

How the lands are to be held.

Sub-agents to make out three copies of the divisions made.

Patents to issue to those reservees who become citizens.

Indians becoming citizens to forfeit annuity.

\$5,000 to be paid them for that sum paid by them to the Winnebagoes and Menomonies.

Appropriation. Proviso.

and numbers of their respective parties, and the laws and usages in said tribe. The lands in the Indian District are to remain and to be held in common; those in the Citizen District are to be divided; and to each Indian who becomes a citizen the said sub-agent shall assign, by distinct metes and bounds, his ratable proportion of land. And, after the division and allotment are completed, it shall be the duty of the said sub-agent to make out three copies of the divisions thus made, one of which he shall file with the clerk of the District Court of the county in which the Citizen District of land may be situated; one other copy he shall file in the land office at Green Bay, in Wisconsin Territory; and the other shall be returned to the Secretary of War. And, upon the receipt of the said return by the Secretary of War, patents may be issued to the individual reservees who become citizens, upon the receipt of which a title in fee simple to the lot of land shall vest in the patentee; and all transfers and assignments of the land made previous to the issuance of the patent shall be null and void: *Provided, however*, That those Indians who become citizens shall forfeit all right to receive any portion of the annuity which may now be or may become due the nation of Stockbridges, by virtue of any treaty heretofore entered into by this government with said Stockbridges.

SEC. 3. *And be it further enacted*, That, in consideration of the moneys paid by said Stockbridge nation of Indians to the Winnebagoes and Menomonies in the years eighteen hundred and twenty-one and eighteen hundred and twenty-two, and all other claims, the sum of five thousand dollars be paid to said tribe of Indians by the Secretary of War; and for this purpose, the said sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated: *Provided*, That nothing in this act contained shall be construed to impair any claim which said nation may have upon the Delaware nation to a share of the lands assigned to them west of the Missouri River.

APPROVED, August 6, 1846.

Aug. 6, 1846.
1847, ch. 53.

CHAP. LXXXIX. — *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.*

The people of Wisconsin authorized to form a constitution and State government.

Boundaries.

1847, ch. 53, § 2.

Post, p. 97.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of the Territory of Wisconsin be, and they are hereby, authorized to form a constitution and State government, for the purpose of being admitted into the Union on an equal footing with the original States in all respects whatsoever, by the name of the State of Wisconsin, with the following boundaries, to wit: Beginning at the north-east corner of the State of Illinois—that is to say, at a point in the centre of Lake Michigan where the line of forty-two degrees and thirty minutes of north latitude crosses the same; thence running with the boundary line of the State of Michigan, through Lake Michigan, Green Bay, to the mouth of the Menomonic River; thence up the channel of said river to the Brulé River; thence up said last mentioned river to Lake Brulé; thence along the southern shore of Lake Brulé in a direct line to the centre of the channel between Middle and South Islands, in the Lake of the Desert; thence in a direct line to the head-waters of the Montreal River, as marked upon the survey made by Captain Cramm; thence down the main channel of the Montreal River to the middle of Lake Superior; thence through the centre of Lake Superior to the mouth of the St. Louis River; thence up the main channel of said river to the first rapids in the

same, above the Indian village, according to Nicollet's map; thence due south to the main branch of the River St. Croix; thence down the main channel of said river to the Mississippi; thence down the centre of the main channel of that river to the north-west corner of the State of Illinois; thence due east with the northern boundary of the State of Illinois to the place of beginning, as established by "An Act to enable the People of the Illinois Territory to form a Constitution and State Government, and for the Admission of such State into the Union on an equal Footing with the original States," approved April eighteen, eighteen hundred and eighteen.

1818, ch. 67.

SEC. 2. *And be it further enacted*, That, to prevent all disputes in reference to the jurisdiction of islands in the said Brulé and Menomonic Rivers, the line be so run as to include within the jurisdiction of Michigan all the islands in the Brulé and Menomonic Rivers, (to the extent in which said rivers are adopted as a boundary,) down to, and inclusive of, the Quinnesec Falls of the Menomonic; and from thence the line shall be so run as to include within the jurisdiction of Wisconsin all the islands in the Menomonic River, from the falls aforesaid down to the junction of said river with Green Bay: *Provided*, That the adjustment of boundary, as fixed in this act, between Wisconsin and Michigan shall not be binding on Congress, unless the same shall be ratified by the State of Michigan on or before the first day of June, one thousand eight hundred and forty-eight.

Jurisdiction of islands in Brulé and Menomonic Rivers.

Assent of Michigan required.

SEC. 3. *And be it further enacted*, That the said State of Wisconsin shall have concurrent jurisdiction on the Mississippi, and all other rivers and waters bordering on the said State of Wisconsin, so far as the same shall form a common boundary to said State and any other State or States now or hereafter to be formed or bounded by the same; and said river and waters, and the navigable waters leading into the same, shall be common highways, and forever free, as well to the inhabitants of said State as to all other citizens of the United States, without any tax, duty, impost, or toll, therefor.

To have concurrent jurisdiction on the Mississippi and other rivers.

Navigable waters to be common highways.

SEC. 4. *And be it further enacted*, That from and after the admission of the State of Wisconsin into the Union, in pursuance of this act, the laws of the United States which are not locally inapplicable shall have the same force and effect within the State of Wisconsin as elsewhere within the United States; and said State shall constitute one district, and be called the District of Wisconsin; and a district court shall be held therein, to consist of one judge, who shall reside in the said district and be called a district judge. He shall hold, at the seat of government of said State, two sessions of said court annually, on the first Mondays in January and July; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky District, under an act entitled "An Act to establish the Judicial Courts of the United States." He shall appoint a clerk for said district, who shall reside and keep the records of said court at the place of holding the same; and shall receive for the services performed by him the same fees to which the clerk of the Kentucky District is by law entitled for similar services. There shall be allowed to the judge of said district court the annual compensation of fifteen hundred dollars, to commence from the date of his appointment, to be paid quarterly at the treasury of the United States.

Laws of U. S. extended to said State.

Shall constitute one judicial district.

A district court to be held.

Sessions of the court, and powers and jurisdiction of the judge.

Shall appoint a clerk, &c.

Fees. 1789, ch. 20, § 10.

Compensation of judge.

SEC. 5. *And be it further enacted*, That there shall be appointed in said district a person learned in the law to act as attorney of the United States, who, in addition to the stated fees, shall be paid the sum of two hundred dollars annually by the United States, as a full compensation for all extra services; the said payment to be made quarterly at the treasury of the United States. And there shall also

District attorney to be appointed.

Compensation and fees.

Marshal to be appointed.
Duties, fees, and compensation.

be appointed a marshal for said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed and allowed to marshals in other districts; and shall, moreover, be allowed the sum of two hundred dollars annually, as a compensation for all extra services.

To be entitled to two representatives in Congress.

SEC. 6. *And be it further enacted*, That, until another census shall be taken and apportionment made, the State of Wisconsin shall be entitled to two representatives in the Congress of the United States.

Propositions submitted to the convention, &c.

SEC. 7. *And be it further enacted*, That the following propositions are hereby submitted to the convention which shall assemble for the purpose of forming a constitution for the State of Wisconsin, for acceptance or rejection; and if accepted by said convention, and ratified by an article in said constitution, they shall be obligatory on the United States:

Lands for schools.

First. That section numbered sixteen, in every township of the public lands in said State, and, where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to said State for the use of schools.

Lands for a seminary of learning.

Second. That the seventy-two sections or two entire townships of land set apart and reserved for the use and support of a university by an act of Congress, approved on the twelfth day of June, eighteen hundred and thirty-eight, entitled "An Act concerning a Seminary of Learning in the Territory of Wisconsin," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the Legislature may prescribe.

1838, ch. 110.

Lands for public buildings and seat of government.

Third. That ten entire sections of land, to be selected and located under the direction of the Legislature, in legal divisions of not less than one quarter section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the said State, for the purpose of completing the public buildings of the said State, or for the erection of others at the seat of government, under the direction of the Legislature thereof.

Salt springs.

Fourth. That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the State for its use; the same to be selected by the Legislature thereof, within one year after the admission of said State; and when so selected, to be used or disposed of on such terms, conditions, and regulations, as the Legislature shall direct: *Provided*, That no salt spring or land the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State.

Proviso.

5 per cent. of proceeds of sales of lands given for roads and canals.

Fifth. That five per cent. of the net proceeds of sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State, for the purpose of making public roads and canals in the same, as the Legislature shall direct: *Provided*, That the foregoing propositions herein offered are on the condition that the said convention which shall form the constitution of said State shall provide, by a clause in said constitution, or an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to bona fide purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents.

Condition.

Taxes.

APPROVED, August 6, 1846.