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Vol. 31, p. 878, amended.

tenth day of December, eighteen hundred and ninety-eight," approved March second, nineteen hundred and one, is hereby amended by adding thereto the following provisions:

Rules of procedure.

"Such rules and mode of procedure shall conform, so far as practicable, to the mode of procedure and practice of the circuit courts of the United States.

Powers of Commission.

The said Commission created by this Act is vested with the same powers now possessed by the circuit and district courts of the United States to compel the attendance and testimony of parties, claimants and witnesses, to preserve order, and to punish for contempt, and to compel the production of any books or papers deemed material to the consideration of any claim or matter pending before said Commission.

Testimony in foreign countries.

"That the said Commission is also vested with all the powers now possessed by the circuit and district courts of the United States to take or procure testimony in foreign countries. Such testimony may be taken, pursuant to the provisions of existing laws and the rules and practice of the district and circuit courts of the United States, so far as applicable, before the Commission or any Commissioner or Commissioners appointed under the provisions of this Act.

Duties of marshal, etc., District of Columbia.

Execution of writs outside of District of Columbia.

"That the marshal of the United States for the District of Columbia, or his deputies, shall serve all processes issued by said Commission, preserve order in the place of sitting, and execute the orders of said Commission; and outside of the District of Columbia the writs of said Commission shall be executed by United States marshals, or their deputies, in their respective districts.

Appointment of officer to serve process, etc.

"That said Commission or any Commissioner appointed by it to take testimony in foreign countries is hereby authorized to appoint an officer to serve any subpœna or process issued by said Commission or Commissioner.

Witnesses.

"When testimony is to be taken before any Commissioner appointed by said Commission within any district or territory, the clerk of any court of the United States for such district or territory shall, on application of either party, or of his agent, issue a subpœna for such witness, commanding him to appear and testify before the Commissioner at a time and place stated in the subpœna; and if any witness, after being duly served with such subpœna, refuses or neglects to appear, or after appearing refuses to testify, not being privileged from giving testimony, and such refusal or neglect is proven to the satisfaction of any judge of the court whose clerk issues the subpœna, such judge may proceed to enforce obedience to the process, or punish the disobedience, as any court of the United States may proceed in case of disobedience to process of subpœna to testify issued by such court; and the production before such Commissioner of any paper or writing, written instrument, book, or other document, may also be required in the manner prescribed in section eight hundred and sixty-nine of Revised Statutes of the United States."

Refusal to appear, etc.

Punishment.

Production of documents.

R. S., sec. 869, p. 165.

Approved, June 30, 1902.

June 30, 1902.
[Public, No. 215.]

CHAP. 1338.—An Act To provide for circuit and district courts of the United States at Valdosta, Georgia.

United States courts.
Southwestern division of southern judicial district of Georgia established.
R. S., sec. 535, p. 90, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the southwestern division of the southern judicial district of Georgia is hereby established, to be composed of the counties of Berrien, Brooks, Charlton, Clinch, Coffee, Colquitt, Decatur, Echols, Irwin, Lowndes, Mitchell, Thomas, Ware and Worth of the southern district of Georgia.

Terms of court, Valdosta.

SEC. 2. That a term of the circuit court and of the district court for the southern district of Georgia shall be held at Valdosta, in said State, on the second Mondays in June and December in each year; and it shall

be the duty of the clerk, marshal, and other officers of the southern judicial district to attend said terms of said court and perform all the duties pertaining to their positions, and no additional clerk or marshal shall be appointed in said district. If, in the opinion of the court, it shall become necessary, a deputy clerk may be appointed: *Provided, however*, That suitable rooms and accommodations are furnished for the holding of said courts free of expense to the Government of the United States.

Deputy clerk.

Proviso. Free court room.

SEC. 3. That all suits not of a local nature in the circuit and district courts against a single defendant, inhabitant of said State, must be brought in the division of the district where he resides; but if there are two or more defendants residing in different divisions of the district such suits may be brought in either division. All issues of fact in said suits shall be tried at a term of the court held in the division where the suit is so brought.

Suits not of a local nature.

SEC. 4. That prosecutions for crime or offenses hereafter committed in any of the counties of the southwestern division shall be cognizable within such division; and all prosecutions for crime or offenses heretofore committed within either of said counties, taken as aforesaid from the northern district, or committed in the southern district as hitherto constituted, shall be commenced and proceeded with as if this Act had not been passed.

Prosecution of crimes.

SEC. 5. That all civil suits and proceedings now pending in the circuit or district courts of either district or division from which the counties constituting this division have been taken, and which would, if instituted after the passage of this Act, be required to be brought in the southwestern division of said district, may be transferred by consent of all parties or by order of the court to said southwestern division of said district and there disposed of in the same manner and with like effect as if the same had been instituted therein; and all processes, writs, and recognizances relating to such suits and proceedings so transferred shall be considered as belonging to the term of the court in the southwestern division of said district in the same manner and with like effect as if they had been issued or taken in reference thereto originally.

Transfer of pending civil cases.

SEC. 6. That in all cases of removal of suits from the courts of the State of Georgia to the courts of the United States in the southern district of Georgia such removal shall be to the United States courts in the division in which the county is situated from which the removal is made, and the time within which the removal shall be perfected, in so far as it refers to or is regulated by the terms of the United States courts, shall be deemed to refer to the terms of the United States courts in such division.

Removal of suits from State courts.

SEC. 7. That all grand and petit jurors summoned for service in each division shall be residents of such division. All mesne and final process, subject to the provision hereinbefore contained, issued in either of said divisions, may be served and executed in either or all of said divisions.

Jurors. Process.

SEC. 8. That this Act shall be in force from and after the first day of January, anno Domini nineteen hundred and three.

Effect.

SEC. 9. All Acts and parts of Acts inconsistent herewith are hereby repealed.

Repeal.

Approved, June 30, 1902.

CHAP. 1339.—An Act To establish a regular term of United States district court in Roanoke City, Virginia, and for other purposes.

June 30, 1902.

[Public, No. 216.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the circuit and district courts of the United States for the western district of

United States courts. Virginia western district. Terms. R. S., secs. 572, 658, pp. 101, 123.