time of one year in which to make final proof and payment from the time at which such pre-emptions are required to be paid for by the present laws. additional to make final proof, &c.

APPROVED, May 9, 1872.

CHAP. CXLV. — *An Act for the Relief of Purchasers of Lands sold for direct Taxes in the insurrectionary States.* May 9, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no owner, his heirs or assigns, of any land sold for taxes under the provisions of the act entitled "An act for the collection of direct taxes in the insurrectionary districts within the United States, and for other purposes," approved June seventh, eighteen hundred and sixty-two, and of the acts amendatory thereof, shall be permitted to recover the same in any action or proceeding against the purchaser at such sale, his heirs or assigns, without showing, in addition to other necessary facts, that all taxes, costs, and penalties due upon the said land, at the time of the sale, have been paid by him or them, or bringing into court and depositing with the clerk, for the use of the United States, the amount, with interest, of the taxes and penalties due to the United States on account of the land when sold, together with all the costs and expenses of the sale, which sum, in case of the recovery of the land by such owner, his heirs or assigns, shall be paid by the clerk into the treasury of the United States. Lands in insurrectionary States sold for direct taxes not to be recovered in proceedings against the purchasers, &c., without showing, &c. 1862, ch. 98. Vol. xii. p. 422. 1863, ch. 21. Vol. xii. p. 640. 1865, ch. 87. Vol. xiii. p. 501.

SEC. 2. That in all cases where the owner of any land sold for taxes as aforesaid, his heirs or assigns, shall recover the same from the purchaser, his heirs or assigns, without collusion on his or their part, by the judgment of any United States court, by reason of a failure, without his or their fault or neglect, of the title of the purchaser derived from said sale, the Secretary of the Treasury, on the payment into the treasury, by the clerk, of the money deposited with him as aforesaid, and on being satisfied that any purchaser, his heirs or assigns, without his or their collusion, has been evicted from or turned out of possession of any such land by the judgment of any United States court, in the manner before mentioned, is hereby authorized, out of any money in the treasury not otherwise appropriated, to repay to the person or persons entitled thereto a sum of money equal to that originally paid by the purchaser of the land so recovered, if the same has been paid into the treasury. Purchasers, evicted from such lands, by, &c., through failure of title, to be repaid their purchase-money, if, &c. [Amended. 1872, ch. 337, § 9. *Post*, p. 332.]

APPROVED, May 9, 1872.

CHAP. CXLVI. — *An Act to perpetuate Testimony in the Courts of the United States.* May 9, 1872.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all depositions taken de bene esse, to be used in any civil cause depending in any court in any district of the United States, for the causes and before the officers mentioned in section thirty of the "Act to establish the judicial courts of the United States," approved September twenty-fourth, seventeen hundred and eighty-nine, shall be taken upon reasonable notice, to be given in writing by the party or his attorney proposing to take such deposition, to the opposite party or his attorney of record, which notice shall state the name of the witness and the time and place of the taking of his deposition; and in all cases in rem, the person having the agency or possession of the property at the time of seizure shall be deemed the adverse party, until a claim shall have been put in; and whenever, by reason of the absence from the district and want of an attorney of record or other reason, the giving of the notice herein required shall be impracticable it shall be lawful to take such depositions as there shall be urgent necessity for taking, upon such notice as any judge authorized to hold courts in such circuit or district shall think reasonable and direct. But this act shall not be construed to Depositions de bene esse in civil cases in United States courts to be taken upon what notice; 1789, ch. 20, § 30. Vol. i. p. 88; in cases in rem; where there is no attorney of record. Power of court

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