

CHAP. 1489.—An Act Amending the Act of Congress approved January twenty-sixth, eighteen hundred and ninety-five, entitled “An Act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes.”

April 23, 1904.
[S. 1974.]

[Public, No. 153.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved January twenty-sixth, eighteen hundred and ninety-five (Twenty-eighth Statutes, six hundred and forty-one), entitled “An Act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes,” be, and the same is hereby, amended so as to read as follows:

Public lands.
Errors in allotments and patents to Indians to be corrected.
Vol. 28, p. 641, amended.

“That in all cases where it shall appear that a double allotment of land has heretofore been, or shall hereafter be, wrongfully or erroneously made by the Secretary of the Interior to any Indian by an assumed name or otherwise, or where a mistake has been or shall be made in the description of the land inserted in any patent, said Secretary is hereby authorized and directed, during the time that the United States may hold the title to the land in trust for any such Indian, and for which a conditional patent may have been issued, to rectify and correct such mistakes and cancel any patent which may have been thus erroneously and wrongfully issued whenever in his opinion the same ought to be canceled for error in the issue thereof, and if possession of the original patent can not be obtained, such cancellation shall be effective if made upon the records of the General Land Office; and no proclamation shall be necessary to open to settlement the lands to which such an erroneous allotment patent has been canceled, provided such lands would otherwise be subject to entry: *And provided,* That such lands shall not be open to settlement for sixty days after such cancellation: *And further provided,* That no conditional patent that shall have heretofore or that may hereafter be executed in favor of any Indian allottee, excepting in cases hereinbefore authorized, and excepting in cases where the conditional patent is relinquished by the patentee or his heirs to take another allotment, shall be subject to cancellation without authority of Congress.

Proceedings.

Lands erroneously patented opened to entry if patent be canceled.

Provisos.
Restriction.

Conditional patent not subject to cancellation.
Exceptions.

Approved, April 23, 1904.

CHAP. 1490.—An Act To amend sections twelve hundred and eighty-eight, twelve hundred and ninety-three, and twelve hundred and ninety-four of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends or Quakers.

April 23, 1904.
[S. 4130.]

[Public, No. 154.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twelve hundred and eighty-eight of an Act entitled “An Act to establish a code of law for the District of Columbia,” approved March third, nineteen hundred and one, be amended by adding thereto the following:

District of Columbia.
Code amendments.

“*Provided, however,* That marriages of members of any church or religious society which does not by its custom require the intervention of a minister for the celebration of marriages may be solemnized in the manner prescribed and practiced in any such society, the license in such case to be issued to, and returns to be made by, a person appointed by such church or religious society for that purpose.”

Marriages solemnized without a minister.
Vol. 31, p. 1392, amended.

SEC. 2. That section twelve hundred and ninety-three of said Act as amended by an Act of June thirtieth, nineteen hundred and two, be amended to read as follows:

“**SEC. 1293. FORM OF LICENSE.**—Licenses to perform the marriage ceremony shall be addressed to some particular minister, magistrate, or other person authorized by section twelve hundred and eighty-eight

Licenses to be addressed to certain authorized persons.
Vol. 32, p. 543, amended.

hereof to perform or witness the marriage ceremony and shall be in the following form:

“Number _____.

“To _____, authorized to celebrate (or witness) marriages in the District of Columbia, greeting:

“You are hereby authorized to celebrate (or witness) the rites of marriage between _____, of _____, and _____, of _____, and having done so, you are commanded to make return of the same to the clerk’s office of the supreme court of said District within ten days under a penalty of fifty dollars for default therein.

“Witness my hand and seal of said court this _____ day of _____, anno Domini _____.

“_____ , Clerk.

“By _____, Assistant Clerk.”

Return of coupon to clerk of court.

Said return shall be made in person or by mail on a coupon issued with said license and bearing a corresponding number therewith within ten days from the time of said marriage, and shall be in the following form:

“Number _____.

“I, _____, who have been duly authorized to celebrate (or witness) the rites of marriage in the District of Columbia, do hereby certify that, by authority of a license of corresponding number herewith, I solemnized (or witnessed) the marriage of _____ and _____, named therein, on the _____ day of _____, at _____, in said District.”

Second coupon to contracting parties.

A second coupon, of corresponding number with the license, shall be attached to and issued with said license, to be given to the contracting parties by the minister or other person to whom such license was addressed, and shall be in the following form:

“Number _____.

“I hereby certify that on this _____ day of _____, at _____, _____ and _____ were by (or before) me united in marriage in accordance with the license issued by the clerk of the supreme court of the District of Columbia.

“Name _____.

“Residence _____.”

Witness. Vol. 31, p. 1393, amended.

SEC. 3. That section twelve hundred and ninety-four of said Act be amended by inserting after the word “solemnized,” in the second line, the words “or witnessed.”

Approved, April 23, 1904.

CHAP. 1491.—An Act To validate certain original homestead entries and extend the time to make final proofs thereon.

April 23, 1904. [S. 4636.]

[Public. No. 155.]

Public lands. Time extended for final proofs in original homestead entries by aliens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where aliens have heretofore made original homestead entries, based upon void declarations of intention to become citizens of the United States made before United States commissioners, such original entries are hereby validated, and the time of such entrymen in which to make final proof on their entries is hereby extended for a period of two years, to enable such entrymen to legally secure final naturalization papers: *Provided,* That nothing in this Act shall be held to affect existing adverse claims to land embraced in such entries.

Provided. Existing adverse claims not affected.