

March 10, 1908.
[S. 3941.]

[Public, No. 45.]

CHAP. 75.—An Act To amend section four of an Act entitled "An Act to prevent unlawful occupancy of the public lands," approved February twenty-fifth, eighteen hundred and eighty-five.

Public lands.
Unlawful occu-
pancy.
Vol. 23, p. 322,
amended.

Alternative penalty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of an Act entitled "An Act to prevent unlawful occupancy of the public lands," approved February twenty-fifth, eighteen hundred and eighty-five, be, and the same is hereby, amended so as to read as follows:

"SEC. 4. That any person violating any of the provisions hereof, whether as owner, part owner, or agent, or who shall aid, abet, counsel, advise, or assist in any violation hereof, shall be deemed guilty of a misdemeanor and fined in a sum not exceeding one thousand dollars or be imprisoned not exceeding one year, or both, for each offense."

Approved, March 10, 1908.

March 10, 1908.
[H. R. 4777.]

[Public, No. 46.]

CHAP. 76.—An Act Restricting in certain cases the right of appeal to the Supreme Court in habeas corpus proceedings.

United States courts.
Habeas corpus ap-
peals from State courts
to Supreme Court re-
stricted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from a final decision by a court of the United States in a proceeding in habeas corpus where the detention complained of is by virtue of process issued out of a State court no appeal to the Supreme Court shall be allowed unless the United States court by which the final decision was rendered or a justice of the Supreme Court shall be of opinion that there exists probable cause for an appeal, in which event, on allowing the same, the said court or justice shall certify that there is probable cause for such allowance.

Approved, March 10, 1908.

March 10, 1908.
[H. R. 6195.]

[Public, No. 47.]

CHAP. 77.—An Act To authorize A. J. Smith and his associates to erect a dam across the Choctawhatchee River in Dale County, Alabama.

Choctawhatchee
River.
Andrew J. Smith et
al. may dam.

Location.

Vol. 34, p. 386.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Andrew J. Smith and his associates, their successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam across the Choctawhatchee River about one-eighth of a mile below or west of the bridge across said river on the road known as the Newton and Ozark public road, in Dale County, in the State of Alabama, in accordance with the provisions of the Act entitled "An Act to regulate the construction of dams across navigable waters," approved June twenty-first, nineteen hundred and six.

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

Approved, March 10, 1908.

March 10, 1908.
[H. R. 15247.]

[Public, No. 48.]

CHAP. 78.—An Act To authorize the Idaho and Northwestern Railway Company to construct a bridge across the Spokane River near the city of Coeur d'Alene, Idaho.

Spokane River.
Idaho and North-
western Railway Com-
pany may bridge, at
Coeur d'Alene, Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Idaho and Northwestern Railway Company, a corporation of the State of Idaho, is hereby authorized to construct, maintain, and operate a bridge across the Spokane River at a point near the city of Coeur d'Alene, Kootenai

County, Idaho, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

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

Approved, March 10, 1908.

Vol. 34, p. 84.

Amendment.

CHAP. 79.—An Act To extend the time of payments on certain homestead entries in Oklahoma.

March 11, 1908.
[S. 3409.]

[Public, No. 49.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which all payments required by the Acts entitled "An Act to open to settlement five hundred and five thousand acres of land in Kiowa-Comanche and Apache Indian reservations in Oklahoma Territory," approved June fifth, nineteen hundred and six, and the Act entitled "An Act giving preference right to actual settlers on pasture reserve numbered three to purchase land leased to them for agricultural purposes in Comanche County, Oklahoma," approved June twenty-eighth, nineteen hundred and six, be, and the same is hereby, postponed and extended for one year from the date on which such payments are now by law required to be made: *Provided,* That as a condition precedent to said extension in each case the settler shall pay to the Secretary of the Interior, to be held in trust by him for the benefit of the Indian entitled thereto, four per centum on the amount of such deferred payments, where such settler had no preference right, and five per centum on the amount of the deferred payment where such settler was given a preference right: *And provided further,* That all persons, or their legal assignees, whose applications to purchase any of the pasture land mentioned in the Act of June twenty-eighth, nineteen hundred and six (and whose applications were rejected because such persons were sublessees), shall have the right to purchase under the provisions of this Act the land so originally applied for by them.

Oklahoma.
Time extended for payments on certain homestead entries in.
Vol. 34, p. 213.

Vol. 34, p. 550.
Post, p. 637.

Provisos.
Interest on deferred payments.

Rights of sublessees.

Approved, March 11, 1908.

CHAP. 80.—An Act For the relief of the Alaska Pacific Railway and Terminal Company.

March 11, 1908.
[S. 4351.]

[Public, No. 50.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time of the Alaska Pacific Railway and Terminal Company to comply with the provisions of sections four and five of chapter two hundred and ninety-nine of the laws of the United States, entitled "An Act extending the homestead laws and providing for the right of way for railroads in the district of Alaska, and for other purposes," approved May fourteenth, eighteen hundred and ninety-eight, in acquiring and completing its railroad now under construction in Alaska is hereby extended, as follows:

Alaska Pacific Railway and Terminal Company.
Time extended for completing road.
Vol. 30, p. 410.

First. The time to file the map and profile of definite location of its second section of at least twenty miles with the register of the land office in the district of Alaska, as provided in said sections four and five, is hereby extended to and including the eighteenth day of March, nineteen hundred and nine.

Filing maps, etc.
Vol. 30, p. 410.

Second. The time to complete the first section of at least twenty miles of its railroad, as provided in said section five, is hereby extended to and including the eighteenth day of March, nineteen hundred and nine, and such railroad company shall be entitled to all the benefits conferred upon it by the provisions of such Act upon its due com-

Completion of twenty miles of first section.
Time extended to March 18, 1909.