

CHAP. 24.—An Act Extending the time for completion of the bridge across the Delaware River authorized by an Act entitled "An Act to authorize the Pennsylvania Railroad Company and the Pennsylvania and Newark Railroad Company, or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the twenty-fourth day of August, nineteen hundred and twelve.

February 6, 1915.
[S. 6839.]

[Public, No. 243.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the completion of the bridge now in course of construction across the Delaware River, which the Pennsylvania Railroad Company and the Pennsylvania and Newark Railroad Company, or their successors, were authorized to construct, maintain, and operate by an Act entitled "An Act to authorize the Pennsylvania Railroad Company and the Pennsylvania and Newark Railroad Company, or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the twenty-fourth day of August, nineteen hundred and twelve, be, and the same is hereby, extended for a period of one year from the twenty-fourth day of August, nineteen hundred and fifteen: *Provided,* That in all other respects said bridge shall be completed and shall be maintained and operated in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

Delaware River.
Time extended for
bridging, by Pennsylv-
ania Railroad Com-
pany, etc., at Trenton,
N. J.
Vol. 37, p. 492.

Proviso.
Construction, etc.

Vol. 34, p. 84.

Amendment.

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

Approved, February 6, 1915.

CHAP. 25.—An Act Authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assiniboine Military Reservation and open the same to settlement.

February 11, 1915.
[S. 655.]

[Public, No. 244.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to immediately cause to be surveyed all of the lands embraced within the limits of the abandoned Fort Assiniboine Military Reservation, in the State of Montana.

Fort Assiniboine
Military Reservation,
Mont.
Survey of lands in.

SEC. 2. That before said lands are opened to entry the Secretary of the Interior shall have said lands classified by an inspector or special agent of the Department of the Interior into four classes—first, agricultural lands; second, timber lands; third, coal lands; and fourth, mineral lands—and in making such classification all lands susceptible of cultivation that do not contain in excess of fifty thousand feet of merchantable timber to the forty-acre tract shall be classified as

Classification of
lands before opening
to entry.

- agricultural lands, and all lands containing in excess of fifty thousand feet of merchantable timber to the forty-acre tract shall be classified as timber lands.
- Agricultural lands.** SEC. 3. That when so classified, all of said lands classed as agricultural land shall be opened to settlement and entry under the homestead laws of the United States, but not to entry or location under sections twenty-three hundred and six and twenty-three hundred and seven of the Revised Statutes: *Provided, however,* That the enlarged homestead Act, approved February nineteenth, nineteen hundred and nine, shall not apply until six months after said land has been opened to settlement and entry as aforesaid: *And provided further,* That any rights which may have attached to any of said lands under any of the public-land laws of the United States prior to the passage of this Act may be perfected and the lands so affected may be patented upon proof of compliance with the laws under which such rights so attached: *Provided further,* That lands classified as timber lands shall be disposed of under rules and regulations to be provided by the Secretary of the Interior with the authority to dispose of the timber and land separately when deemed advisable: *Provided further,* That the lands classified as coal lands shall be subject to disposition under the homestead laws, as herein provided for lands classified as agricultural, but those making entry of such lands must agree to a reservation to the United States of the coal deposits therein and of the right in the United States, or those claiming through the United States, to prospect for, mine and remove the same, and such coal deposits shall be disposed of as provided by section three of the Act of June twenty-second, nineteen hundred and ten (Thirty-sixth Statutes, page five hundred and eighty-three), but no purchase of the coal deposits shall confer any right to the surface of the lands excepting such as is necessary to the mining and removal of the coal deposits: *Provided further,* That lands classified as mineral shall be disposed of under the mining laws.
- Timber lands.**
- Coal lands.**
- Surface entries.**
- Vol. 26, p. 583.
- Mineral lands.**
- Fees.**
- SEC. 4. That entrymen upon said lands shall, in addition to the regular land office fees, pay the sum of \$1.25 per acre for said land, such payments to be made as follows: Twenty-five cents per acre at the time of making entry and 25 cents per acre each and every year thereafter until the full sum of \$1.25 per acre shall have been paid: *Provided,* That for a period of six months subsequent to the date on which the lands are opened to settlement entrymen upon said lands shall, in addition to the regular land office fees, pay the sum of \$2.50 per acre for said land, such payments to be made as follows: Fifty cents per acre at the time of making entry and 50 cents per acre each and every year thereafter until the full sum of \$2.50 per acre shall have been paid. In case any entryman fails to make annual payments, or any of them when due, all right in and to the lands covered by his entry shall cease; and any payments theretofore made shall be forfeited and the entry canceled, and the land shall be again subject to entry under the provisions of the homestead law at the price fixed therefor by the former entry; but in all cases the full amount of purchase money must be paid on or before the offer of final proof: *Provided, however,* That the commutation provision of the general homestead law shall be applicable to all persons making homestead entry on said land under the provisions of this Act, save and excepting entries made hereunder in accordance with the provisions of the enlarged homestead Act, approved February nineteenth, nineteen hundred and nine, which shall not be subject to commutation, but in instances where commutation is permissible hereunder, the entryman shall pay, in addition to the price fixed for entry, the sum of \$1.25 per acre, as consideration for the privilege.
- Provisos.** additional fees.
- Forfeiture, etc., for nonpayment.**
- Commutation.**
- Enlarged homesteads.**
- Vol. 35, p. 639.
- Government buildings, not included.**
- SEC. 5. That this Act shall not apply to an area of two thousand acres embracing the Government buildings at Fort Assiniboine.

SEC. 6. That the Thirteenth Legislative Assembly of the State of Montana having enacted a law for the purpose of establishing an agricultural, manual training, or other educational or public institution upon the present site of Fort Assiniboine, Montana, duly approved by the governor of Montana and to be in full force and effect after the fourth day of July, nineteen hundred and thirteen, and upon the transfer to the State of Montana by the President of the United States of two thousand acres of land, situate in said abandoned Fort Assiniboine Reservation and embracing the military buildings at said abandoned fort, except the guardhouse at said post; the President of the United States is hereby authorized and directed to transfer, grant, and set over to the State of Montana all right, title, and interest of, in, and to the said two thousand acres of land hereby reserved, embracing the buildings at Fort Assiniboine, except the guardhouse at said post, upon payment therefor by the State of Montana to the United States of the sum of \$2.50 per acre: *Provided*, That the State of Montana shall be required to make its selection of two thousand acres within one year from the date of the passage of this Act.

Sale of land and buildings to State of Montana.

Transfer, etc.

Proviso.
Condition.

SEC. 7. That sections sixteen and thirty-six of the land in each township within said abandoned Fort Assiniboine Military Reservation, except those portions thereof classified as coal or mineral lands, shall be reserved for the use of the common schools of the State of Montana, and are hereby granted to the State of Montana: *Provided*, That the State may, if it so elects within one year from the date of the passage of this Act, accept subject to the reservation in the United States of the coal deposits therein the portion of said sections sixteen and thirty-six classified as coal lands, in full satisfaction of the grant herein made for common schools: *Provided*, That for all lands lost to the State because classified as coal or mineral indemnity may be taken as provided for in sections twenty-two hundred and seventy-five and twenty-two hundred and seventy-six of the Revised Statutes: *And provided*, That there is hereby reserved for homestead entry by Mary A. Herron, or her heirs, subject to the terms of this Act, the following described land upon said reservations: Northwest quarter of northeast quarter of section twenty-eight; west half of southeast quarter, northeast quarter of southeast quarter, section twenty-one, township thirty-two, range fifteen east: *Provided further*, That in case of failure of Mary A. Herron, or her heirs, to make entry within six months from the date of the passage of this Act, the lands will become subject to settlement and entry in accordance with the provisions of section four of this Act, the price to be fixed by the period of entry reckoned from the date of the expiration of the reservation in favor of Mary A. Herron and her heirs.

Sections reserved for common schools.

Provisos.
Acceptance of surface of coal lands.

Indemnity selections.
R. S., secs. 2275, 2276, p. 417.

Mary A. Herron.
Homestead entry allowed by.

Reversion if not entered.

SEC. 8. That the lands shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereon; and no person shall be permitted to settle upon, occupy, or enter any of said land except as prescribed in said proclamation.

Proclamation of opening.

SEC. 9. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000, or so much thereof as may be necessary, for the survey and classification of said lands and for the expenses incident to their opening to settlement and entry, and for the care of said buildings.

Appropriation for expenses.

Approved, February 11, 1915.