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hundred and eighty-nine, lying and being in the city of Washington, District of Columbia, as per plat recorded in book twenty, page ten, one of the records of the surveyor's office of the said District of Columbia; said portion of said alley being described by metes and bounds as follows: Beginning at the northeast corner of said alley, and running south on the east line thereof, ten feet; thence west, on the southerly line of said alley, twenty feet; thence north ten feet, and thence east twenty feet to the place of beginning, containing in all two hundred square feet of ground.

Boundaries.

Approved, January 31, 1903.

January 31, 1903.

[Public, No. 46.]

CHAP. 344.—An Act Providing for the compulsory attendance of witnesses before registers and receivers of the land office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That registers and receivers of the land office, or either of them, in all matters requiring a hearing before them, are authorized and empowered to issue subpœnas directing the attendance of witnesses, which subpœnas may be served by any person by delivering a true copy thereof to such witness, and when served, witnesses shall be required to attend in obedience thereto: *Provided*, That if any subpœna be served under the provisions of this Act by any person other than an officer authorized by the laws of the United States, or of the State or Territory in which the depositions are taken, the service thereof shall be proved by the affidavit of the person serving the same: *Provided further*, That said subpœnas shall be served within the county in which attendance is required, and at least five days before attendance is required.

Public lands.
Compulsory attendance of witnesses before registers and receivers.
Issuance and service of subpœnas.

Provisos.
Service by persons other than authorized officers.

Place and time of service.

SEC. 2. That witnesses shall have the right to receive their fee for one day's attendance and mileage in advance. The fees and mileage of witnesses shall be the same as that provided by law in the district courts of the United States in the district in which such land offices are situated; and the witness shall be entitled to receive his fee for attendance in advance from day to day during the hearing.

Fees.

SEC. 3. That any person willfully neglecting or refusing obedience to such subpœna, or neglecting or refusing to appear and testify when subpœnaed, his fees having been paid if demanded, shall be deemed guilty of a misdemeanor, for which he shall be punished by indictment in the district court of the United States or in the district courts of the Territories exercising the jurisdiction of circuit or district courts of the United States. The punishment for such offense, upon conviction, shall be a fine of not more than two hundred dollars, or imprisonment not to exceed ninety days, or both, at the discretion of the court: *Provided*, That if such witness has been prevented from obeying such subpœna without fault upon his part he shall not be punished under the provisions of this Act.

Penalty for refusal to appear and testify.

Proviso.
Exception.

SEC. 4. That whenever the witness resides outside the county in which the hearing occurs any party to the proceeding may take the testimony of such witness in the county of such witness's residence in the form of depositions by giving ten days' written notice of the time and place of taking such depositions to the opposite party or parties. The depositions may be taken before any United States commissioner, notary public, judge or clerk of a court of record. Subpœnas for witnesses before the officer taking depositions may issue from the office of the register or receiver, or may be issued by the officer taking the depositions, and disobedience thereof, as defined in this Act, shall also be punished; and the witness shall receive the same fees and mileage and be subject to the same penalties in all respects as in case

Depositions of nonresidents.
Written notice.

Persons empowered to take depositions.
Subpœnas.

Penalty for nonappearance, etc.

of violation of a subpœna to appear before the register or receiver, and subject to the same limitations. The fees of the officer taking the depositions shall be the same as those allowed in the State or Territorial courts, and shall be paid by the party taking the deposition, and an itemized account of the fees shall be made by the officer taking the depositions and attached to the depositions. Fees.

SEC. 5. That whenever the taking of any depositions taken in pursuance of the foregoing provisions of this Act is concluded the opposite party may proceed at once at his own expense to take depositions in his own behalf, at the same time and place and before the same officer: *Provided*, That he shall, before taking of the depositions in the first instance is entered upon, give notice to the opposing party, or any agent or attorney representing him in the taking of said depositions, of his intention to do so. Depositions in behalf of opposing parties. Expense. *Proviso.* Notice.

Approved, January 31, 1903.

CHAP. 345.—An Act Providing for an additional circuit judge in the eighth judicial circuit. January 31, 1903. [Public, No. 47.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the eighth circuit an additional circuit judge, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall possess the qualifications, and shall have the powers and jurisdiction and receive the compensation prescribed by law in respect to other circuit judges. United States courts. Additional judge, eighth judicial circuit. R. S., sec. 607, p. 107.

Approved, January 31, 1903.

CHAP. 346.—An Act Establishing a regular term of United States district court in Addison, West Virginia. January 31, 1903. [Public, No. 48.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regular term of the district court of the United States for the southern district of West Virginia shall be held in each year in the city of Addison, West Virginia, on the first Monday in September: *Provided*, That accommodations for said term of court shall be furnished without cost to the United States. West Virginia southern judicial district. Term at Addison. *Proviso.* Cost of accommodations.

Approved, January 31, 1903.

CHAP. 349.—An Act To enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes. February 2, 1903. [Public, No. 49.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to enable the Secretary of Agriculture to effectually suppress and extirpate contagious pleuropneumonia, foot and mouth disease, and other dangerous contagious, infectious, and communicable diseases in cattle and other live stock, and to prevent the spread of such diseases, the powers conferred on the Secretary of the Treasury by sections four and five of an Act entitled "An Act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals," Contagious diseases of live stock. Powers to suppress transferred to Secretary of Agriculture. Vol. 23, p. 32.