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CHAP. 394.—An Act To amend the Act of Congress of March eleventh, nineteen hundred and two, relating to homesteads.

March 4, 1904.
[H. R. 8435.]

[Public, No. 37.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to amend section twenty-two hundred and ninety-four of the Revised Statutes of the United States," approved March eleventh, nineteen hundred and two, be, and the same is hereby, amended to read as follows:

Public lands.
Vol. 32, p. 63, amended.

Post, p. 64.

"That section twenty-two hundred and ninety-four of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

R. S., sec. 2294, p. 421, amended.

"'SEC. 2294. That hereafter all proofs, affidavits, and oaths of any kind whatsoever required to be made by applicants and entrymen under the homestead, preemption, timber-culture, desert-land, and timber and stone Acts, may, in addition to those now authorized to take such affidavits, proofs, and oaths, be made before any United States commissioner or commissioner of the court exercising Federal jurisdiction in the Territory or before the judge or clerk of any court of record in the county, parish, or land district in which the lands are situated: *Provided*, That in case the affidavits, proofs, and oaths hereinbefore mentioned be taken out of the county in which the land is located the applicant must show by affidavit, satisfactory to the Commissioner of the General Land Office, that it was taken before the nearest or most accessible officer qualified to take said affidavits, proofs, and oaths in the land districts in which the lands applied for are located; but such showing by affidavit need not be made in making final proof if the proof be taken in the town or city where the newspaper is published in which the final proof notice is printed. The proof, affidavit, and oath, when so made and duly subscribed, or which may have heretofore been so made and duly subscribed, shall have the same force and effect as if made before the register and receiver, when transmitted to them with the fees and commissions allowed and required by law. That if any witness making such proof, or any applicant making such affidavit or oath, shall knowingly, willfully, or corruptly swear falsely to any material matter contained in said proofs, affidavits, or oaths he shall be deemed guilty of perjury, and shall be liable to the same pains and penalties as if he had sworn falsely before the register. That the fees for entries and for final proofs, when made before any other officer than the register and receiver, shall be as follows:

Judicial officers before whom affidavits, etc., may be made.

County and parish added.

Proviso.
Affidavits taken out of county.

Force and effect of affidavits.

Penalty for false swearing.

Fees for entries, etc.

"'For each affidavit, twenty-five cents.

"'For each deposition of claimant or witness, when not prepared by the officer, twenty-five cents.

"'For each deposition of claimant or witness, prepared by the officer, one dollar.

"'Any officer demanding or receiving a greater sum for such service shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense by a fine not exceeding one hundred dollars.'"

Penalty for excessive fees.

Approved, March 4, 1904.

CHAP. 395.—An Act To provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas.

March 4, 1904.
[H. R. 10145.]

[Public, No. 38.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all appeals, writs of error, and other apellate proceedings which may hereafter be taken or prosecuted from the circuit or district courts of the United States from the courts at Beaumont, Jefferson County, Texas, in the eastern judicial district of Texas, to the court of appeals of the fifth circuit shall be

United States courts.
Texas eastern judicial district.
Appeals from Beaumont to be heard at New Orleans.