

for a limited time, an additional military force, and for other purposes," approved eleventh February, eighteen hundred and forty-seven, shall be considered as extending to the brothers and sisters of those persons whose services, under that act, may have entitled them to the land therein provided: the order or priority of right, however, shall remain as declared in that act; and those failing, the right shall accrue, fourthly, to the brother or sister, or in equal proportions to the brothers and sisters of the deceased, as the case may be.

"relatives," as used in the act of 11th February, 1847, ch. 8, to raise for a limited time an additional military force, &c.

SEC. 2. *And be it further enacted,* That the benefits of the said act of eleventh February, eighteen hundred and forty-seven, shall not be construed as forfeited by the privates and non-commissioned officers who have been, or may be, promoted to the grade of commissioned officer during their service in Mexico, and who shall have subsequently fulfilled the condition of their engagements: *Provided,* Such promotion shall have been made subsequent to the original organization of the company, corps, or regiment to which such privates and non-commissioned officers may have belonged.

Benefits of said act shall not be forfeited by privates who have been promoted

Proviso.

APPROVED, May 27, 1848.

CHAP. L. — *An Act for the Admission of the State of Wisconsin into the Union.*

May 29, 1848.

WHEREAS the people of the Territory of Wisconsin did, on the first day of February, eighteen hundred and forty-eight, by a convention of delegates, called and assembled for that purpose, form for themselves a constitution and State government, which said constitution is republican, and said convention having asked the admission of said Territory into the Union as a State, on an equal footing with the original States:

1847, ch. 53.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Wisconsin be, and is hereby, admitted to be one of the United States of America, and is hereby admitted into the Union on an equal footing with the original States, in all respects whatever, with the boundaries prescribed by the act of Congress, approved August sixth, eighteen hundred and forty-six, entitled "An Act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union."

State of Wisconsin admitted into the Union.

Boundaries.

1846, ch. 89.

SEC. 2. *And be it further enacted,* That the assent of Congress is hereby given to the first, second, fourth, and fifth resolutions adopted by said convention, and appended to said constitution; and the acts of Congress referred to in the said resolutions are hereby amended, so that the lands granted by the provisions of the several acts referred to in the said first and fourth resolutions, and the proceeds of said lands, and the five per centum of the net proceeds of the public lands therein mentioned, shall be held and disposed of by said State, in the manner and for the purposes recommended by said convention; and so that, also, the lands reserved to the United States by the provisions of the act entitled "An Act to grant a quantity of land to aid in the improvement of the Fox and Wisconsin Rivers, and to connect the same by a canal in the Territory of Wisconsin;" and, also, the even numbered sections reserved by the provisions of the act entitled "An Act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," shall be offered for sale at the same minimum price, and subject to the same rights of preemption, as other public lands of the United States: *Provided, however,* That no person shall be entitled to a preemption by reason of the settlement and cultivation of any quarter section or other subdivision of said even numbered

Assent of Congress given to certain resolutions of the convention of said State held for forming a constitution, and certain acts of Congress therein referred to amended.

1846, ch. 170.

1838, ch. 114.

Proviso as to preemption rights.

sections, which tract, before the commencement of such settlement, shall have been claimed by any other person cultivating and improving the same in good faith, and which shall have continued to be claimed, cultivated, and improved in like good faith by such person, his representatives or assigns, until the sale of said tract, and of which said prior claim, cultivation, and improvement, the person so claiming pre-emption shall have had notice at the time of his entry and settlement; neither shall any pre-emption be allowed to any tract, to the injury of any person, or of the representatives or assigns of any person, claiming and occupying the same or any part thereof in good faith, in his or her right, at the passage of this act, and owning valuable cultivation or improvements thereon, which cultivation or improvements shall have been assigned by the person so claiming pre-emption, or, if commenced subsequently to the entry and settlement of such person, shall have been made with his consent or acquiescence. *And provided further,* That the liabilities incurred by the territorial government of Wisconsin, under the act entitled "An Act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," hereinbefore referred to, shall be paid and discharged by the State of Wisconsin.

Certain liabilities to be assumed by Wisconsin. 1838, ch. 114.

Purchasers of certain tracts at \$2 50 per acre to receive certificates of the amount of excess paid over \$1 25 per acre, which shall be received in payment of the public lands of the United States.

SEC. 3. *And be it further enacted,* That the purchasers of any tract of the said even numbered sections mentioned in the preceding section, and sold since the reservation thereof at the minimum price of two dollars and fifty cents per acre, shall be entitled to receive from the Commissioner of the General Land Office a certificate of the quantity of land so purchased, and of the amount of the excess paid therefor over and above the value of said land, at the rate of one dollar and twenty-five cents per acre; which certificate, to the amount of such excess, shall be receivable from the holder thereof, or his assigns, in like manner as so much money, in payment of the public lands of the United States. That, in the event of the death of any such purchaser before the issuing of such certificate, the same shall be issued in favor of the lawful representatives of such purchaser.

Terms of the United States District Court for the district of Wisconsin.

SEC. 4. *And be it further enacted,* That the judge of the District Court for the district of Wisconsin shall hold a term of said court in each year at the seat of government, to commence on the first Monday of July, and another term of said court in each year at Milwaukee, to commence on the first Monday of January. He shall also have power to hold special terms for the trial of causes, and for the determination of all suits or proceedings in said courts, at either of the aforesaid places, at his discretion, as the nature and amount of the business may require. The said court shall be open at all times for the purpose of hearing and deciding cases of admiralty and maritime jurisdiction, so far as the same can be done without a jury. The records and papers of said court may be kept at either of the places herein designated for the holding of said court, as the judge in his discretion shall direct.

Special terms.

Said court to be always open in cases of maritime and admiralty jurisdiction.

Records where kept.

Clerks of the District Courts of the Territory of Wisconsin shall certify and transmit to clerk of the District Court of Iowa all records, &c.

SEC. 5. *And be it further enacted,* That the clerks of the District Courts of the Territory of Wisconsin shall, before their term of office expires, certify under seal, and transmit to the clerk of said courts, all records of all unsatisfied judgments, and of suits pending in said courts respectively, attaching thereto all papers connected therewith, in all cases arising under the laws or constitution of the United States, or to which the United States shall be a party; and they shall forward the same to the clerk of said District Court of the State of Wisconsin, who shall enter the same in his docket, and the said District Court shall proceed therein to final judgment and execution, as if such suits or proceedings had originally been brought in said court.

Clerk of Supreme Court of

SEC. 6. *And be it further enacted,* That the clerk of the Supreme

Court of the Territory of Wisconsin shall deliver over to the clerks of said District Court all records and papers in the office of the clerk of the said Supreme Court relating to proceedings in bankruptcy under the late bankrupt law of the United States. He shall also certify, under seal, and deliver to said clerk, all records of judgments and of proceedings in suits pending, and all papers connected therewith, in cases arising under the constitution and laws of the United States.

Territory of Wisconsin to deliver over to clerks of said District Courts certain records, &c.

SEC. 7. *And be it further enacted*, That from and after the fourth day of March, eighteen hundred and forty-nine, and until another census and apportionment shall be made, the State of Wisconsin shall be entitled to three representatives in the Congress of the United States

Said State to be entitled to three representatives in Congress.

APPROVED, May 29, 1848.

CHAP. LII. — *An Act to provide for the Purchase of the Manuscript Papers of the late James Madison, former President of the United States.*

May 31, 1848.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to purchase of Mrs. D. P. Madison, widow of the late James Madison, formerly President of the United States, all the unpublished manuscript papers of the said James Madison now belonging to and in her possession; and upon delivery thereof to the Secretary of State, with a proper conveyance of title to the United States, the said sum of money, upon the certificate of the Secretary of State of the delivery and conveyance of said papers, shall be paid at the treasury, agreeably to the wishes of the said Mrs. Madison, and in the manner following, namely: five thousand dollars of said sum of twenty-five thousand dollars to be paid to her; and the residue of twenty thousand to James Buchanan, now Secretary of State, John Y. Mason, Secretary of the Navy, and Richard Smith, Esq., of Washington City, to be held, put out to interest, vested in stocks, or otherwise managed and disposed of by them, or the survivor or survivors of them, as trustees for the said Mrs. Madison, according to their best discretion and her best advantage — the interest or profit arising from the said principal sum to be paid over to her as the same accrues — the said principal sum to be and remain inalienable during her lifetime, as a permanent fund for her maintenance, but subject to be disposed of as she may please by her last will and testament.

\$25,000 appropriated for the purchase of all the unpublished manuscripts of the late James Madison.

Manner in which the above sum is to be paid to Mrs. Madison.

APPROVED, May 31, 1848.

CHAP. LIV. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, one thousand eight hundred and forty-nine.*

May 31, 1848.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, one thousand eight hundred and forty-nine:

Appropriations.

For pay of officers, instructors, cadets, and musicians, seventy-nine thousand seven hundred and sixty-four dollars.

Pay.

For commutation of subsistence, five thousand six hundred and twenty-one dollars.

Commutation of subsistence.

For forage for officers' horses, four thousand five hundred and twelve dollars.

Forage.

For clothing for officers' servants, four hundred and twenty dollars.

Clothing.