quarter-section of land, to have patent for whole quarter-section, on proof, &c.

way on any quarter-section of any of the public lands of the United States shall be entitled to a patent for the whole of said quarter-section at the expiration of said ten years, on making proof of such fact by not less than two credible witnesses; *Provided*, That only one quarter in any section shall be thus granted.

Proceedings to obtain benefit of this act.

SECTION 2. That the person applying for the benefit of this act shall, upon application to the register of the land-office in which he or she is about to make such entry, make affidavit before said register or receiver that said

Entry.

entry is made for the cultivation of timber, and upon filing said affidavit with said register and receiver, and on payment of ten dollars, he or she shall thereupon be permitted to enter the quantity of land specified:

Patent not to issue until, &c.

Provided however, That no certificate shall be given or patent issue therefor until the expiration of at least ten years from the date of such entry; and if at the expiration of such time, or at any time within three years thereafter, the person making such entry, or if he or she be dead, his or her heirs or legal representatives, shall prove by two credible witnesses that he, she, or they have planted, and for not less than ten years have cultivated and protected such quantity and character of timber as aforesaid, they shall receive the patent for such quarter-section of land.

If person fails to keep timber in good condition, land to revert to the United States.

SECTION 3. That if at any time after the filing of said affidavit, and prior to the issuing of the patent for said land, it shall be proven after due notice to the party making such entry and claiming to cultivate such timber, to the satisfaction of the register of the land-office that such person has abandoned or failed to cultivate, protect and keep in good condition such timber, then, and in that event, said land shall revert to the United States.

Provisions as to homestead settlers cultivating timber. 1862, ch. 75. Vol. xiii. p. 392.

SECTION 4. That each and every person who, under the provisions of an act entitled "An act to secure homesteads to actual settlers on the public domain" approved May twentieth, eighteen hundred and sixty-two, or any amendment thereto, having a homestead on said public domain, who, at the end of the third year of his or her residence thereon, shall have had under cultivation, for two years, one acre of timber, the trees thereon not being more than twelve feet apart each way, and in a good, thrifty condition, for each and every sixteen acres of said homestead, shall upon due proof of said fact by two credible witnesses receive his or her patent for said homestead.

Land acquired by this act not liable for previous debts.

SECTION 5. That no land acquired under provisions of this act shall, in any event, become liable to the satisfaction of any debt or debts contracted prior to the issuing of patent therefor

Commissioner to issue rules to carry act into effect.

SECTION 6. That the commissioner of the general land-office is hereby required to prepare and issue such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and the receivers of the several land-offices

Pay of registers and receivers.

shall be entitled to receive the same compensation for any lands entered under the provisions of this that they are now entitled to receive when the same quantity of land is entered with money.

Perjury in oaths under this act to be punished. 1857, ch. 116, § 5. Vol. xi. p. 250.

SECTION 7. That the fifth section of the act entitled "An act in addition to an act to punish crimes against the United States, and for other purposes" approved March third, eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits required or authorized by this act.

APPROVED, March 3, 1873.

March 3, 1873.

CHAP. CCLXXVIII. — *An Act for the Protection of Owners of Saw-mills on the Mississippi River*

Owners of saw-mills on the Mississippi river may

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the owners of saw-mills on the Mississippi river be, and they hereby are, authorized and empowered, under the direction of the Secretary of War, to construct or build piers

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or cribs in front of their mill property on the banks of said river, for the protection of their mills and rafts against damage by floods and ice: *Provided however*, That the piers or cribs so constructed shall not interfere with or obstruct the navigation of said river: *Provided further*, That in case by reason of the shifting of the channel of the said river, or from any other cause, the piers or cribs, the construction of which are authorized by this act shall be found to obstruct the navigation of said river at any time, the government expressly reserves the right to remove, or direct the removal of any such piers or cribs at the cost and expense of the owners thereof.

build cribs to protect their mills and rafts.

Navigation not to be obstructed.

Right to remove cribs reserved

APPROVED, March 3, 1873.

CHAP. CCLXXIX. — *An Act to provide for the Sale of the Lands of the United States containing Coal.*

March 3, 1873.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person above the age of twenty-one years, who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon application to the register of the proper land-office, have the right to enter, by legal subdivisions, any quantity of vacant coal lands of the United States not otherwise appropriated or reserved by competent authority, not exceeding one hundred and sixty acres to such individual person, or three hundred and twenty acres to such association, upon payment to the receiver of not less than ten dollars per acre for such lands, where the same shall be situated more than fifteen miles from any completed railroad, and not less than twenty dollars per acre for such lands as shall be within fifteen miles of such road.

Vacant coal lands of the United States, not otherwise appropriated, may be entered by whom, in what quantities, and at what price.

SECTION 2. That any person or association of persons severally qualified as above, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry, under the foregoing provisions, of the mines so opened and improved: *Provided*, That when any association of not less than four persons, severally qualified as in section one of this act, shall have expended not less than five thousand dollars in working and improving any such mine or mines, such association may enter not exceeding six hundred and forty acres, including such mining improvements.

Persons actually in possession of coal mines opened by themselves, to have preference in making entry;

when may enter 640 acres.

SECTION 3. That all claims under section two of this act must be presented to the register of the proper land-district within sixty days after the date of actual possession and the commencement of improvements on the land, by the filing of a declaratory statement therefor: *Provided*, That when the township plat is not on file at the date of such improvement, filing must be made within sixty days from the receipt of such plat at the district office; *And provided further*, That where the improvements shall have been made prior to the expiration of three months from the passage of this act, sixty days from the expiration of said three months shall be allowed for the filing of a declaratory statement, and no sale under the provisions of this act shall be allowed until the expiration of six months from the date hereof.

Claims to be presented to register within sixty days of actual possession.

Provisos.

SECTION 4. That this act shall be held to authorize only one entry by the same person or association of persons under its provisions; and no association of persons, any member of which shall have taken the benefit of this act either as an individual or as a member of any other association shall enter or hold any other lands under the provisions of this act; and no member of any association which shall have taken the benefit of this act shall enter or hold any other lands under its provisions; and all persons claiming under section two hereof, shall be required to prove their respective rights and pay for the lands filed upon within one year from the time

Only one entry to be made by same person, &c.

Claimants under section two to pay for lands