

from the passage of this act, be entitled to a patent from the government, as now provided by the existing pre-emption laws may take less than one hundred and sixty acres by legal subdivisions.

Sec. 8. And be it further enacted, that the 5th section of the act, entitled "An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits required or authorised by this act.

Sec. 9. And be it further enacted, that nothing in this act shall be so construed as to prevent any person who has availed him or herself of the benefit of the first sections of this act from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time after an actual settlement of six months, and before the expiration of the five years, and obtaining a patent therefor from the government, as in other cases provided by law.

Sec. 10. And be it further enacted, that all lands lying within the limits of a State which have been subject to sale at private entry, and which remain unsold after the lapse of thirty-five years, shall be, and the same are hereby ceded to the State in which the same are situated. Provided these cessions shall in no way invalidate any inceptive pre-emption right or location, nor any sale or sales which may be made by the United States before the lands hereby ceded shall be certified to the State as they are hereby required to be, under such regulation as may be prescribed by the Secretary of the Interior; and provided, further, that no cessions shall take effect until after the States, by legislative act, shall have assented to the same.