

minerals, or sufficient moneys obtained from the sale of the property to pay all claims in full, the court shall apportion the proceeds to the payment of such judgments pro rata: *Provided*, That no part of any such proceeds shall be paid upon any claim or judgment to any person who did not actually perform labor in producing the dump or the proceeds thereof until all such preferred claims are paid in full.

SEC. 10. That an appeal may be taken from a final judgment of a justice of the peace in actions instituted under this Act to the district court, in the manner provided in chapter ninety-seven of the Code of Civil Procedure now in force in Alaska, and upon such appeal being perfected the dump or mass of mineral-bearing sands, gravels, earth and rock, gold and gold dust, or other minerals shall be washed up by the marshal or any party mentioned in section nine of this Act as the district court may direct, and all the gold or gold dust or other mineral so washed up shall be paid into the registry of the district court there to await the final judgment on appeal: *Provided*, That the gold or gold dust or other mineral in excess of the amount of the judgment, including an additional amount equal to the probable accruing costs on appeal and two years' interest at the legal rate, shall after the expiration of ninety days from the time it was paid into the registry of the district court, be released to the owners upon a showing that no liens have been filed against it. The defendant or defendants, or any one or more of them, may deposit cash in lieu of the gold or gold dust on the dump, which shall remain in the custody of the law until the final judgment, and shall then be applied in payment of the judgment or judgments rendered on each lien claims, and costs, and interest.

SEC. 11. That any person or persons who shall, after the copy of the notice of lien is posted upon any dump or mass of mineral-bearing sands, gravels, earth or rock, gold and gold dust, or other mineral, as provided in this Act, and with knowledge of such notice of lien, buy, purchase, wash up, remove, destroy, or carry away all or any part or portion of the same, or the gold or gold dust therein, or who shall render it difficult, uncertain, or impossible to identify the gold or gold dust or other mineral obtained therefrom, shall be liable to the lien holder for the full amount of his judgment and costs; and any person who shall take and carry away all or any part or portion of said dump of mineral-bearing sands, gravels, earth or rock, or the gold or gold dust or other minerals therefrom, after the same shall come into the custody of the officer, shall be guilty of a crime and shall be punished as for the larceny of a like amount; and any district attorney in Alaska is specially required to immediately cause a warrant to be issued for the arrest of any such person or persons and to prosecute them according to law.

Approved, June 25, 1910.

CHAP. 423.—An Act To provide additional protection for owners of patents of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever an invention described in and covered by a patent of the United States shall hereafter be used by the United States without license of the owner thereof or lawful right to use the same, such owner may recover reasonable compensation for such use by suit in the Court of Claims: *Provided*, however, That said Court of Claims shall not entertain a suit or reward compensation under the provisions of this Act where the claim for compensation is based on the use by the United States of any article heretofore owned, leased, used by, or in the possession of the United States: *Provided further*, That in any such suit the United States may

*Proviso.*  
Restriction.

Appeals to district court.

Vol. 31, p. 487.

Extracting minerals.

Payment into registry of court.

*Proviso.*  
Release of excess of judgment, etc.

Cash deposit permitted.

Liability for buying minerals, etc., posted.

Carrying away, etc. deemed larceny.

Prosecutions.

June 25, 1910.  
[H. R. 24649.]

[Public, No. 305.]

Patents.  
Recovery for unlicensed use by United States.

*Provisos.*  
Claims barred.

Defenses allowed.

R. S., secs. 4918-4922,  
pp. 951, 952.  
Patents by Govern-  
ment employees.

avail itself of any and all defenses, general or special, which might be pleaded by a defendant in an action for infringement, as set forth in Title Sixty of the Revised Statutes, or otherwise: *And provided further*, That the benefits of this Act shall not inure to any patentee, who, when he makes such claim is in the employment or service of the Government of the United States; or the assignee of any such patentee; nor shall this Act apply to any device discovered or invented by such employee during the time of his employment or service.

Approved, June 25, 1910.

June 25, 1910.  
[H. R. 24833.]

**CHAP. 424.**—An Act To provide for the care and support of insane persons in the Territory of Alaska.

[Public, No. 306.]

Alaska.  
Temporary deten-  
tion hospitals for in-  
sane.  
Authorized at Fair-  
banks and Nome.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby established at Fairbanks, in the Territory of Alaska, and at Nome, in the Territory of Alaska, respectively, a detention hospital for the temporary care and detention of the insane, wherein all insane and other patients in charge of the United States marshal shall be detained until transported to the asylum provided by law for their permanent care and cure, or otherwise disposed of as provided by the laws of the United States; and the sum of twenty-five thousand dollars is hereby appropriated out of any moneys in the United States Treasury not otherwise appropriated, not exceeding one-half thereof to be expended in the erection and equipment of the hospital at Fairbanks, and not exceeding one-half thereof to be expended in the erection and equipment of the hospital at Nome.

Appropriation.

Board on construc-  
tion.

**SEC. 2.** That the governor of Alaska and the judge of the district court and the United States marshal of the judicial division in which the said detention hospital, respectively, is to be erected and equipped, shall constitute in each division a board whose duty it shall be to cause the said detention hospital to be erected and equipped; that public bids for the erection of the same shall be called for, and the said board shall let the contract for the erection of the buildings, respectively, to the lowest and best bidder, but the said board may reject any or all bids and call for new bids in their discretion; that the moneys hereby appropriated, or so much thereof as shall be necessary, shall be expended by the said board upon the approval of the governor; and the said board in each division shall make a detailed report of the expenditures of the said funds to the Attorney-General of the United States; that the said hospitals, after their erection and equipment, shall be under the charge and control of the United States marshal in the division where situated, and the maintenance thereof shall be paid in the same manner and from the same fund as the expense of the United States jails under the same marshal is paid.

Contracts, etc.

Expenditures, re-  
port, etc.

Care and mainte-  
nance.

Approved, June 25, 1910.

June 25, 1910.  
[H. R. 25560.]

**CHAP. 425.**—An Act Authorizing the Bowling Green and Northern Railroad Company to bridge Green and Barren rivers.

[Public, No. 307.]

Green River.  
Bowling Green and  
Northern Railroad  
Company may bridge,  
at Davis Ferry, Ky.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Bowling Green and Northern Railroad Company, a corporation organized under the laws of the State of Kentucky, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto, across the Green River, at a point suitable to the interests of navigation, at or near Davis Ferry, about one mile below said ferry, and about the same distance above Lock Numbered Five, in Edmonson County, Kentucky; also a bridge and approaches thereto across the Barren River, at a point

Barren River, at  
Bowling Green, Ky.