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entered, the entryman, selector, or locator, or, in case of his death, his legal representatives, or, when the claim is by law transferable, his or their transferees, may, in any case coming within the provisions of this section, file his or their affidavit, with such additional evidence as can be procured showing the mistake as to the numbers of the tract intended to be entered and that every reasonable precaution and exertion was used to avoid the error, with the register and receiver of the land district in which such tract of land is situate, who should transmit the evidence submitted to them, in each case, together with their written opinion both as to the existence of the mistake and the credibility of every person testifying thereto, to the Commissioner of the General Land Office, who, if he be entirely satisfied that the mistake has been made and that every reasonable precaution and exertion has been made to avoid it, is authorized to change the entry and transfer the payment from the tract erroneously entered to that intended to be entered, if the same has not been disposed of and is subject to entry, or, if not subject to entry, then to any other tract liable to such entry, selection, or location; but the oath of the person interested shall in no case be deemed sufficient, in the absence of other corroborating testimony, to authorize such change of entry, nor shall anything herein contained affect the right of third persons."

Evidence of error to be filed.

Transmission of, to General Land Office.

Change of entry, etc.

Oath of beneficiary to be corroborated.

Approved, February 24, 1909.

February 25, 1909.
[H. R. 23707.]

[Public, No. 259.]

CHAP. 190.—An Act To incorporate the Imperial Palace, Dramatic Order Knights of Khorassan.

District of Columbia, Imperial Palace of Dramatic Order Knights of Khorassan, incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Daniel F. Summey, junior, of the city of Charlotte, State of North Carolina; William Beatty, of the city of Toledo, State of Ohio; Thomas H. Hineline, of the city of Minneapolis, State of Minnesota; Henry W. Belding, of the city of Webster Groves, State of Missouri; Charles V. Stansbury, of the city of Los Angeles, State of California; John Hallowell Dickinson, of the city of Richmond, State of Virginia; Charles E. Rice, of the city of Buffalo, State of New York; George F. Eubanks, of the city of Atlanta, State of Georgia; Joseph A. Solomons, of the city of Grand Rapids, State of Michigan; Estil D. Guffy, of the city of Oklahoma City, State of Oklahoma; Frank R. Lander, of the city of Cleveland, State of Ohio; and Gus Meese, of the city of Spokane, State of Washington, officers and members of the Imperial Palace, Dramatic Order Knights of Khorassan, and their successors, be, and they are hereby, incorporated and made a body politic and corporate in the District of Columbia, by the name of "The Imperial Palace, Dramatic Order Knights of Khorassan," and by that name may sue and be sued, plead and be impleaded, in any court of law or equity, and may have and use a common seal, and change the same at pleasure, and be entitled to use and exercise all the powers, rights, and privileges incidental to fraternal and benevolent corporations within the District of Columbia.

Incorporators.

Name.

Powers.

Real, etc., property. Maximum holdings.

SEC. 2. That the said corporation shall have power to take and hold real and personal estate not exceeding in value one hundred thousand dollars, which shall not be divided among the members of the corporation, but shall descend to their successors for the promotion of the fraternal and benevolent purposes of said corporation.

Claims, accounts, etc.

SEC. 3. That all claims, accounts, debts, things in action or other matters of business of whatever nature now existing for or against the present Imperial Palace, Dramatic Order Knights of Khorassan, mentioned in section one of the Act, shall survive and succeed to and against the body corporate and politic hereby created: *Provided*,

Proviso. Restriction.

That nothing contained herein shall be construed to extend the operation of any law which provides for the extinguishing of claims or contracts by limitation of time.

Constitution.

SEC. 4. That said corporation shall have a constitution and shall have power to amend the same at pleasure: *Provided*, That such constitution or amendments thereof do not conflict with the laws of the United States or of any State.

Proviso. Restriction.

Meetings.

SEC. 5. That said corporation may provide for meetings of its legislative or governing body wherever such association shall have subordinate bodies, and all business transacted at such meetings shall be valid in all respects as if such meetings were held within said District.

Offices.

SEC. 6. That the general offices of said corporation shall be in the District of Columbia or in any State where the secretary of the corporation may reside.

Business for gain prohibited.

SEC. 7. That said corporation shall not engage in any business for gain, the purposes of said corporation being fraternal and benevolent.

Amendment.

SEC. 8. That Congress may at any time amend, alter, or repeal this Act.

Approved, February 25, 1909.

February 25, 1909. [H. R. 24883.] [Public, No. 260.]

CHAP. 191.—An Act To declare and enforce the forfeiture provided by section four of the Act of Congress approved March third, eighteen hundred and seventy-five, entitled "An Act granting to railroads the right of way through the public lands of the United States."

Public lands. Forfeiture of certain railroad rights of way, etc., through. Vol. 18, p. 483.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each and every grant of right of way and station grounds heretofore made to any railroad corporation under the Act of Congress approved March third, eighteen hundred and seventy-five, entitled "An Act granting to railroads the right of way through the public lands of the United States," where such railroad has not been constructed and the period of five years next following the location of said road, or any section thereof, has now expired, shall be, and hereby is, declared forfeited to the United States, to the extent of any portion of such located line now remaining unconstructed, and the United States hereby resumes the full title to the lands covered thereby free and discharged from such easement, and the forfeiture hereby declared shall, without need of further assurance or conveyance, inure to the benefit of any owner or owners of land heretofore conveyed by the United States subject to any such grant of right of way or station grounds: *Provided*, That no right of way on which construction is progressing in good faith at the time of the passage of this Act shall be in any wise affected, validated or invalidated, by the provisions of this Act.

Prior rights restored.

Proviso. Exception.

Approved, February 25, 1909.

February 25, 1909. [H. R. 27311.] [Public, No. 261.]

CHAP. 192.—An Act Amending chapter five hundred and ninety-one of the United States Statutes at Large, Fifty-sixth Congress, approved May twenty-sixth, nineteen hundred, entitled "An Act to provide for the holding of a term of the circuit and district courts of the United States at Superior, Wisconsin."

Wisconsin western judicial district. Vol. 31, p. 219, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter five hundred and ninety-one of the United States Statutes at Large, approved May twenty-sixth, nineteen hundred, be, and the same is hereby, amended so as to read as follows:

Terms at Superior.

"SECTION 1. That two terms of the circuit and district courts of the United States for the western district of Wisconsin shall be held annually at the city of Superior, one term beginning on the fourth Tuesday