the judicial districts of said Territory and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Constitution and laws of United States made applicable.

SEC. 16. *And be it further enacted*, That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Dakota as elsewhere within the United States.

Surveyor-general.

SEC. 17. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor-general for Dakota, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowances for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of the surveyor-general of Nebraska and Kansas, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Land district.

SEC. 18. *And be it further enacted*, That so much of the public lands of the United States in the Territory of Dakota, west of its eastern boundary and east and north of the Niobrara, or Running Water river,

Name and location.

be formed into a land district, to be called the Yancton district, at such time as the President may direct, the land office for which shall be located at such point as the President may direct, and shall be removed from time to time to other points within said district whenever, in his opinion, it may be expedient.

Register and receiver.

SEC. 19. *And be it further enacted*, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and be entitled to the same compensation, as are or may be prescribed by law in relation to other land-offices of the United States.

Dakota River.

SEC. 20. *And be it further enacted*, That the river in said Territory heretofore known as the "River aux Jacques," or "James river," shall hereafter be called the Dakota river.

Portions of Utah and Washington added to Nebraska.

SEC. 21. *And be it further enacted*, That, until Congress shall otherwise direct, that portion of the Territories of Utah and Washington between the forty-first and forty-third degrees of north latitude, and east of the thirty-third meridian of longitude west from Washington, shall be, and is hereby, incorporated into and made a part of the Territory of Nebraska.

APPROVED, March 2, 1861.

March 2, 1861.
1859, ch. 22. Vol. xi. p. 379.

CHAP. LXXXVII.—*An Act to amend an Act, approved February fifth, one thousand eight hundred and fifty-nine, entitled "An Act providing for keeping and distributing all Public Documents, and for other Purposes."*

Distribution of documents when copies are insufficient to supply one institution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where the number of copies of any document is insufficient to supply one institution therewith, upon the designation of each member of the Senate and House of Representatives, as required by existing law, the same may be distributed by the Secretary of the Interior to such incorporated colleges, public libraries, athenæums, literary and scientific institutions, boards of trade, or public associations, as he may select.

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Documents of second session of Thirty-Fifth Congress.

SEC. 2. *And be it further enacted*, That the documents of the second session of the thirty-fifth Congress shall be sent to the same institutions which were designated to receive those of the first session thereof; and in all cases hereafter the selection of an institution to receive the documents ordered to be published or procured at the first session of any Congress shall control the documents of the entire Congress, unless another designation be made before any distribution has taken place under the selection first made: *Provided, however*, That where the same work is printed by order both of the Senate and House of Representatives, the duplicates may be sent to different institutions, if so desired, by the member whose right it is to direct the distribution: *And provided further*, That in future the public documents to be distributed by the Secretary of the Interior, shall be sent to the institutions already designated, unless he shall be satisfied that any such institution is no longer a suitable depository of the same.

One institution to have documents of both sessions.

Duplicates.

Documents to be sent to institutions already designated, unless, &c.

Works of John Adams and American State Papers.

SEC. 3. *And be it further enacted*, That one set of the Works of John Adams, and four sets of the American State Papers, volumes four and five, shall be distributed to the institutions described by law, on the designation of the members of the Senate and House of Representatives of the present Congress, which designation shall also control the distribution of an equal number of each of the volumes thereof yet to be published.

Biennial Register.

Post, p. 277.

Number of copies.

SEC. 4. *And be it further enacted*, That instead of five hundred copies of the Biennial Register, or Blue Book, now ordered to be published, which shall hereafter be compiled under the direction of the Secretary of the Interior, there shall in future be published seven hundred and fifty copies.

Pamphlet laws.

1818, ch. 80.

Vol. iii. p. 439.

1846, ch. 100.

Vol. ix. p. 75.

SEC. 5. *And be it further enacted*, That in lieu of the number of copies of the pamphlet laws directed by the act of twentieth April, eighteen hundred and eighteen, to be delivered to the officers of the executive departments, there shall hereafter be delivered to the head of each department, including the Attorney General, for the use of those officers, a number equal to the number of copies which they are or may be entitled to receive of the Statutes at Large, published by Little and Brown, under the provisions of the act of eighth August, eighteen hundred and forty-six.

Decisions of Supreme Court.

1842, ch. 265.

Vol. v. p. 545.

SEC. 6. *And be it further enacted*, That one copy of the Decisions of the Supreme Court, published by authority of the act of twenty-ninth August, eighteen hundred and forty-two, shall be deposited in the office of the Secretary of the Interior, and one copy sent to each of the judges and to the solicitor of the Court of Claims, the judges of the criminal and orphans' courts for the District of Columbia, the Commissioner of Customs, the Commissioner of Patents, and to the heads of such other executive offices of equal grade as have been established since the passage of the law distributing said decisions, and to such as may hereafter be provided for, each of whom shall likewise be entitled to receive one copy of the Statutes at Large.

American State Papers.

1858, ch. 154, § 19.

Vol xi. p. 328.

SEC. 7. *And be it further enacted*, That fifty copies of the "American State Papers" now in course of publication, as authorized by act of twelfth June, eighteen hundred and fifty-eight, shall be deposited and kept in the library of the House of Representatives, twenty copies in the library of the Senate, two copies in the congressional library, one copy in the library of the President, one copy in the State and territorial library of each State and Territory, and ten copies in each of the executive departments, for the use of the officers connected therewith.

Public statutes and pamphlet laws.

1818, ch. 80.

Vol. iii. p. 439.

1846, ch. 100.

Vol. ix. p. 75

SEC. 8. *And be it further enacted*, That the number of pamphlet laws directed to be placed in the library of Congress by the act of twentieth of April, eighteen hundred and eighteen, and of the Statutes at Large, published by Little and Brown, directed to be placed in the said library, by the act of eighth August, eighteen hundred and forty-six, shall be distributed by the Secretary of the Interior, agreeably to the provisions of

1859, ch. 22, § 11. Vol. xi. p. 381.

the eleventh section of the act of fifth February, eighteen hundred and fifty-nine, excepting twelve copies to be sent to the library of Congress for the use of the Supreme Court during its sessions; and two copies for use in said library.

Repeal of inconsistent laws.

Sec. 9. *And be it further enacted*, That all acts or parts of acts inconsistent with the provisions hereof are hereby repealed.

Approved, March 2, 1861.

March 2, 1861.

1863, ch. 102. *Post*, p. 796.

Chap. LXXXVIII. — *An Act in Addition to "An Act to promote the Progress of the useful Arts."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Patents may establish rules for taking affidavits and depositions required in cases pending in the Patent Office, and such affidavits and depositions may be taken before any justice of the peace, or other officer authorized by law to take depositions to be used in the courts of the United States, or in the State courts of any State where such officer shall reside; and in any contested case pending in the Patent Office it shall be lawful for the clerk of any court of the United States for any district or Territory, and he is hereby required, upon the application of any party to such contested case, or the agent or attorney of such party, to issue subpœnas for any witnesses residing or being within the said district or Territory, commanding such witnesses to appear and testify before any justice of the peace, or other officer as aforesaid, residing within the said district or Territory, at any time and place in the subpœna to be stated; and if any witness, after being duly served with such subpœna, shall refuse or neglect to appear, or, after appearing, shall refuse to testify, (not being privileged from giving testimony,) such refusal or neglect being proved to the satisfaction of any judge of the court whose clerk shall have issued such subpœna, said judge may thereupon proceed to enforce obedience to the process, or to punish the disobedience in like manner as any court of the United States may do in case of disobedience to process of subpœna ad testificandum issued by such court; and witnesses in such cases shall be allowed the same compensation as is allowed to witnesses attending the courts of the United States: *Provided*, That no witnesses shall be required to attend at any place more than forty miles from the place where the subpœna shall be served upon him to give a deposition under this law: *Provided, also*, That no witness shall be deemed guilty of contempt for refusing to disclose any secret invention made or owned by him: *And provided, further*, That no witness shall be deemed guilty of contempt for disobeying any subpœna directed to him by virtue of this act, unless his fees for going to, returning from, and one day's attendance at the place of examination shall be paid or tendered to him at the time of the service of the subpœna.

Affidavits and depositions in cases pending in the Patent-Office.

Subpœnas for witnesses.

Proceedings when witness refuses, &c.

Pay of witnesses.

Proviso. Witnesses not compelled to attend at place more than forty miles distant; nor to disclose secret invention.

Travel and attendance to be first paid or tendered.

Sec. 2. *And be it further enacted*, That, for the purpose of securing greater uniformity of action in the grant and refusal of letters-patent, there shall be appointed, by the President, by and with the advice and consent of the Senate, three examiners-in-chief, at an annual salary of three thousand dollars each, to be *composed of* persons of competent legal knowledge and scientific ability, whose duty it shall be, on the written petition of the applicant for that purpose being filed, to revise and determine upon the validity of decisions made by examiners when adverse to the grant of letters-patent; and also to revise and determine in like manner upon the validity of the decisions of examiners in interference cases, and when required by the Commissioner in applications for the extension of patents, and to perform such other duties as may be assigned to them by the Commissioner; that from their decisions appeals may be taken to the Commissioner of Patents in person, upon payment of the fee hereinafter prescribed; that the said

Three examiners-in-chief to be appointed.

Salary.

Duty.

Appeals from their decisions.