

apart or reserved for naval purposes, excepting the reservation upon which the navy-yard at Pensacola is located, and to ascertain whether or not such reserved lands are or will be of any value to the Government of the United States for naval purposes.

Reserved lands in Florida, cont'd.

SEC. 2. That all of said lands which, in the judgment of the Secretary of the Navy, are no longer required for naval purposes shall, as soon as practicable, be certified by him to the Secretary of the Interior, and be subject to entry and sale in the same manner and under the same conditions as other public lands of the United States: *Provided*, That all persons who have, in good faith, made improvements on said reserved lands so certified at the time of the passage of this act, and who occupy the same, shall be entitled to purchase the part or parts so occupied and improved by them, not to exceed one hundred and sixty acres to any one person at one dollar and twenty-five cents per acre within such reasonable time as may be fixed by the Secretary of the Interior.

Restored to entry and sale.

Proviso.

SEC. 3. That the sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Navy to carry out the provisions of this act.

Appropriation.

Approved, March 3, 1879.

CHAP. 190.—An act to amend an act to provide for the sale of a portion of the reservation of the Confederated Otoe and Missouri and the Sac and Fox of the Missouri tribes of Indians in the States of Kansas and Nebraska.

March 3, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of the act of August fifteenth, eighteen hundred and seventy-six, chapter three hundred and eight, entitled "An act to provide for the sale of a portion of the reservation of the Confederated Otoe and Missouri and the Sac and Fox of the Missouri tribes of Indians", be, and the same hereby is, amended so as to read, as follows:

Otoe and Missouri and Sac and Fox reservation in Kansas.
1876, ch. 308,
19 Stat., 208.

That after the survey and appraisalment of said lands, the Secretary of the Interior shall be, and is hereby, authorized to offer one hundred and twenty thousand acres from the western side of the same for sale, through the United States public land-office at Beatrice, Nebraska, in tracts not exceeding one hundred and sixty acres for cash, to actual settlers, or persons who shall make oath before the register or receiver of the land office at Beatrice, Nebraska, that they intend to occupy the land for authority to purchase which they make application, and who shall within three months from the date of such application make a permanent settlement upon the same, in tracts not exceeding one hundred and sixty acres to each purchaser: *Provided*, That if, in the judgment of the Secretary of the Interior, it shall be more advantageous to sell said lands upon deferred payments, he may, with the consent of the Indians expressed in open council, dispose of the same upon the following terms as to payments, that is to say, one third in cash, one third in one year, and one third in two years from date of sale, with interest at the rate of six per centum per annum: *And provided further*, That no portion of said land shall be sold at less than the appraised value thereof, and in no case less than two dollars and fifty cents per acre: *And provided further*, That whenever a settler on any of the lands subject to sale under the act to which this is amendatory shall apply to purchase a tract containing a small excess over one hundred and sixty acres, owing to the legal subdivisions being made fractional by boundary-line of reservation, township or section-line his application shall not be rejected on account of such excess; but, if no other objection exist the purchase shall be allowed as in other cases. *And provided further*, That bona fide claimants at present occupying lands under the provisions of the act of which this is amendatory may in the discretion of the Secretary of the Interior be allowed additional time for making the deferred payments required

Portion to be sold.

Proviso.
Terms.

Proviso.

Price.

Proviso.

Fractional pieces.

Proviso.

Present occupants.

by said act for the lands so claimed and occupied by them in good faith, not exceeding one year on each payment so required to be made.

Approved, March 3, 1879.

March 3, 1879. **CHAP. 191.**—An act to grant additional rights to homestead settlers on public lands within railroad limits.

Public lands.
Homestead en-
tries in limits of
land-grants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, the even sections within the limits of any grant of public lands to any railroad company, or to any military road company, or to any State in aid of any railroad or military road, shall be open to settlers under the homestead laws to the extent of one hundred and sixty acres to each settler, and any person who has, under existing laws, taken a homestead on any even section within the limits of any railroad or military road land-grant, and who, by existing laws shall have been restricted to eighty acres, may enter under the homestead laws an additional eighty acres adjoining the land embraced in his original entry, if such additional land be subject to entry; or if such person so elect, he may surrender his entry to the United States for cancellation, and thereupon be entitled to enter lands under the homestead laws the same as if the surrendered entry had not been made. And any person so making additional entry of eighty acres, or new entry after the surrender and cancellation of his original entry, shall be permitted so to do without payment of fees and commissions; and the residence and cultivation of such person upon and of the land embraced in his original entry shall be considered residence and cultivation for the same length of time upon and of the land embraced in his additional or new entry, and shall be deducted from the five years' residence and cultivation required by law: *Provided,* That in no case shall patent issue upon an additional or new homestead entry under this act until the person has actually, and in conformity with the homestead laws, occupied, resided upon, and cultivated the land embraced therein at least one year.

Proviso.

Approved, March 3, 1879.

March 3, 1879. **CHAP. 192.**—An act to provide additional regulations for homestead and pre-emption entries of public lands.

Public lands.
Homestead and
pre-emption en-
tries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That before final proof shall be submitted by any person claiming to enter agricultural lands under the laws providing for pre-emption or homestead entries, such person shall •file with the register of the proper land-office a notice of his or her intention to make such proof, stating therein the description of lands to be entered, and the names of the witnesses by whom the necessary facts will be established.

Notice of final
proof.

Publication.

Upon the filing of such notice, the register shall publish a notice, that such application has been made once a week for the period of thirty days, in a newspaper to be by him designated as published nearest to such land, and he shall also post such notice in some conspicuous place in his office for the same period. Such notice shall contain the names of the witnesses as stated in the application. At the expiration of said period of thirty days, the claimant shall be entitled to make proof in the manner heretofore provided by law. The Secretary of the Interior shall make all necessary rules for giving effect to the foregoing provisions.

Approved, March 3, 1879.