

certify the fact to the President of the United States, that one half of said sum has been expended upon said improvement, when the said Territory or State may sell and convey a quantity of the residue of said lands, sufficient to replace the amount expended, and thus the sales shall progress as the proceeds thereof shall be expended, and the fact of such expenditure shall be certified as aforesaid.

Des Moines River declared a public highway.

SEC. 3. *And be it further enacted*, That the said River Des Moines shall be and forever remain a public highway for the use of the government of the United States, free from any toll or other charge whatever for any property of the United States, or persons in their service passing through or along the same: *Provided always*, That it shall not be competent for the said Territory or future State of Iowa to dispose of said lands, or any of them, at a price lower than, for the time being, shall be the minimum price of other public lands.

Proviso.

Lands to become the property of Iowa on her admission into the Union.

SEC. 4. *And be it further enacted*, That whenever the Territory of Iowa shall be admitted into the Union as a State, the lands hereby granted for the above purpose shall be and become the property of said State, for the purpose contemplated in this act, and no other: *Provided*, The Legislature of the State of Iowa shall accept the said grant for the said purpose.

Proviso.

APPROVED, August, 8, 1846.

Aug. 8, 1846.

CHAP. CIV. — *An Act to regulate Writs of Error and Appeals from the District Court of the United States for the Middle District of Alabama.*

How writs of error and appeals to be taken from District Court for Alabama, for the Middle District.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter writs of error and appeals shall be taken from the District Court of the United States, for the Middle District of Alabama, directly to the Supreme Court of the United States, under the same regulations that writs of error and appeals are allowed from the Circuit Courts of the United States to the Supreme Court; and no writs of error or appeals shall lie from said District Court to the Circuit Court of the United States for the Southern District of Alabama, as heretofore allowed.

Certain causes transferred to the Supreme Court.

SEC. 2. *And be it further enacted*, That all causes now pending in the Circuit Court of the United States for the fifth judicial circuit and Southern District of Alabama, and which were removed to that court by writ of error or appeal from the District Court of the United States for the Middle District of Alabama, are hereby transferred to the Supreme Court of the United States. Said Supreme Court shall hear and determine the errors assigned in said Circuit Court, in the same manner that the Circuit Court should have done had said causes not been removed.

APPROVED, August 8, 1846.

Aug. 8, 1846.

CHAP. CV. — *An Act more effectually to provide for the Enforcement of certain Provisions in the Treaties of the United States.*

Preamble.

Whereas, in the treaty between the United States and his Majesty the King of Prussia, it is provided, that "the consuls, vice-consuls, and commercial agents, shall have the right, as such, to sit as judges and arbitrators in such differences as may arise between the captains and crews of the vessels belonging to the nation whose interests are committed to their charge, without the interference of the local authorities, unless the conduct of the crews or the captain should disturb the order or tranquillity of the country, or the said consuls, vice-consuls, or commercial agents, should require their assistance to cause their decisions to be carried into effect or supported;" and whereas a similar provision, in substance, exists in

other treaties of the United States with some other foreign powers ; and whereas no jurisdiction is given by law to any courts or magistrates in the United States to carry into effect the said provisions ; for the remedy thereof —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the District and Circuit Courts of the United States, and the commissioners who now are, or shall be hereafter, appointed by the Circuit Courts of the United States to take acknowledgments of bail and affidavits, and also to take depositions of witnesses in civil causes, and to exercise the powers of any justice of the peace in respect to offenders for any crime or offence against the United States, by arresting, imprisoning, or bailing, the same, under and in virtue of the laws of the United States, shall have full power, authority, and jurisdiction, upon the application or petition of the said consuls, vice-consuls, or commercial agents, requiring their assistance to carry into effect the award, or arbitration, or decree, of any such consuls, vice-consuls, or commercial agents, in the premises, according to the true intent and meaning of such award and arbitration, or decree ; and for this purpose shall have full authority to issue all proper remedial process, mesne and final, to carry into full effect such award, arbitration, or decree, and to enforce obedience thereto, by imprisonment in the common jail or other place of imprisonment in the district in which the United States may lawfully imprison any person arrested under the authority of the United States, until such award, arbitration, or decree, shall be complied with, or the parties shall be otherwise discharged therefrom, by the consent, in writing, of such consuls, vice-consuls, or commercial agents, or their successors in office, or by the authority of the foreign government by which such consuls, vice-consuls, or commercial agents, are appointed: *Provided, however,* That the expenses of the said imprisonment, if any, and the maintenance of the prisoners, and the costs of the proceedings, shall be borne by such foreign government, or by its consuls, vice-consuls, or commercial agents, requiring such imprisonment. And the marshals of the United States and their deputies shall have full authority, and shall be bound, to serve all such process, and do all other acts necessary and proper to carry into full effect all and singular the premises under the authority of the said courts, or of the said commissioners.

Jurisdiction of District and Circuit Courts of U. S. and of commissioners, on the application of foreign consuls, &c.

Expenses to be borne by said consuls, &c.

Marshals to serve process.

APPROVED, August 8, 1846.

CHAP. CVI. — *An Act to equalize the Compensation of the Surveyors-General of the public Lands of the United States, and for other Purposes.*

Aug. 8, 1846.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the thirtieth day of June, eighteen hundred and forty-six, the surveyor-general of Wisconsin and Iowa, and the surveyor-general of Arkansas, shall each receive the same annual salary as the other surveyors-general of the public lands of the United States ; and each of said surveyors-general shall be allowed the same amount for clerk hire in their respective offices as is now allowed by law for the office of the surveyor-general north-west of the Ohio.

Compensation of surveyors-general of Wisconsin and Iowa.

Clerk hire allowed.

Deputies to make oath.

SEC. 2. *And be it further enacted,* That the surveyors-general of the public lands of the United States, in addition to the oath now authorized by law to be administered to deputies on their appointment to office, shall require each of their deputies, on the return of his surveys, to take and subscribe an oath or affirmation that those sur-