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presenting, or prosecuting such claim, or for any service or act whatsoever in connection with such claim, a sum greater than five per centum of the amount of such claim, and any person who shall violate the above provision shall be guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding five hundred dollars or be imprisoned not exceeding one year, or both, in the discretion of the court.

Punishment for violations.

Approved, June 25, 1910.

June 25, 1910.
[S. 5836.]
[Public, No. 317.]

CHAP. 435.—An Act To amend section one, chapter two hundred and nine, of the United States Statutes at Large, volume twenty-seven, entitled "An Act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court," and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes.

United States courts. Vol. 27, p. 252, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of an Act entitled "An Act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court," approved July twentieth, eighteen hundred and ninety-two, be, and the same is hereby, amended so as to read as follows:

Entering or defending suits without paying costs.

"That any citizen of the United States entitled to commence or defend any suit or action, civil or criminal, in any court of the United States, may, upon the order of the court, commence and prosecute or defend to conclusion any suit or action, or a writ of error, or an appeal to the circuit court of appeals, or to the Supreme Court in such suit or action, including all appellate proceedings, unless the trial court shall certify in writing that in the opinion of the court such appeal or writ of error is not taken in good faith, without being required to prepay fees or costs or for the printing of the record in the appellate court or give security therefor, before or after bringing suit or action, or upon suing out a writ of error or appealing, upon filing in said court a statement under oath in writing that because of his poverty he is unable to pay the costs of said suit or action or of such writ of error or appeal, or to give security for the same, and that he believes that he is entitled to the redress he seeks by such suit or action or writ of error or appeal, and setting forth briefly the nature of his alleged cause of action, or appeal."

Writs of error and appeals, included.

Affidavit of poverty, etc.

Approved, June 25, 1910.

June 25, 1910.
[S. 6118.]
[Public, No. 318.]

CHAP. 436.—An Act To confer upon the city of New York the power to obstruct certain navigable waters wholly within its limits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the city of New York, in the State of New York, to obstruct navigation of any river or other waterway which does not form a connecting link between other navigable waters of the United States, and lying wholly within the limits of said city, by closing all or any portion of the same or by building structures in or over the same when the said city shall be lawfully authorized to do so by the State of New York: *Provided, however*, That any such obstruction shall be unlawful unless the location and plans for the proposed work or works before the commencement thereof shall have been filed with and approved by the Secretary of War and Chief of Engineers; and when the plans for any such obstruction have been approved by the Chief of Engineers and by the Secretary of War it shall not be lawful to deviate from such plans either before or after the completion of such obstruction, unless the modification of such plans has previously been submitted to and received the approval of the Chief of Engineers and the Secretary of War: *And provided further*, That the city of New York shall be liable for any damage that may be inflicted upon private property by reason of any of the provisions of this Act.

New York City. May close certain navigable waters wholly in.

Provisos.
Approval of Secretary of War, etc.

Changes, etc.

Liability for damages.