

March 10, 1908.  
[S. 3941.]

[Public, No. 45.]

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

Alternative penalty.

**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.

*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.]

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

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

*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.]

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

Location.

Vol. 34, p. 386.

Amendment.

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

*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.]

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

**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.

*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