entered less than 160 acres as a homestead, may now make up the difference.

The widows and orphan children of those entitled to a homestead under this act, may enjoy its benefits.

Sec. 3. That in case of the death of any person who would be entitled to a homestead under the provisions of the first section of this act, his widow, if unmarried, or in case of her death or marriage, then his minor orphan children, by a guardian duly appointed and officially accredited at the Department of the Interior, shall be entitled to all the benefits enumerated in this act, subject to all the provisions as to settlement and improvements therein contained: Provided, That if such person died during his term of enlistment, the whole term of his enlistment shall be deducted from the time heretofore required to perfect the title.

Sec. 4. That where a party at the date of his entry of a tract of land under the homestead laws, or subsequently thereto, was actually enlisted and employed in the army or navy of the United States, his services therein shall, in the administration of said homestead laws, be construed to be equivalent, to all intents and purposes, to a residence for the same length of time upon the tract so entered: Provided, That if his entry has been cancelled by reason of his absence from said tract while in the military or naval service of the United States, and such tract has not been disposed of, his entry shall be restored and confirmed: And provided further, That if such tract has been disposed of, said party may enter another tract subject to entry under said laws; and his right to a patent therefor shall be determined by the proofs touching his residence and cultivation of the first tract, and his absence therefrom in such service.

Sec. 5. That any soldier, sailor, marine, officer, or other person coming under this act to within the provisions of this act, may, as well by an agent as in person, make entry by enter upon said homestead: Provided, That said claimant in person shall, within the time prescribed, commence settlements and improvements on the same, and thereafter fulfill all the requirements of this act.

Sec. 6. That the commissioner of the general land office shall have authority to make all needful rules and regulations to carry into effect the provisions of this act.

APPROVED, April 4, 1872.