

or single man over the age of twenty-one years, and being a citizen of the United States, or having filed his declaration of intention to become a citizen, as required by the naturalization laws, who since the first day of June, A. D., eighteen hundred and forty, has made or shall hereafter make a settlement in person on the public lands to which the Indian title had been at the time of such settlement extinguished, and which has been or shall have been surveyed prior thereto, and who shall inhabit and improve the same, and who has or shall erect a dwelling thereon, shall be and is hereby authorized to enter with the register of the land office for the district, in which such land may be, 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, subject however to the following limitations and exceptions: No person shall be entitled to more than one pre-emptive right by virtue of this act; no person who is the proprietor of three hundred and twenty acres of land in any State or Territory of the United States, and no person who shall quit or abandon his residence on his own land to reside on the public land in the same State or Territory, shall acquire any right of pre-emption under this act.

SEC. 11. *And be it further enacted,* That when two or more persons shall have settled on the same quarter section of land, the right of pre-emption shall be in him or her who made the first settlement, provided such persons shall conform to the other provisions of this act: and all questions as to the right of pre-emption arising between different settlers, shall be settled by the register and receiver of the district within which the land is situated, subject to an appeal to and a reversion by the Secretary of the Treasury of the United States.

SEC. 12. *And be it further enacted,* That prior to any entries being made under and by virtue of the provisions of this act, proof of the settlement and improvement thereby acquired,

shall be made to the land district, rules as shall be prescribed who shall each be applicant for his assignments and the issuing of the

SEC. 13. *And* claiming the benefits of the land district by authorized to had the benefit he or she is not of land in any State he or she settled on speculation, own exclusive use ly or indirectly manner, with a title, which he the United States fit of any person taking such oaths shall be subject shall forfeit the land, and all right conveyance which of bona-fide purchase and void; and such oath to file such district, a Land Office, evidence that such

SEC. 14. *And*