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clerk of the United States court of appeals for the Indian Territory shall be transferred to the custody of the secretary of state of the State of Oklahoma, and the then clerk of said court shall certify to the identity of said books, dockets, records, and files, and when the said clerk of the United States court of appeals for the Indian Territory has certified all books, records, documents, and files in his office relating to corporations to the secretary of the State of Oklahoma,

Duty of secretary of state.

it shall be the duty of the secretary of the State of Oklahoma to receive and retain the custody and control of the said records, books, documents, and files certified to him by the clerk of the court of appeals for the Indian Territory, and when received by the secretary of state of Oklahoma the same shall become a part of the records of

Certified copies.

the office of the secretary of the State, and the secretary of state is hereby empowered to furnish copies and to certify to the same, whose certificate, when made under the great seal of the State of Oklahoma, shall have the same force and effect as if the said books, records, documents, and files had been originally filed in the office of the secretary of the State of Oklahoma."

In effect July 1, 1909.

SEC. 23. That this Act shall take effect and be in force on and after the first day of July, nineteen hundred and nine. In so far only as the provisions of this Act are in conflict with other or prior Acts the other or prior Acts are hereby repealed.

Repeal.

Approved, March 3, 1909.

March 3, 1909.
[H. R. 24834.]

CHAP. 270.—An Act For the protection of the surface rights of entrymen.

[Public, No. 323.]

Public lands.
Confirmation of entries on lands erroneously deemed nonmineral.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who has in good faith located, selected, or entered under the nonmineral land laws of the United States any lands which subsequently are classified, claimed, or reported as being valuable for coal, may, if he shall so elect, and upon making satisfactory proof of compliance with the laws under

Preservation of coal rights to United States.
Disposal under coal-land laws.

which such lands are claimed, receive a patent therefor, which shall contain a reservation to the United States of all coal in said lands, and the right to prospect for, mine, and remove the same. The coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in

Right of owner of surface.

force at the time of such disposal, but no person shall enter upon said lands to prospect for, or mine and remove coal therefrom, without previous consent of the owner under such patent, except upon such conditions as to security for and payment of all damages to such owner caused thereby as may be determined by a court of competent

Provisos.
Domestic use of coal.

jurisdiction: *Provided*, That the owner under such patent shall have the right to mine coal for use on the land for domestic purposes prior to the disposal by the United States of the coal deposit: *Provided*

Rights of entryman.

further, That nothing herein contained shall be held to affect or abridge the right of any locator, selector, or entryman to a hearing for the purpose of determining the character of the land located, selected, or entered by him. Such locator, selector or entryman who has heretofore made or shall hereafter make final proof showing good faith and satisfactory compliance with the law under which his land is claimed shall be entitled to a patent without reservation unless at the time of such final proof and entry it shall be shown that the land is chiefly valuable for coal.

Approved, March 3, 1909.