

SEC. 2. That all persons claiming land as specified in the first section of said act may have their claims confirmed, in accordance with the forms and in the manner prescribed in said act, in all cases where it shall be satisfactorily proved that the claimants, and those from whom they derive title, have held continuous possession of the land claimed, from the date of the cession to the United States of the territory out of which the States of Florida, Louisiana, and Missouri were formed.

Claimants, if possession has been continuous since, &c., to have their claims confirmed.

APPROVED, June 10, 1872.

CHAP. CDXXII. — *An Act to authorize the Construction of a Bridge across the Mississippi River at or near the City of Red Wing, in the State of Minnesota, and to establish it as a Post-road.*

June 10, 1872.

1872, ch. 281.
Ante, p. 215.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for any person or persons, company or corporation, being first thereto authorized by the legislatures of Minnesota and Wisconsin respectively, to build a bridge across the Mississippi river, at or near the city of Red Wing, in the State of Minnesota, and to lay on or over said bridge railway tracks for the more perfect connection of any railroads that are, or shall be, constructed to the said river at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of said river, the cause may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

Bridge may be built across the Mississippi river, at, &c., Red Wing, Minnesota, and railway tracks be laid thereon;

not to interfere with navigation;

suits to be tried where;

SEC. 2. That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a drawbridge, with a pivot or other form of draw, or with unbroken or continuous spans: *Provided,* That if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation, in any case, than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge; nor shall the spans of said bridge be less than two hundred and fifty feet in length, and the piers of said bridge shall be parallel with the current of the river, and the main span shall be over the main channel of the river, and not less than three hundred feet in length: *And provided also,* That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans of not less than one hundred and sixty feet in length in the clear on each side of the central or pivot pier of the draw; and the next adjoining spans to the draw shall not be less than thirty feet above low-water mark, and not less than ten above extreme high-water mark, measuring to the bottom chord of the bridge; and the piers of said bridge shall be parallel with the current of the river: *And provided also,* That said draw shall be opened promptly, upon reasonable signal, for the passage of boats; and in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

may be built as a drawbridge, or with continuous spans;

if with continuous spans;

spans and piers;

if as a drawbridge;

spans and piers.

Draw to be opened promptly, &c.

SEC. 3. That any bridge constructed under this act, and according to its limitations, shall be a lawful structure, and shall be known and recognized as a post-route, upon which, also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge, and the United States shall have the right of way for postal-telegraph purposes across said bridge.

Bridge to be a lawful structure, and post-route.

Right of way for postal-telegraph.
All railway

SEC. 4. That all railway companies desiring to use the said bridge

companies to have equal rights, &c.
Terms.

Plans, &c., to be submitted to the Secretary of War.

Changes.

Act may be altered, &c.

shall have and be entitled to equal rights and privileges in the passage of the same, and in the use of the machinery and fixtures thereof, and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War, upon hearing the allegations and proofs of the parties in case they shall not agree.

SEC. 5. That the plan and specifications, with the necessary drawings of said bridge, shall be submitted to the Secretary of War for his approval, and until he approve the plan and location of said bridge it shall not be built or commenced; and should any change be made in the plan of said bridge during the progress of the work thereon, such changes shall be subject to the approval of the Secretary of War; and all changes in the construction of said bridge that may be directed by Congress shall be made at the cost and expense of the owners thereof.

SEC. 6. That the right to alter or amend this act, so as to prevent or remove all material obstructions to the navigation of said river by the construction of bridges, is hereby expressly reserved.

APPROVED, June 10, 1872.

CHAP. CDXXIII. — *An Act to authorize the Sale of certain public Property.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to sell, in whole or in such subdivisions as shall, in his opinion, secure the greatest amount of money, either by public auction or by inviting proposals for the purchase thereof, and in either case to the highest bidder, all the lands and tenements belonging to the United States, at Rome, New York; Vergennes, Vermont; Fayetteville, North Carolina; Mount Vernon, Alabama; and Chattanooga, Florida, now or heretofore used for arsenal purposes, and known, respectively, as Rome arsenal, Champlain arsenal, North Carolina arsenal, Mount Vernon arsenal, and Apalachicola arsenal; also the captured lands and tenements belonging to the United States at Shreveport, Louisiana; Marshall and Jefferson, Texas; and in Marion and Davis counties, Texas; and a tract of forty acres of land, more or less, situated about two and one-half miles from the present United States arsenal at Augusta, Georgia, which comprises the site of the old United States arsenal and any adjoining land purchased by the so-called "confederate States," which fell to the United States as captured property, and which has not hitherto been sold, and all the material and buildings of the powder-works erected by the so-called "confederate" government thereon: *Provided,* That no sale shall be made under this act until the time, terms, place, and mode thereof shall have been published in one of the principal newspapers in the city of Washington, in two of the principal papers printed at the capital of the State, and one paper printed in the county in which the arsenal or lands to be sold are situated, for the space of sixty days prior to the sale. If no newspaper is printed in the county where the property to be sold is situated, then the notice shall be published in a newspaper printed in any adjoining county.

SEC. 2. That the terms of payment for the property above directed to be sold shall be in all cases not less than one-fourth cash and the remainder on a credit of one, two, and three years, with interest at six per centum per annum, secured by land and surety from the purchaser or purchasers; and the Secretary of War is empowered and required, on receiving the purchase-money in full, to execute all necessary deeds of said property to the purchaser or purchasers thereof on behalf of the United States.

SEC. 3. That the proceeds of said sales, after paying the necessary expenses thereof, shall, upon receipt of the same, be paid by the Secretary of War into the Treasury.

APPROVED, June 10, 1872.

June 10, 1872.

[Amended. 1873, ch. 298. Post, p. 615.]

Secretary of War to sell to highest bidder the following arsenals:
Rome, Champlain, North Carolina, Mount Vernon, Apalachicola, and certain captured lands, &c., in Louisiana, Texas, and Georgia.

Notice to be first given by advertisement, &c.

Terms of payment.

Deeds to be executed.

Proceeds of sales after, &c.

CHAP. CDXXIV.—*An Act for the Restoration to Market of certain Lands in Michigan.* June 10, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands remaining undisposed of in the reservation made for the Ottawa and Chippewa Indians of Michigan by the treaty of July thirty-first, eighteen hundred and fifty-five, shall be restored to market by proper notice, under direction of the Secretary of the Interior, as hereinafter provided.

Unsold lands of the Ottawa, &c., reservation in Michigan to be restored to market. Vol. xv. p. 621.

SEC. 2. That said unoccupied lands shall be open to homestead entry for six months from the passage of this act by Indians only of said tribes who shall have not made selections or purchases under said treaty, including such members of said tribes as have become of age since the expiration of the ten years named in the treaty; and any Indian so entitled shall be permitted to make his homestead entry at the local office within the six months aforesaid of not exceeding one hundred and sixty acres, or one-quarter section of minimum, or eighty acres of double minimum land, on making proper proof of his right under such rules as may be prescribed by the Secretary of the Interior: *Provided*, That the collector of customs for the district in which said land is situated is hereby authorized, and it is made his duty to select for such minor children as would be entitled under this law as heirs of any Indian.

To be open to homestead entry by Indians only for six months.

Collector of customs to select for minor children, &c.

SEC. 3. That all actual, permanent, bona fide settlers on any of said lands who settled prior to the first day of January, eighteen hundred and seventy-two, shall be entitled to enter either under the homestead laws or to pay for at the minimum or double minimum price, as the case may be, not exceeding one hundred and sixty acres of the former or eighty acres of the latter class of land on making proof of his settlement and continued residence before the expiration of six months from the passage of this act.

Bona fide settlers on such lands prior to Jan. 1, 1872, entitled to enter, &c.

SEC. 4. That all selections by Indians heretofore made and regularly reported and recognized as valid and proper by the Secretary of the Interior and commissioner of Indian affairs, shall be patented to the respective Indians making the same; and all sales heretofore made and reported where the same are regular and not in conflict with such selections, or with any other valid adverse right, except of the United States, are hereby confirmed, and patents shall issue thereon as in other cases according to law.

Selections heretofore made by Indians, &c., to be patented to them.

Sales regularly made, &c., confirmed, &c.

SEC. 5. That immediately after the expiration of said six months, the secretary shall proceed to restore the remaining lands to market by public notice of not less than thirty days, and after such restoration they shall be subject to the general laws governing the disposition of the public lands of the United States: *Provided*, That none of the lands herein mentioned shall be subject to or taken under any grant of lands for public works or improvements, or by any railroad company.

After six months remaining lands to be restored to market.

Lands not to be taken under land grants, &c.

APPROVED, June 10, 1872.

CHAP. CDXXV.—*An Act to refund Duties paid on Goods, Wares, and Merchandise remaining in Bond or Store on the first Day of August, eighteen hundred and seventy-two.* June 10, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall be shown to the satisfaction of the Secretary of the Treasury that parties are entitled to refund of duties paid on goods, wares, and merchandise remaining in public stores or bonded warehouses on the first day of August, eighteen hundred and seventy-two, under the provisions of the eighth section of the act approved June six, eighteen hundred and seventy-two, entitled "An act to reduce duties on imports and to reduce internal taxes, and for other purposes," it shall be the duty of the Secretary of the Treasury to draw his warrant upon the Treasurer, directing said Treasurer to re-

Secretary of the Treasury to refund duties to parties entitled under

1872, ch. 315, § 8. Ante, pp. 237, 238.