not limited here- by.

AFFECT THE POWER OF ANY SUCH COURT TO CAUSE TESTIMONY TO BE TAKEN UNDER COMMISSION, ACCORDING TO THE COURSE OF THE COMMON LAW, TO BE USED THEREIN.

APPROVED, MAY 9, 1872.

CHAP. CXLVII.—AN ACT TO REGULATE ELECTIONS IN WASHINGTON AND IDAHO TERRITORIES.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, THAT ELECTIONS IN THE TERRITORIES OF WASHINGTON AND IDAHO FOR DELEGATES TO THE HOUSE OF REPRESENTATIVES OF THE FORTY-THIRD CONGRESS, SHALL BE HELD ON THE TUESDAY FOLLOWING THE FIRST MONDAY OF NOVEMBER, ANNO DOMINI EIGHTEEN HUNDRED AND SEVENTY-TWO, AND THEREAFTER BIENNALLY ON THE TUESDAY NEXT FOLLOWING THE FIRST MONDAY IN NOVEMBER; AND ALL ELECTIVE TERRITORIAL, COUNTY, AND PRECINCT OFFICERS SHALL HEREAFTER BE ELECTED AT THE TIMES HEREIN SPECIFIED, UNLESS OTHERWISE PROVIDED BY LEGISLATION SUBSEQUENT HERETO, IN EITHER OF SAID TERRITORIES.

APPROVED, MAY 9, 1872.

CHAP. CXLVIII.—AN ACT AUTHORIZING THE APPROPRIATION FOR THE EMPLOYMENT OF SURF-MEN AT ALTERNATE LIFE-SAVING STATIONS ON THE NEW JERSEY COAST, FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, EIGHTEEN HUNDRED AND SEVENTY-TWO, TO BE EXPENDED IN EMPLOYING CREWS AT SUCH STATIONS, AND FOR SUCH PERIODS, AND AT SUCH COMPENSATION, AS THE SECRETARY OF THE TREASURY MAY DEEM REASONABLE, NOT TO EXCEED FORTY DOLLARS PER MONTH FOR EACH PERSON EMPLOYED.


APPROVED, MAY 9, 1872.

CHAP. CXLIX.—AN ACT FOR THE RELIEF OF SETTLERS ON THE OSAGE LANDS IN THE STATE OF KANSAS.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, THAT THE OSAGE INDIAN TRUST AND DIMINISHED RESERVE LANDS IN THE STATE OF KANSAS; EXCEPTING THE SIXTEENTH AND THIRTY-SIXTH SECTIONS IN EACH TOWNSHIP, SHALL BE SUBJECT TO DISPOSAL, FOR CASH ONLY, TO ACTUAL SETTLERS, IN QUANTITIES NOT EXCEEDING ONE HUNDRED AND SIXTY ACRES, OR ONE QUARTER-SECTION TO EACH, IN COMPACT FORM, IN ACCORDANCE WITH THE GENERAL PRINCIPLES OF THE PRE-EMPTION LAWS, UNDER THE DIRECTION OF THE COMMISSIONER OF THE GENERAL LAND OFFICE; PROVIDED, THAT CLAIMANTS SHALL FILE THEIR DECLARATORY STATEMENTS AS PRESCRIBED IN OTHER CASES UPON UNOFFERED LANDS, AND SHALL PAY FOR THE TRACTS, RESPECTIVELY, SETTLED UPON WITHIN ONE YEAR FROM DATE OF SETTLEMENT WHERE THE PLAT OF SURVEY IS ON FILE AT THAT DATE, AND WITHIN ONE YEAR FROM THE FILING OF THE TOWNSHIP PLAT IN THE DISTRICT OFFICE WHERE SUCH PLAT IS NOT ON FILE AT DATE OF SETTLEMENT.

SEC. 2. THAT ANY ACTUAL SETTLER UPON THESE LANDS WHO MAY HAVE FAILED TO PAY FOR AND ENTER THE LAND SETTLED UPON BY HIM UNDER THE ACT OF JULY FIFTEENTH, EIGHTEEN HUNDRED AND SEVENTY, SHALL HAVE THREE MONTHS FROM THE DATE OF THIS ACT IN WHICH TO FILE HIS DECLARATORY STATEMENT, AND SHALL BE REQUIRED TO PROVE UP HIS CLAIM AND PAY FOR THE LAND BEFORE THE FIRST DAY OF JANUARY, EIGHTEEN HUNDRED AND SEVENTY-THREE. AND IN CASE OF FAILURE OF ANY PARTY TO COMPLY WITH THE PROVISIONS OF THIS ACT, THE LAND CLAIMED BY HIM OR HER SHALL BE SUBJECT TO THE SETTLEMENT AND ENTRY OF ANY OTHER QUALI-
fled person: Provided, That all the persons availing themselves of the provisions of this section shall be required to pay, and there shall be collected from them, at the time of making payment for their land, interest on the total amounts paid by them, respectively, at the rate of five per centum per annum, from the date at which they would have been required to make payment under the act of July fifteenth, eighteen hundred and seventy, until the date of actual payment: Provided further, That the twelfth section of said act of July sixteenth, eighteen hundred and seventy, is hereby so amended that the aggregate amount of the proceeds of sale received prior to the first day of March of each year shall be the amount upon which the payment of interest shall be based.

SEC. 3. That the sale or transfer of his or her claim upon any portion of these lands by any settler prior to the issue of the commissioner’s instructions of April twenty-sixth, eighteen hundred and seventy-one, shall not operate to preclude the right of entry, under the provisions of this act, upon another tract settled upon subsequent to such sale or transfer: Provided, That satisfactory proof of good faith be furnished upon such subsequent settlement: Provided further, That the restrictions of the pre-emption laws relating to previous enjoyment of the pre-emption right, to removal from one’s own land in the same State, or the ownership of over three hundred and twenty acres, shall not apply to any settler actually residing on his or her claim at the date of the passage of this act.

APPROVED, May 9, 1872.

CHAP. CLII.—An Act to promote the Development of the mining Resources of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands to which they are found to belong, are hereby declared to be free and open to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, according to the local customs or rules of miners, in the several mining-districts, so far as the same are applicable and not inconsistent with the laws of the United States.

SEC. 2. That mining-claims upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits heretofore located, shall be governed as to length along the vein or lode by the customs, regulations, and laws in force at the date of their location. A mining-claim located after the passage of this act, whether located by one or more persons, may equal, but shall not exceed, one thousand five hundred feet in length along the vein or lode; but no location of a mining-claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than three hundred feet on each side of the middle of the vein at the surface, nor shall any claim be limited by any mining regulation to less than twenty-five feet on each side of the middle of the vein at the surface, except where adverse rights existing at the passage of this act shall render such limitation necessary. The end-lines of each claim shall be parallel to each other.

SEC. 3. That the locators of all mining locations heretofore made, or which shall hereafter be made, on any mineral vein, lode, or ledge, situated on the public domain, their heirs and assigns, where no adverse claim exists at the passage of this act, so long as they comply with the laws of the United States, and with State, territorial, and local regulations, not in conflict with said laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth, the top or apex of which

Five per cent interest to be paid on what sum and for what time.

Settler, transferring claims prior to, &c., not precluded from entering upon another tract, if, &c. Certain restrictions of the pre-emption laws not to apply.

Locators of mining locations where there is no adverse claim, &c., to have what exclusive rights of possession and enjoyment.

See 1873, ch. 159. Post, p. 465.

Length of mining-claims upon veins or lodes; width; end-lines.