CHAP. CCLXXXIII.—*An Act authorizing joint Entry by Pre-emption Settlers, and for other Purposes.* March 3, 1873.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when settlements have been made upon agricultural public lands of the United States prior to the survey thereof, and it has been or shall be ascertained, after the public surveys have been extended over such lands, that two or more settlers have improvements upon the same legal subdivision, it shall be lawful for such settlers to make joint entry of their lands at the local land-office, or for either of said settlers to enter into contract with his co-settlers to convey to them their portion of said land after a patent is issued to him, and after making said contract, to file a declaratory statement in his own name, and prove up and pay for said land, and proof of joint occupation by himself and others, and of such contract with them made shall be equivalent to proof of sole occupation and pre-emption by the applicant: *Provided*, That in no case shall the amount patented under this act exceed one hundred and sixty acres, nor shall this act apply to lands not subject to homestead or pre-emption entry.

When settlements have been made upon public lands prior to a survey, and after survey, two or more settlers are found to have improvements upon same subdivision, they may make joint entry, &c.

Limit to amount.

SEC. 2. That effect shall be given to this act by regulations to be prescribed by the commissioner of the general land-office.

Commissioner to make rules.

APPROVED, March 3, 1873.

CHAP. CCLXXXIV.—*An Act to sell a vacated Soldiers' Burial-ground near Cumberland, Maryland, to the Hebrew Congregation of that City, to enlarge their Graveyard.* March 3, 1873.

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, on the payment to him of a sum of money equal in amount to that paid for the property when purchased by the United States, to convey by proper deed to Samuel Sonneborne, H. Stern, and Isaac Miller, in trust for the use and benefit of the Hebrew congregation of the city of Cumberland, Maryland, all the right, title, and interest of the United States in and to that parcel or lot of land, containing one-half acre, more or less, situated about one mile east of said city of Cumberland, near the old national road or turnpike, and lying near and adjacent to the burial-ground of said Hebrew congregation, being the same premises that were purchased for the United States on or about the second day of May, in the year eighteen hundred and sixty-two, by Captain Hurtt, A. Q. M., as a burial-ground for its soldiers stationed stationed in that vicinity during the late war, and which has been made vacant by the removal of the bodies there interred to Antietam or other national cemeteries.

Land in Cumberland, Maryland, to be conveyed to the Hebrew congregation of that city, upon, &c.

APPROVED, March 3, 1873.

CHAP. CCLXXXV.—*An Act to amend an Act entitled "An Act authorizing the Secretary of War to release twenty-five Acres of the Lands of the United States at Plattsburgh, New York, to the New York and Canada Railroad Company, and for other Purposes," passed June eight, eighteen hundred and seventy-two.* March 3, 1873.

1872, ch. 367. *Ante*, p. 345.

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 authorized and empowered to release to the New York and Canada Railroad Company, its successors and assigns, a right of way along the banks of Lake Champlain, upon and across the land owned and possessed by the United States in the town of Plattsburgh, Clinton county, New York, subject to such restrictions as the Secretary of War may think necessary to protect the interests of the United States: *Provided*, That before the execution of such release the said railroad company shall first pay into the treasury of the United States the value of such right of way per acre as fixed by the board of appraisers heretofore appointed under the act hereby amended, as stated in their report approved by the Secretary of War.

Right of way over certain lands in Plattsburgh, N. Y., to be released to the New York and Canada R. R. Co.

Value thereof to be first paid.

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