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fications.

of entries under the Act approved February nineteenth, nineteen hundred and nine, entitled "An Act to provide for an enlarged home-
stead:" *Provided*, That those who have initiated non-mineral entries,
selections, or locations in good faith, prior to the passage of this Act,
on lands withdrawn or classified as coal lands may perfect the same
under the provisions of the laws under which said entries were made,
but shall receive the limited patent provided for in this Act.

SEC. 2. That any person desiring to make entry under the home-
stead laws or the desert-land law, any State desiring to make selec-
tion under section four of the Act of August eighteenth, eighteen
hundred and ninety-four, known as the Carey Act, and the Secretary
of the Interior in withdrawing under the Reclamation Act lands
classified as coal lands, or valuable for coal, with a view of securing
or passing title to the same in accordance with the provisions of said
Acts, shall state in the application for entry, selection, or notice of
withdrawal that the same is made in accordance with and subject to
the provisions and reservations of this Act.

SEC. 3. That upon satisfactory proof of full compliance with the
provisions of the laws under which entry is made, and of this Act, the
entryman shall be entitled to a patent to the land entered by him, which
patent shall contain a reservation to the United States of all the coal in
the lands so patented, together with 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 force at the time of such disposal. Any person
qualified to acquire coal deposits or the right to mine and remove the
coal under the laws of the United States shall have the right, at all
times, to enter upon the lands selected, entered, or patented, as pro-
vided by this Act, for the purpose of prospecting for coal thereon
upon the approval by the Secretary of the Interior of a bond or under-
taking to be filed with him as security for the payment of all damages
to the crops and improvements on such lands by reason of such pros-
pecting. Any person who has acquired from the United States the
coal deposits in any such land, or the right to mine or remove the
same, may reenter and occupy so much of the surface thereof as may
be required for all purposes reasonably incident to the mining and
removal of the coal therefrom, and mine and remove the coal, upon
payment of the damages caused thereby to the owner thereof, or upon
giving a good and sufficient bond or undertaking in an action insti-
tuted in any competent court to ascertain and fix said damages: *Pro-
vided*, That the owner under such limited patent shall have the right
to mine coal for use upon the land for domestic purposes at any time
prior to the disposal by the United States of the coal deposits: *Pro-
vided further*, That nothing herein contained shall be held to deny or
abridge the right to present and have prompt consideration of appli-
cations to locate, enter, or select, under the land laws of the United
States, lands which have been classified as coal lands with a view of dis-
proving such classification and securing a patent without reservation.

Approved, June 22, 1910.

June 22, 1910.
[H. R. 19039.]

[Public, No. 228.]

District of Colum-
bia.
Massachusetts ave-
nue northwest.
Condemning land
for extending, etc.
Vol. 34, p. 151.

CHAP. 319.—An Act Authorizing the extension of Massachusetts avenue north-
west from Wisconsin avenue to the District line.

*Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled*, That, under and in accord-
ance with the provisions of subchapter one of chapter fifteen of the
Code of Law for the District of Columbia, the Commissioners of the
District of Columbia be, and they are hereby, authorized and directed
to institute in the supreme court of the District of Columbia a pro-
ceeding in rem to condemn the land that may be necessary for the

extension and widening of Massachusetts avenue northwest from Wisconsin avenue to the District line, with a width of one hundred and sixty feet: *Provided, however,* That the entire amount found to be due and awarded by the jury in said proceeding as damages for and in respect of the land to be condemned for said extension plus the costs and expenses of the proceeding hereunder shall be assessed by the jury as benefits.

Proviso.
Damages assessed as benefits.

SEC. 2. That there is hereby appropriated out of the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings herein provided for and for the payment of the amounts awarded by the jury as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia.

Appropriation for expenses.

Payment of awards.

Approved, June 22, 1910.

CHAP. 320.—An Act To create an additional land district in the Territory of New Mexico, to be known as the "Fort Sumner land district."

June 22, 1910.
[H. R. 19268.]

[Public, No. 229.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an additional land district is hereby created in the Territory of New Mexico, to embrace lands described as follows: Beginning at the point where the township line between townships four and five north of the base line parallel intersects the boundary line between the Territory of New Mexico and the State of Texas; running thence west from said intersection along said township line to its intersection with the line between ranges fifteen and sixteen east of the New Mexico prime meridian; thence south along said range line to its intersection with the township line between townships five and six south; thence east along said township line to the boundary line between the Territory of New Mexico and the State of Texas; thence north on and along said boundary line to the place of beginning; and that Fort Sumner, within said district, is hereby designated as the site for the land office thereof.

Public lands.
Fort Sumner land district, N. Mex., created.
Boundaries.

Land office.

SEC. 2. That the Secretary of the Interior shall cause all plats, maps, records, and papers in the Roswell and Sante Fe land offices which relate to or form a necessary part of the record of the lands embraced in the land district hereby created to be transferred to the same, and said district created as aforesaid shall be known as the "Fort Sumner land district."

Transfer of plats, etc.

SEC. 3. That the President is authorized to appoint, by and with the consent of the Senate, a person to act as register and also a person to act as receiver of the aforesaid Fort Sumner land district, and that such clerical force as may be necessary shall be assigned to the said Fort Sumner land office by the Secretary of the Interior.

Register and receiver to be appointed.

Approved, June 22, 1910.

CHAP. 321.—An Act To provide for sittings of the United States circuit and district courts of the eastern division of the eastern district of Missouri at the city of Rolla, in said district.

June 22, 1910.
[H. R. 21219.]

[Public, No. 230.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this Act there shall be held at the city of Rolla, in the eastern division of the eastern district of Missouri, a term of both the circuit and district courts of said division and district on the second Monday of January and the second Monday of June in each year: *Provided,* That suitable rooms and accommodations are furnished for the holding of said court at said place free of expense to the Government of the United States.

Missouri eastern judicial district.
Terms of court at Rolla.
Post, p. 1117.

Proviso.
Court rooms.