

LAWS CONCERNING PRE-EMPTIONS.

SEC. 2257. All lands belonging to the United States, to which the Indian title has been or may hereafter be extinguished, shall be subject to the right of pre-emption, under the conditions, restrictions, and stipulations provided by law.

SEC. 2258. The following classes of lands, unless otherwise specially provided for by law, shall not be subject to the rights of pre-emption, to wit:

First. Lands included in any reservation by any treaty, law, or proclamation of the President, for any purpose.

Second. Lands included within the limits of any incorporated town, or selected as the site of a city or town.

Third. Lands actually settled and occupied for purposes of trade and business, and not for agriculture.

Fourth. Lands on which are situated any known salines or mines.

SEC. 2259. Every person, being the head of a family, or widow, or single person, over the age of twenty-one years, and a citizen of the United States, or having filed a declaration of intention to become such, as required by the naturalization laws, who has made or hereafter makes, a settlement in person on the public lands subject to pre-emption, and who inhabits and improves the same, and who has erected or shall erect a dwelling thereon, is authorized to enter with the register of the land office for the district in which such land lies, by legal subdivisions, any number of acres not exceeding one hundred and sixty, or a quarter section of land, to include the residence of such claimant, upon paying to the United States the minimum price of such land.

SEC. 2260. The following classes of persons, unless otherwise specially provided for by law, shall not acquire any right of pre-emption under the provisions of the preceding section, to wit:

First. No person who is the proprietor of three hundred and twenty acres of land in any State or Territory.

Second. No person who quits or abandons his residence on his own land to reside on the public lands in the same State or Territory.

SEC. 2261. No person shall be entitled to more than one pre-emptive right by virtue of the provisions of section twenty-two hundred and fifty-nine; nor where a party has filed his declaration of intention to claim the benefits of such provisions, for one tract of land, shall he file, at any future time, a second declaration for another tract.

SEC. 2262. Before any person claiming the benefit of this chapter is allowed to enter lands, he shall make oath before the receiver or register of the land district in which the land is situated that he has never had the benefit of any right of pre-emption under section twenty-two hundred and fifty-nine; that he is not the owner of three hundred and twenty acres of land in any State or Territory; that he has not settled upon and improved such land to sell the same on speculation, but in good faith to appropriate it to his own exclusive use; and that he has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person whatsoever, by which the title which he might acquire from the Government of the United States should inure in whole or in part to the benefit of any person except himself; and if any person taking such oath swears falsely in the premises, he shall forfeit the money which he may have paid for such land, and all right and title to the same; and any grant or conveyance which he may have made, except in the hands of bona-fide purchasers, for a valuable consideration, shall be null and void, except as provided in section twenty-two hundred and eighty-eight. And it shall be the duty of the officer administering such oath to file a certificate thereof in the public land office of such district, and to transmit a duplicate copy to the General Land Office, either of which shall be good and sufficient evidence that such oath was administered according to law.

SEC. 2263. Prior to any entries being made under and by virtue of the provisions of section twenty-two hundred and fifty-nine, proof of the settlement and improvement thereby required shall be made to the satisfaction of the register and

receiver of the land district in which such lands lie, agreeably to such rules as may be prescribed by the Secretary of the Interior; and all assignments and transfers of the right hereby secured, prior to the issuing of the patent, shall be null and void.

SEC. 2264. When any person settles or improves a tract of land subject at the time of settlement to private entry, and intends to purchase the same under the preceding provisions of this chapter, he shall, within thirty days after the date of such settlement, file with the register of the proper district a written statement, describing the land settled upon and declaring his intention to claim the same under the pre-emption laws; and he shall, moreover, within twelve months after the date of such settlement, make the proof, affidavit and payment hereinbefore required. If he fails to file such written statement, or to make such affidavit, proof and payment within the several periods named above, the tract of land so settled and improved shall be subject to the entry of any other purchaser.

SEC. 2265. Every claimant under the pre-emption law for land not yet proclaimed for sale is required to make known his claim in writing to the register of the proper land office within three months from the time of the settlement, giving the designation of the tract and the time of settlement; otherwise his claim shall be forfeited and the tract awarded to the next settler, in the order of time, on the same tract of land, who has given such notice and otherwise complied with the conditions of the law.

SEC. 2266. In regard to settlements which are authorized upon unsurveyed lands, the pre-emption claimant shall be in all cases required to file his declaratory statement within three months from the date of the receipt at the district land office of the approved plat of the township embracing such pre-emption settlement.

SEC. 2267. All claimants of pre-emption rights, under the two preceding sections, shall, when no shorter time is prescribed by law, make the proper proof and payment for the lands claimed within thirty months after the date prescribed therein, respectively, for filing their declaratory notices has expired.

SEC. 2268. Where a pre-emptor has taken the initiatory steps required by law in regard to actual settlement, and is called away from such settlement by being engaged in the military or naval service of the United States, and by reason of such absence is unable to appear at the district land office to make before the register or receiver the affidavit, proof, and payment, respectively, required by the preceding provisions of this chapter, the time for filing such affidavit and making final proof and entry or location shall be extended six months after the expiration of his term of service, upon satisfactory proof by affidavit, or the testimony of witnesses, that such pre-emptor is so in the service, being filed with the register of the land office for the district in which his settlement is made.

SEC. 2269. Where a party entitled to claim the benefits of the pre-emption laws dies before consummating his claim, by filing in due time all the papers essential to the establishment of the same, it shall be competent for the executor or administrator of the estate of such party, or one of the heirs, to file the necessary papers to complete the same; but the entry in such cases shall be made in favor of the heirs of the deceased pre-emptor, and a patent thereon shall cause the title to inure to such heirs, as if their names had been specially mentioned.

SEC. 2270. Whenever the vacancy of the office either of register or receiver, or of both, renders it impossible for the claimant to comply with any requisition of the pre-emption laws within the appointed time, such vacancy shall not operate to the detriment of the party claiming, in respect to any matter essential to the establishment of his claim; but such requisition must be complied with within the same period after the disability is removed as would have been allowed had such disability not existed.

SEC. 2271. The provisions of this chapter shall be so construed as not to confer on any one a right of pre-emption, by reason of a settlement made on a tract theretofore disposed of, when such disposal has not been confirmed by the General

Land-office, on account of any alleged defect therein.

[TO BE CONTINUED]

By Telegraph.

AMERICAN.

NEW YORK, 13.—The officers of many of the banks here are complaining of the great difficulty of obtaining silver from the sub-treasury. A large coin broker on Wall Street stated that one half per cent. would be readily given for American silver, while he would charge one per cent. to purchasers. At the sub-treasury it was learned that they had no orders from Washington to issue additional silver. A sub-treasury official thinks the issue of silver must have nearly reached its limit. About \$20,000,000 worth had been put into circulation, and that, with the fractional currency still, afloat there is about the same amount of small change in the country as before the issue of silver. At present he had no doubt a large quantity was locked up, and when the people should begin to realize that there is a superabundance of silver in circulation those hoardings would come out; then, instead of silver being at a premium, it will be at a large discount, the same as is now the case with the nickel coinage.

NEW ORLEANS, 13.—The following prominent party leaders are at the St. Charles Hotel, having arrived via Jackson: Judge Doolittle, Senator Lyman Trumbull, Perry H. Smith, Chicago; George B. Smith, Springfield, Ill.; Governor Jno H. Palmer, Ills.; Jno W. Stevenson, Ky.; Geo W. Julian, Indianapolis; J. R. Stall, Stanley Matthews, Ed F. Noyes, J. Stevens, Cincinnati; Gen McDonald, F. B. McDonald, Jno O. Love, N. Munson, Indianapolis; Wm F. Hamilton, L. V. Boggy, St. Louis; Wm R. Morris, Ills.; Geo B. Martin, Chas. Gibson, St. Louis; Geo B. Smith, Wis.; J. O. Broodhead, St. Louis; D. Hare, Major Beardsley, C. B. Farwell, Abney Taylor, Ills.; C. Irving Dettie, Md.

MONTPELIER, Vt., 13.—The disqualification of Henry A. Sollace, one of the republican electors, who is postmaster at Bradport, will make no difference in the electoral vote of the State, as by the State laws the legislature can fill the vacancy.

CHARLESTON, 13.—The democrats, to-day, filed a protest against the late election in Charleston County. They allege that the whole county was controlled by intimidation and terrorism, and no opportunity to vote was given to qualified voters; also that a large number who desired to do so were prevented from voting the democratic ticket; also that a legal number of polls was not opened.

CHICAGO, 13.—The New York dispatch from the *Tribune* to the *Call*, stating that Florida, Louisiana, Colorado, and Nevada are States which have neglected to pass laws specifically providing for filling vacancies in the electoral college, is a mistake. The examination of the statutes of the States named shows, with the exception of Colorado, that all these States have already provided for the contingency, and as the assembly of Colorado is now in session, it is expected that that State will make its law on the subject.

The following was received, to-day, by the *Chicago Tribune*, from Henry Watterson, of the *Louisville Courier-Journal*, who is in New Orleans:

"New Orleans is as quiet as a nursery. The people cannot be goaded into an outbreak. The question presented to you is, shall the American people be cheated of their free choice and their free government by a handful of desperate adventurers, Kellogg, Warmouth and Packard, backed by the President and the military arms of the nation? These reckless persons, followed by an army of plantation hands, are arrayed against the responsible elements of society in Louisiana. Nobody's life is in danger, nor nobody's liberty. Is it possible that you can place the word of worthless vagabonds against that of every property-holder, banker, business man and bona-fide citizen in Louisiana?"

St. Louis, 13.—Final disposition was made, to-day, in the United States District Court of all cases standing against persons who gave evidence against the whiskey ring. Col. Dyer and the district attorney appeared before the court and stated that while he never promised to

nolle prosequi the cases, he had intended to do so with the consent of the court, and would take all the responsibility of such action. District Attorney Bliss making no objection, Judge Treat ordered the discharge of the parties as follows: Jno. McFall, B. H. Englike, A. M. Everst, Con. Magrue, S. D. Thorper, F. H. Schroeder, and Zebe Leavenworth. In the case of Jno. D. Forlina, who had furnished money to run Tousscher's distillery, and Fred. C. Federer, connected with the Bingham's, fines of \$1,000 and one day's imprisonment were imposed. The case of Joseph M. Fitzroy was dismissed several days ago.

NEW YORK, 14.—The *Times* special from Tallahassee says a county canvass of the vote of Florida was made, to-day, but as many of the polling places are hundreds of miles from all railway communication, the official returns cannot be placed in the hands of the board of State canvassers for at least a week. No figures that can be relied upon have been received from any of the counties to-night, but all the scattering returns which have come to hand show that the republicans have underestimated rather than exaggerated their majority. The county board have commenced to canvass them. It will rest with the State board to throw out returns if frauds can be proved with either party.

The *Herald* says the political situation is substantially unchanged. The election in the three disputed States is still claimed by both parties, and it is plain that only an official canvass by the returning board can decide.

The *Herald's* Washington dispatch says it is said at the democratic headquarters here that by a blunder of the printing of the republican electoral ticket of Wisconsin, only nine republican electors have been chosen out of ten from that State, and that, as a consequence, the highest candidate on the democratic ticket is also elected, giving Tilden the requisite majority of 185 votes, regardless of what may be the result of the elections in the three disputed southern States.

The *Herald* says the merchants are complaining of the stoppage of business because of the uncertainty in the elections.

The *Herald* New Orleans special says Doolittle and Trumbull think the situation very grave, if the result depend upon States who have been for some years under military rule. Curtin thinks the preparations made for the emergency entirely too extensive and unmethodical to be the result of mere accident. He thinks the State democratic by 8,000, and is at a loss to know how or why it is disputed.

The *World's* Columbia, S. C., special dispatch says Captain Corbin, with two companies, has been ordered to return to Aiken forthwith. The order came from the President, based on an urgent appeal from United States District Attorney Corbin.

WASHINGTON, 14.—Some of the Democrats here are circulating a rumor that one of the electors on the Republican ticket is a Democrat, and will vote for Tilden.

WASHINGTON, 14.—The Postmaster General, to-day, received the resignations of John W. Watts, postmaster at Lafayette, Oregon, and of H. M. Sollace, postmaster at Bridgeport, Vermont, both of whom were chosen as presidential electors. Their resignations were accepted.

NEW ORLEANS, 14.—The following explains itself:

New Orleans, 14.

To Hon. Stanley Matthews, James Garfield, John A. Logan, William D. Kelly, John J. Kasson, J. Irvin Ditty, John H. Shoenberger, Wm. M. Everts, E. W. Stoughton, Jas. H. Dix and others.—The undersigned arrived here yesterday. They came in answer to a telegram from Hon. Abraham S. Hewitt, chairman of the national democratic committee, dated at New York, Nov. 10th, 1876, as follows, viz.:

"Citizens of New Orleans urgently request that a delegation of prominent gentlemen come here at once to counsel peace and fair and honest returns. You are earnestly requested to be one of ten or fifteen gentlemen, all widely known, to meet at the Louisville Galt House on Saturday evening, proceeding directly south, or, if more convenient, meeting at the St. Charles Hotel, New Orleans, on Monday morning. Your prompt acceptance

by telegraph is requested. This emergency appeals to your patriotism."

The undersigned are informed that you have come here at the request of the President of the United States to see that the board of canvassers make a fair count of the vote actually cast. While in the late canvass you gave your support to Hayes and Wheeler, as candidates for President and Vice President, and the undersigned gave their support to Tilden and Hendricks for these offices, they feel assured that all citizens of all parties regard an honest count and true return of the vote actually cast of greater moment than the success of any candidate for office, and are ready to do all that honorable men should do to secure such returns of the vote cast at the late election in Louisiana, which assumes, more than before, national importance, and upon which, in this crisis, may depend the very existence of the constitutional government. The undersigned, therefore, in view of the unhappy controversies which have heretofore arisen from the action of the returning board of State, where its action could not, in any event, change the result of a presidential election, and in view of a desire of all good men that effect should be given to the will of the majority as lawfully expressed, respectfully ask you, or such of you as are present, to meet and confer with them, personally or through committees as may be deemed most wise, that such influence as we possess may be exerted in behalf of such a canvass of the vote actually cast as by its fairness and impartiality shall command the respect and acquiescence of the American people of all parties.

Yours respectfully,
(Signed) John M. Palmer, Lyman Trumbull, William R. Morrison, Ills.

Samuel J. Randall, A. J. Curtin, Wm. Bigler, Pa.

J. E. McDonald, Indiana.

J. R. Doolittle, George B. Smith, Wisconsin.

George W. Julian, Maryland.

Manson John Love, Indiana.

H. Y. Watterson, J. W. Stevenson, H. D. McHinnery, Kentucky.

Oswald Otterdorf, New York.

J. B. Stalls, Ohio.

Lewis V. Boggy, James O. Broadhead, C. Gibson, Missouri.

John Lee Carroll, William F. Hamilton, Maryland.

W. Summer, Connecticut.

MILWAUKEE, 14.—The facts concerning the report that one democratic presidential elector was chosen in Wisconsin are as follows: It was discovered several weeks before the election that Miner, a republican candidate for elector, was postmaster. He was, thereupon, taken from the ticket, and Downs substituted. The blanks for returns by the Secretary of State to the town officers of election contained Miner's name instead of Downs'. Upon learning this the chairman of the republican State central committee caused circulars to be sent to the officers instructing them to erase Miner's name and insert Downs'; in a few cases, so far as known, this was not done, and the votes are returned as if they had been cast for Miner, when, in fact, they were cast for Downs, but the number is not sufficient to raise any doubt about Downs' election.

FOREIGN.

LONDON, 13.—A dispatch from St. Petersburg says the Czar's speech has found a general and enthusiastic echo throughout the Russian Empire. Town councils, diets, trades, merchants, guilds, the clergy, and in fact all classes unanimously declare, without qualification, their joy and readiness to contribute to and fulfil to the utmost all demands which the Czar and the Empire might make for the protection of the interests of Russia. They place their fortunes and all their resources at the disposal of the government to provide the necessary means.

Sir Stafford Northcote, Chancellor of the Exchequer, speaking at a conservative banquet in Bristol to-night, alluded to the Eastern complication. He said the powers were not actuated by jealousy. He believed the Czar's speech had been misunderstood. He would not attempt to forecast what would happen if a conference failed, but he believed there was every reasonable probability of a peaceful settlement.

The Right Hon. Robert Lowe also spoke in Bristol to-night, at a dinner of the liberal party. He declared there was an impossibility