

true intent and meaning of said act was to cede to the State of Ohio only such lands as were unappropriated, and not included in any survey or entry within said district, which survey or entry was founded upon military warrant or warrants upon Continental establishment.

SEC. 2. That all legal surveys returned to the land office on or before March third, eighteen hundred and fifty-seven, on entries made on or before January first, eighteen hundred and fifty-two, and founded on unsatisfied Virginia military Continental warrants, are hereby declared valid.

Legal surveys to March 3, 1857, valid.

SEC. 3. That the officers and soldiers of the Virginia line on Continental establishment, their heirs or assigns, entitled to bounty-lands, which have, on or before January first, eighteen hundred and fifty-two, been entered within the tract reserved by Virginia, between the Little Miami and Sciota Rivers, for satisfying the legal bounties to her officers and soldiers upon Continental establishment, shall be allowed three years from and after the passage of this act to make and return their surveys for record to the office of the principal surveyor of said district, and may file their plats and certificates, warrants, or certified copies of warrants, at the General Land Office, and receive patents for the same.

Three years to perfect land title allowed.

SEC. 4. This act shall not in any way affect or interfere with the title to any lands sold for a valuable consideration by the Ohio Agricultural and Mechanical College, grantee, under the act of February eighteenth, eighteen hundred and seventy-one.

Patents to be issued.

Exemptions.

1871, ch. 56, Stat., 16, 415.

Approved, May 27, 1880.

CHAP. 106.—An act to amend and re-enact sections twenty-five hundred and fifty-two and twenty-five hundred and fifty-three of the Revised Statutes.

May 27, 1880.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph four of section twenty-five hundred and fifty-two of the Revised Statutes be, and the same is hereby, amended so that it shall read: The district of Yorktown: To comprise all the waters and shores from the point forming the south shore of the mouth of the Rappahannock River, and from the mouth of York River to Cappahoosic, in which Yorktown shall be the port of entry, and East River and Cumberland ports of delivery."

R. S. 2552, Amended.

Yorktown port of entry.

East River and Cumberland ports of delivery.

SEC. 2. And that paragraph seventh of section twenty-five hundred and fifty-two of the Revised Statutes be, and the same is hereby, amended so that it shall read: "The district of Richmond: To comprise all the waters and shores of the James River, from its junction with the Appomattox River to the highest tide-waters of the James River, and all the waters and shores of the York River from Cappahoosic to its head, and the waters and shores of the Pamunkey and Mattaponi Rivers, to the highest tide-waters in said rivers, in which the port of entry shall extend from Richmond and Manchester to Bermuda Hundreds, and to West Point, at the head of York River."

Richmond port of entry to include Manchester, Bermuda Hundreds, West Point.

SEC. 3. And that paragraph seventh of section twenty-five hundred and fifty-three of the Revised Statutes be, and the same is hereby, amended, so that it shall read: "In the district of Richmond, a collector and a surveyor, who shall reside at Richmond; a surveyor, who shall reside at Bermuda Hundred; and a deputy-collector, who shall reside at West Point."

R. S. 2553, Amended.

Collector and surveyor to reside at Richmond, surveyor at Bermuda Hundred, and a deputy collector at West Point.

Approved, May 27, 1880.

CHAP. 107.—An act for the relief of settlers upon the Osage trust and diminished-reserve lands in Kansas, and for other purposes.

May 28, 1880.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all actual settlers under existing laws upon the Osage Indian trust and diminished reserve lands

Settlers on Osage trust and

diminished reserve lands, Kansas, 60 days to establish claims.

in Kansas (any failure to comply with such existing laws notwithstanding) shall be allowed sixty days after a day to be fixed by public notice by advertisement in two newspapers in each of the proper land districts, which day shall not be later than ninety days after the passage of this act, within which to make proof of their claims, and to pay one fourth the purchase price thereof, and the said parties shall pay the balance of said purchase price in three equal annual installments thereafter: *Provided*, That nothing herein contained shall be construed to prevent an earlier payment of the whole or any installment of said purchase money as aforesaid.

Proviso.

Default in payment a forfeiture.

And if default be made by any settler in the payment of any portion or installment at the time it becomes due under the foregoing provisions, his entire claim, and any money he may have paid thereon, shall be forfeited, and the land shall, after proper notice, be offered for sale according to the terms hereinafter prescribed, unless before the day fixed for such offering, the whole amount of purchase money shall be paid by said claimant, so as to entitle him to receive his patent for the tract embracing his claim.

Land resold.

Pre-emption.

SEC. 2. That all the said Indian lands remaining unsold and unappropriated and not embraced in the claims provided for in section one of this act, shall be subject to disposal to actual settlers only, having the qualifications of pre-emptors on the public lands. Such settlers shall make due application to the register with proof of settlement and qualifications as aforesaid; and, upon payment of not less than one-fourth the purchase-price shall be permitted to enter not exceeding one quarter section each, the balance to be paid in three equal installments, with like penalties, liabilities and restrictions as to default and forfeiture as provided in section one of this act.

Sales in default of payment.

SEC. 3. All lands upon which such default has continued for ninety days shall be placed upon a list, and the Secretary of the Interior shall cause the same to be duly proclaimed for sale in the manner prescribed for the offering of the public lands, but not exceeding one quarter section shall be sold to any one purchaser, at a price not less than the price fixed by law, but such lands, upon which such default shall be made, shall be offered for sale by advertisement of not less than thirty days in two newspapers in the proper land districts respectively and unless the purchase price be fully paid before the day named in the notice, shall be sold for cash to the highest bidder at not less than the price fixed by law. And all such lands, subject to unpaid overdue installments, shall be so offered once every year. And if any of said lands shall remain unsold after the offering as aforesaid, they shall be subject to private entry, for cash in tracts not exceeding one quarter section by one purchaser.

Taxation.

SEC. 4. After the payment of the first installment as hereinafter provided for, such lands shall be subject to taxation according to the laws of the State of Kansas, as other lands are or may be in said State: *Provided*, That no sale of any such lands for taxes shall operate to deprive the United States, of said lands, or any part of the purchase-price thereof, but if default be made in any installment of the purchase-price as aforesaid, such tax sale purchaser, or his or her legal representatives, may, upon the day fixed for the public sale, and after such default has become final, under the foregoing provisions, pay so much of said purchase-price as may remain unpaid, and shall thereupon be entitled to receive a patent for the same as though he had made due settlement thereon: *And provided further*, That nothing in this act shall be so construed as to deprive or impair the right of the settler, of the right of redemption under the revenue laws of the State of Kansas.

Proviso.

Proviso.

Fees to register and receiver.

SEC. 5. That the register and the receiver shall be allowed the same fees and commissions as are allowed by law for the disposal of the public lands, and the net proceeds of the sales and disposals after deducting the expenses of such disposals, shall be deposited to the credit of the proper Indian fund, as provided by existing laws; and the Secretary of

Secretary of Interior to make

the Interior shall make all rules and regulations necessary to carry into effect the provisions of this act. rules and regulations.

SEC. 6. That nothing in this act shall be construed to interfere in any manner with the operation of the town-site laws as applicable to these lands: *Provided*, That all claims for entry under said statutes shall be proved up and fully paid for, before the day fixed for the commencement of the public sales provided for in section three of this act. Proviso.

SEC. 7. In all cases arising under this act interest at the rate of five per cent per annum shall be computed and paid upon all that part of the purchase money in respect to which time is given for the payment of the same. Interest.

Approved, May 28, 1880.

CHAP. 108.—An act to amend the laws in relation to internal revenue

May 28, 1880.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section thirty-two hundred and sixty of the Revised Statutes of the United States be amended by striking out the word "double", in the fourteenth line of said section, and inserting after the word "days", in the fifteenth line of said section, the following: "But in no case shall the bond exceed the sum of one hundred thousand dollars". R. S. 3260, Amended.

SEC. 2. That section thirty-two hundred and sixty-two of the Revised Statutes of the United States be amended by adding to the end the words following: *And provided also*, That the collector may at any time, at the discretion of the Commissioner, accept such bond as is authorized to be given by the distiller in lieu of the written consent of the owner of the fee in the case of a distillery erected prior to July twentieth, eighteen hundred and sixty-eight, notwithstanding such distillery has since then been increased by the addition of land or buildings adjacent or contiguous thereto, not owned by the distiller himself in fee; such bond to be for and in respect of such addition only, if the distillery be one which the distiller owns in fee or in respect to which he has procured the written consent of the owner of the fee or other incumbrance, otherwise to be for and in respect of the entire distillery as increased by such addition." Bond limited.

SEC. 3. That section thirty-two hundred and eighty-five of the Revised Statutes of the United States be amended by striking out all after said number and substituting therefor the following: "Evry fermenting-tub shall be emptied at or before the end of the fermenting period; no fermenting-tub in a sweet-mash distillery shall be filled oftener than once in seventy-two hours, nor in a sour-mash distillery oftener than once in ninety-six hours, nor in a rum distillery oftener than once in one hundred and forty-four hours." R. S. 3285, Amended.

SEC. 4. That the joint resolution approved March twenty-eighth, eighteen hundred and seventy-eight, be and the same hereby is, repealed; and that section thirty-two hundred and ninety-three of the Revised Statutes of the United States, as amended by an act entitled "An act to amend the laws relating to internal revenue", approved March first, eighteen hundred and seventy-nine, be amended by striking out all after the said number, and substituting therefor the following: Fermenting period limited.

"The distiller or owner of all spirits removed as aforesaid to the distillery warehouse shall, on the first day of each month, or within five days thereafter, enter the same for deposit in such warehouse, under such regulations as the Commissioner of Internal Revenue may prescribe. Said entry shall be in triplicate, and shall contain the name of the person making the entry, the designation of the warehouse in which the deposit is made, and the date thereof, and shall be in the following form:

1878, Res. 16, Stat., 20, 249, Repealed. R. S. 3293, Amended by act March 1, 1879, amended.