

CHAP. XXXVI.— *An Act to regulate the Mileage of the Delegate from the Territory of Oregon.* May 19, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the act entitled "An act to establish the Territorial Government of Oregon," approved August, eighteen hundred and forty-eight, as limits the mileage compensation of the delegate from said Territory, be repealed.

Mileage of delegate from Oregon.  
1848, ch. 177.

APPROVED, May 19, 1852.

CHAP. XXXVII.— *An Act to legalize certain Entries of Public Land made in the State of Florida.* May 26, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several entries of land (embracing tracts once reserved to satisfy claims under the armed occupation act, but which claims were forfeited prior to the allowance of said entries,) permitted at the Land-Office at Newnansville, in the State of Florida, be, and the same are hereby confirmed, and patent shall issue thereon as in other cases: *Provided,* That the land so entered shall have been, upon the faith of the register's certificate, improved by the party in interest under said certificate, and that the said land is not claimed by adverse parties.

Entries at Newnansville confirmed.  
Proviso.

APPROVED, May 26, 1852.

CHAP. XLII.— *An Act to relinquish to the State of Iowa the Lands reserved for Salt Springs therein.* May 27, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the twelve Salt Springs, and six sections of land adjoining or contiguous thereto, the use of which was granted to the State of Iowa, by the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union," approved March third, eighteen hundred and forty-five, shall be, and the same are hereby granted in fee-simple, to the said State of Iowa, to be disposed of, and the proceeds to be applied as the legislature of that State shall direct: *Provided,* That nothing in this act contained shall be so construed as to interfere with the rights of third parties: *And provided further,* That if any of the lands which have been selected by the authorities of the State of Iowa, under the act aforesaid, shall have been legally claimed by preëmption or otherwise, the State shall be authorized to select other lands in lieu thereof.

Salt Springs and adjoining sections granted to Iowa.  
1845, ch. 76.  
Provisos.

APPROVED, May 27, 1852.

CHAP. XLIII.— *An Act to grant to certain Settlers on the Menomonee Purchase, north of Fox River, in the State of Wisconsin, the Right of Preëmption.* May 27, 1852.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every person being the head of a family, widow, or single man over the age of twenty-one years, who, on the first day of June, eighteen hundred and fifty-two, shall be an actual settler and housekeeper, and have made other improvements, on any tract within the body of lands ceded to the United States by the treaty of eighteenth October, eighteen hundred and forty-eight, with the Menomonee tribe of Indians, is hereby entitled to the same right of preëmption, and upon the same terms and conditions as is prescribed by the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant preëmption rights," approved fourth September, eighteen hundred and forty-one: *Provided,* That where there shall be more than one such settler on any quarter-section, fractional quarter-section, or fraction of a section less than one

Preëmption rights in Menomonee Purchase under treaty of October 18, 1848, vol. ix. p. 952.  
1841, ch. 16.  
Proviso.

1848, ch. 86.

Proviso.

hundred and sixty acres, the rights of such settlers, as to the land settled on, shall be the same as those prescribed by the eighth section of the act entitled "An act to authorize the investigation of certain alleged frauds under the preëmption laws, and for other purposes," approved third March, eighteen hundred and forty-three, for settlers therein provided for: *And provided further*, That the preëmption rights provided for in this act shall attach only to such land as shall become subject to sale at the minimum price of one dollar and twenty-five cents an acre.

APPROVED, May 27, 1852.

May 27, 1852.

CHAP. XLIV.—*An Act to provide for the holding of the District Court of the District of Columbia, in cases of Sickness or other Disability of the District Judge.*

Provision for holding the District Court for the District of Columbia in case of sickness or disability of the District Judge.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in case of the sickness or other disability of the Judge of the District Court of the United States of the District of Columbia, which shall prevent him from holding any stated or appointed term of the District Court of his district; and upon the fact of such sickness or other disability being certified by the clerk of said District Court to the assistant judges of the Circuit Court of said district, it shall be the duty of the senior Assistant Judge of said court to hold the District Court aforesaid, and discharge all the judicial duties of the District Judge, who shall be sick or otherwise disabled as aforesaid, so long as such sickness or disability shall continue; and in case of the sickness or other disability of said senior Assistant Judge, the same duty shall devolve on the junior Assistant Judge of said Circuit Court; and the said judges, and each of them, is hereby authorized to exercise original jurisdiction in admiralty cases for the purposes of this act and all the acts and proceedings in said District Court, by or before either of said assistant judges, so required to hold said District Court, shall have the same force, effect, and validity, as if done and transacted by and before the District Judge of said District Court.

The substituted justice may sit on appeals from his own decision.

SEC. 2. *And be it further enacted*, That the associate judge holding the District Court as aforesaid shall, and is hereby empowered to sit in the said Circuit Court in any case of appeal or of error from his own decision in said District Court, in the same manner as if said District Court had not been held by him.

APPROVED, May 27, 1852.

June 10, 1852.

CHAP. XLV.—*An Act granting the Right of Way to the State of Missouri, and a Portion of the Public Lands, to aid in the Construction of certain Railroads in said State.*

Right of way through the public lands granted to Missouri for railroads, and also right to take materials, &c.

Proviso as to amount to be taken.

Copy of location to be filed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the right of way through the public lands be, and the same is hereby granted to the State of Missouri, for the construction of railroads from the town of Hannibal to the town of St. Joseph, in said State, and from the city of St. Louis to such point on the western boundary of said State as may be designated by the authority of said State, with the right also to take necessary materials of earth, stone, and timber for the construction thereof, from the public lands of the United States adjacent to said railroads: *Provided*, That in locating the railroads aforesaid, and assigning the limits to the easement, no more land shall be taken from the United States than is necessary for a convenient construction and use of said roads as public ways for transportation, including stations, with the usual buildings of all kinds, turnouts and such other appurtenances as are usually enjoyed by railroad companies, and a copy of the location of said roads, made under the direction of the Legislature, shall be for-