

Antietam, Crampton's Gap, and South Mountain and Monocacy, in the Antietam National Cemetery; *and whereas*, the said appropriation so made is yet unappropriated, by reason of the persistent refusal of the trustees of said "Antietam National Cemetery" to allow the remains of said Confederate soldiers to be interred therein; and inasmuch as the provisions of said Act of eighteen hundred and sixty-eight cannot be carried out otherwise than by a repeal and re-enactment of said Act of eighteen hundred and sixty-eight, therefore, be it enacted:

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That chapter one hundred and four, of the Acts of eighteen hundred and sixty-eight be and the same is hereby repealed, and the following enacted in lieu thereof: Repealed.

Sec. 2. *And be it enacted*, That a portion of ground, not exceeding ten acres, to be located within one mile of Hagerstown, be purchased, enclosed and devoted in perpetuity for the purpose of the burial and final resting place of the remains of the Confederate dead, and all other of both armies in the late war, who fell in the battles of Antietam, South Mountain, Monocacy, and other points in the State of Maryland, or who died from wounds received in said battles, and also those who fell in the battle of Gettysburg, in the State of Pennsylvania; but the power and right are hereby given to the Trustees appointed under this Act to agree with any Cemetery Association now established within one mile of Hagerstown, for the purchase or occupation of so much of their land as may be necessary to carry out the objects and purposes of this Act. Purchase lot for Cemetery.  
Who to be interred.

Sec. 3. *And be it enacted*, That the Governor shall appoint three Trustees for the State of Maryland, to serve for three years, and who may be re-appointed in the discretion of the Governor, and there shall be one Trustee for each of the other States, to be appointed by the Governors of their respective States, and the same are hereby created a body politic, in law, under the style and name and title of the Washington Cemetery, and by that name, style and title shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue and be sued, plead and Trustees.  
Trustees from other States.  
Authority.