

oiled and rolled, and shall maintain the same, including the space between the tracks, at all times in good condition for vehicle traffic; shall keep the said track or roadway within the reservation limits properly lighted by satisfactory electric light without expense to the United States; and shall construct and maintain a suitable drainage ditch along said track.

SEC. 4. That if any portion of the said reservation occupied by the works herein authorized shall cease to be used for some one of the purposes aforesaid, the same shall revert to the United States; and the said corporation, its successors, or assigns, shall thereupon restore the premises to good condition, as required by the post commander.

SEC. 5. That the said corporation may be required at all times to improve and maintain its tracks and the spaces between them in good condition for traffic in conformity with the streets or public roadway over which they are laid.

SEC. 6. That the Congress reserves the right to alter, amend, or repeal this Act.

Approved, August 9, 1912.

Reversion for non-user.

Maintenance of track, etc.

Amendment.

CHAP. 277.—An Act To amend section ninety-six of the "Act to codify, revise, and amend the laws relating to the judiciary," approved March third, nineteen hundred and eleven.

August 9, 1912.
[S. 4886.]

[Public, No. 265.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section ninety-six of the "Act to codify, revise, and amend the laws relating to the judiciary," approved March third, nineteen hundred and eleven, be, and hereby is, amended so as to read as follows:

United States courts.
Vol. 35, p. 1119,
amended.
Post, p. 675.

"SEC. 96. The State of New Jersey shall constitute one judicial district, to be known as the district of New Jersey. Terms of the district court shall be held at Trenton on the third Tuesdays in January, April, and September. At each term of the district court it shall be lawful for the judge holding such term, on consent of both parties or on application therefor and good cause shown by either party to any civil cause set for trial or hearing at said term, to order such cause to be held or tried at the city of Newark, in said district, upon the day set for that purpose by said judge: *Provided*, That such application shall be made to said judge, either in vacation or term time, at least one week before the date set for trial of said cause and on at least five days' notice to the opposite party or his or her attorney; and writs of subpoena to compel the attendance of witnesses at said city of Newark may issue, and jurors summoned to attend said term may be ordered by said judge to be in attendance upon said court in the city of Newark."

New Jersey judicial district.
Terms.

Civil causes at Newark.

Provided.
Applications.

Approved, August 9, 1912.

CHAP. 278.—An Act Providing for patents on reclamation entries, and for other purposes.

August 9, 1912.
[S. 5545.]

[Public, No. 266.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any homestead entryman under the Act of June seventeenth, nineteen hundred and two, known as the reclamation Act, including entrymen on ceded Indian lands, may, at any time after having complied with the provisions of law applicable to such lands as to residence, reclamation and cultivation, submit proof of such residence, reclamation and cultivation, which proof, if found regular and satisfactory, shall entitle the entry-

Reclamation Act.
Homesteaders under, to receive patent when conditions completed.
Vol. 32, p. 308.

Final water-right certificates.

man to a patent, and all purchasers of water-right certificates on reclamation projects shall be entitled to a final water-right certificate upon proof of the cultivation and reclamation of the land to which the certificate applies, to the extent required by the reclamation Act for homestead entrymen: *Provided*, That no such patent or certificate shall issue until all sums due the United States on account of such land or water right at the time of issuance of patent or certificate have been paid.

Proviso.
Payment in full required.

Lien reserved to United States.

SEC. 2. That every patent and water-right certificate issued under this Act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens, claims or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights.

Forfeiture of title on default of payment.

Upon default of payment of any amount so due title to the land shall pass to the United States free of all encumbrance, subject to the right of the defaulting debtor or any mortgagee, lien holder, judgment debtor, or subsequent purchaser to redeem the land within one year after the notice of such default shall have been given by payment of all moneys due, with eight per centum interest and cost. And the United States, at its option, acting through the Secretary of the Interior, may cause land to be sold at any time after such failure to redeem, and from the proceeds of the sale there shall be paid into the reclamation fund all moneys due, with interest as herein provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee: *Provided*, That in case of sale after failure to redeem under this section the United States shall be authorized to bid in such land at not more than the amount in default, including interest and costs.

Sale, etc., authorized.

Proviso.
Bidding in by United States.

Certificate of final payment.

SEC. 3. That upon full and final payment being made of all amounts due on account of the building and betterment charges to the United States or its successors in control of the project, the United States or its successors, as the case may be, shall issue upon request a certificate certifying that payment of the building and betterment charges in full has been made and that the lien upon the land has been so far satisfied and is no longer of any force or effect except the lien for annual charges for operation and maintenance: *Provided*, That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own, or hold irrigable land for which entry or water right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all instalments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this Act.

Proviso.
Single holdings limited.

Excess acquired by descent, etc.

Forfeiture of prohibited excess.

SEC. 4. That the Secretary of the Interior is hereby authorized to designate such bonded fiscal agents or officers of the Reclamation Service as he may deem advisable on each reclamation project, to whom shall be paid all sums due on reclamation entries or water rights, and the officials so designated shall keep a record for the information of the public of the sums paid and the amount due at any time on account of any entry made or water right purchased under the reclamation Act; and the Secretary of the Interior shall make provision for furnishing copies of duly authenticated records of entries upon payment of reasonable fees, which copies shall be admissible in evidence, as are copies authenticated under section eight hundred and eighty-eight of the Revised Statutes.

Agents to receive payments.

Record to be kept.

Copies of records, etc.

R. S., sec. 888, p. 168.

SEC. 5. That jurisdiction of suits by the United States for the enforcement of the provisions of this Act is hereby conferred on the United States district courts of the districts in which the lands are situated.

Enforcement in district courts.

Approved, August 9, 1912.

CHAP. 279.—An Act To authorize the construction and maintenance of a sewer pipe upon and across the Fort Rodman Military Reservation at New Bedford, Massachusetts.

August 9, 1912.
[H. R. 15509.]

[Public, No. 267.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the United States is hereby given to the city of New Bedford, a municipal corporation existing under the laws of the Commonwealth of Massachusetts, to locate, construct, and maintain a sewer pipe upon and across the military reservation of Fort Rodman in said Commonwealth, upon such location and in accordance with such designs and plans as the Secretary of War may approve and under such conditions and regulations as he may prescribe.

Fort Rodman Military Reservation, Mass.
New Bedford granted right of way across.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 9, 1912.

CHAP. 280.—An Act To amend section three of the Act of Congress approved May fourteenth, eighteen hundred and eighty (Twenty-first Statutes at Large, page one hundred and forty).

August 9, 1912.
[H. 5806.]

[Public, No. 266.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of the Act of Congress approved May fourteenth, eighteen hundred and eighty (Twenty-first Statutes at Large, page one hundred and forty), be, and the same is hereby, amended by adding thereto the following:

Public lands.
Homestead entries.
Vol. 21, p. 141, amended.

Provided, That any settler upon lands designated by the Secretary of the Interior as subject to the provisions of sections one to five of the enlarged homestead Acts of February nineteenth, nineteen hundred and nine (Thirty-fifth Statutes at Large, page six hundred and thirty-nine), and June seventeenth, nineteen hundred and ten (Thirty-sixth Statutes at Large, page five hundred and thirty-one), shall be entitled to the preference right of entry accorded by this section, provided he shall have plainly marked the exterior boundaries of the lands claimed as his homestead: *And provided further,* That after the designation by the Secretary of the Interior of public lands for entry under the nonresidence provisions of the enlarged homestead Acts of February nineteenth, nineteen hundred and nine, and June seventeenth, nineteen hundred and ten, any person who shall have plainly marked the exterior boundaries of the lands claimed under said pro-

Preference rights to settlers on enlarged homesteads on non-riparian lands.
Vol. 35, p. 639.
Vol. 36, p. 681.

Boundaries to be marked.
Provido.
Entry to be made in three months.