* notice, in writing, to the register and receiver, setting forth the nature of his claim, with the front and depth necessary to embrace his settlement and improvements, and its position and limits, as accurately as practicable, on the public surveys; also the length of time it has been settled by the present claimant, and the estimated value at the time his right originated, and the estimated value at the present time, exclusive of improvements; and it shall be the duty of the register and receiver to receive and consider testimony, which may be presented in each case, and to call for such further testimony as they may deem necessary, in order to enable them to determine the precise nature of each claim or title, and ascertain under whom the same originated, and to fix its position and extent on the public surveys, and its present value, exclusive of improvements, and also to ascertain the value of the improvements, and further to ascertain whether it interferes with any adverse claim, and the extent of, and nature of, such interference; and for the purposes aforesaid, the register and receiver are hereby authorized each to administer oaths, or affirmations, and it shall also be the duty of those officers to record all notices and testimony in support of each claim; and for administering oaths they shall be allowed a fee of twelve-and-a-half cents, and a like sum for every hundred words of testimony which they may record, to be paid by the claimants, and equally divided between the officers aforesaid.

SEC. 4. *And be it further enacted*, That in the case of any bona fide claimant, who has no right under an original claim, entered in the aforesaid book number seven, but who, on the first day of January, in the year of our Lord eighteen hundred and forty-nine, had reduced a lot into possession, and is an actual and bona fide settler thereon, or occupant thereof, it shall and may be lawful for him to file a *sworn* notice, stating how long he has been in the actual possession of the lot, the nature of his improvements, the extent of front and depth requisite to embrace his actual settlement and improvements, the estimated value of the lot at the time of his settlement, and its present value, exclusive of improvements, as also the value of such improvements, and also designating, as accurately as practicable, its position upon the public surveys; and it shall and may be lawful for the aforesaid officers, also, to take all necessary testimony in this class of cases in like manner, and perform similar duties as required in the foregoing section, and to receive any notice and evidence of any missionary claim from any party authorized to act, both as to the nature and extent of the same, and the grounds on which it may be entitled to equitable consideration.

SEC. 5. *And be it further enacted*, That it shall also be the duty of the land officers to examine and arrange the notices and testimony in all cases filed under this act; and the cases contemplated by the third section, which they may confirm, shall be placed in abstract A,

first class, and those under that section which may be rejected by them, shall be placed in abstract A, second class; and in all cases contemplated by the fourth section of this act, the confirmation of the commissioners shall be placed in abstract B, first class, and their rejections in abstract B, second class.

SEC. 6. *And be it further enacted*, That in the aforesaid abstracts, the register and receiver shall designate the number of each claim, name of present and of original claimant, area, present value of the lot, exclusive of improvements, and the amount, which, in their opinion, it would be just to require as a payment for the same to the government; and the said officers shall designate on the aforesaid map of the public surveys the location of each claim as near as it can be ascertained from the testimony, with the estimated *actual* value, and the assessment thereon of the sum which, in their judgment, should be paid for the same to the government.

Form and contents of abstracts.

SEC. 7. *And be it further enacted*, That the surveyor-general at Detroit, on being notified of the completion by the land officers of the aforesaid abstracts and map, shall despatch a skilful deputy to the Sault Ste. Marie, who shall file in the land office at that place his affidavit faithfully and impartially to discharge his duty, and thereupon there shall be delivered to him the said abstracts and map, and he shall then proceed forthwith to lay off and survey the village of Sault Ste. Marie into town lots, streets, avenues, public squares, out-lots, having regard to the lots and streets already actually surveyed, existing or established, and having regard also to the existing limits and extent of the lots, and to the existing limits and extent of the lots covered by the claims which shall have been adjudicated by the register and receiver; and after such surveys shall have been completed, the aforesaid deputy shall prepare a plat exhibiting, in connexion with the lines of the public surveys, the exterior lines of the whole village, also the squares, individual lots, and the public lots, and also the out-lots, designating the lots reserved for military or other purposes, according to the extent and limits of the same, as fixed by the proper military officers, pursuant to the requirements of the second section of this act, and specifying the name of each claimant of the individual lot, and whether confirmed or rejected, the sum assessed by the register and receiver as a payment which should be made in each case by the party, and also designating the vacant in-lots and out-lots, the former of which shall be subdivided into lots not to exceed each a quarter of an acre, and the latter not to exceed two acres each; and it shall be the duty of the said deputy, from the best information he can obtain, and after conference with the land officers, to specify on the survey of each vacant lot the actual present estimated value, and it shall be the duty of the aforesaid deputy to return to the register and receiver their abstracts and map, and to submit to them his plat of the actual surveys, and if they shall be satisfied that it is in accordance with their adjudications, they shall append a certificate to that effect, and the said deputy shall then transmit the said plat with the field notes to the surveyor-general at Detroit for examination of the work, and if that officer shall find it faithfully and properly executed, he shall allow the said deputy a per diem of five dollars for every day actually and necessarily engaged in the preliminary examination and surveys, and in the construction of the plat, and shall also pay all necessary expenses.

Surveyor-general at Detroit, on being informed of completion of map and abstracts, to send a deputy to the Sault Ste. Marie, to lay off the village.

Further duties of the deputy

Compensation.

SEC. 8. *And be it further enacted*, That it shall be the duty of the surveyor-general, upon the approval of the plat, or actual survey by his deputy, to return the said plat to the register and receiver, who shall thereupon transmit the same, with their abstracts, maps, and record of testimony, to the commissioner of the general land office, whose decision in every case shall be final, and binding upon the parties and

Abstracts and maps, with plat, to be transmitted to com'r of general land office, whose decision, in all cases, shall be binding.

the government, and who shall have power either to affirm, modify, or reverse the decisions of the register and receiver, and to authorize them to grant a certificate upon the cash payment to the receiver, of what may be determined to be a fair assessment on the lot confirmed; and upon such payment being made, and the return of the certificate to the general land office, a patent shall issue. And the said register and receiver shall each receive, from the proceeds of such sales, the sum of five dollars for every claim examined and adjudicated by them under this act.

Commissioner authorized to order vacant lots to be sold after public notice of two months.

SEC. 9. *And be it further enacted*, That it shall and may be lawful for the commissioner to order into market, after public notice of at least two months, all vacant lots, or lots to which a claim may be rejected, and to sell the same for cash to the highest bidder, subject to a minimum of two thirds of their estimated value; and upon such sales being made, and proper returns reported to the general land office, the commissioner, if the proceedings are found regular, shall be authorized to issue patents.

After adjudicating claims, and selling vacant lots, all moneys received, after deducting expenses, to be paid to the authorities of Sault Ste. Marie, to be expended in public improvements.

SEC. 10. *And be it further enacted*, That after all the claims shall have been adjudicated, surveyed, and the vacant lots sold, it shall be the duty of the proper accounting officers of the treasury to ascertain the net amount of sales, after deducting all expenses incident to the execution of this act, and such amount shall be paid over by the Secretary of the Treasury to the trustees, or other constituted authorities, of Salt Ste. Marie, to be expended by them in the improvements of the streets and erection of public buildings.

APPROVED, September 26, 1850.

Sept. 26, 1850. CHAP. LXXII. — *An Act to reduce the minimum price of the Mineral Lands in the Lake Superior District in Michigan, and in the Chippewa District in Wisconsin.*

Mineral lands in Michigan and Wisconsin to be offered for sale as other public lands.

Parts of acts inconsistent repealed.

1847, ch. 32, and ch. 54.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the mineral lands in the Lake Superior district in Michigan, and in the Chippewa district in Wisconsin, shall be offered for public sale in the same manner, and be subject to the same minimum price, and the same rights of pre-emption as the other public lands of the United States; and such portions of the act of first March, eighteen hundred and forty-seven, "to establish a land office in the northern part of Michigan, and to provide for the sale of the mineral lands in the State of Michigan," and of the act of the third March, eighteen hundred and forty-seven, "to create an additional land district in the Territory of Wisconsin, and for other purposes," as are inconsistent with the provisions of this act, shall be, and the same are hereby, repealed: *Provided, however*, That the right given by those acts of first and third March, eighteen hundred and forty-seven, to lessees, occupants, and permittees, to enter to the extent of their leases and permits, and no less, shall not be considered as impaired by this act; but said lessees, occupants, and permittees shall be authorized to enter the land covered by their leases, occupancy, and permits, respectively, as therein provided, at the minimum price fixed by this act.

Holder of a lease for more than one section entitled on surrender of said lease to purchase one full section at the minimum price.

SEC. 2. *And be it further enacted*, That the holder of a lease or permit covering more than one full section of the mineral lands, as aforesaid, shall be entitled, on the surrender and annulment of said lease or permit at the proper land-office, to purchase, if he shall elect to do so, one full section, and no more, of the land covered by said lease or permit, at a minimum price of two dollars and fifty cents per acre.

APPROVED, September 26, 1850.