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any other proceeding at law or in equity by such party against the confirmation of such assessment or assessments, shall delay or prevent the payment of award to others in respect to the property condemned, nor delay or prevent the taking of any of said property sought to be condemned, nor the opening of such street: *Provided, however*, That upon the final determination of said appeal or other proceeding at law or in equity the amount found to be due and payable as damages sustained by reason of the extension of said street under the provisions hereof shall be paid as hereinbefore provided.

Proviso.
Payment of final decision.

Approved, April 22, 1904.

CHAP. 1419.—An Act To provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Newport.

April 22, 1904.
[S. 4165.]
[Public, No. 142.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter in each year one of the stated terms of the circuit and district court of the United States for the district of Vermont may, when adjourned, be adjourned to meet at Newport.

United States courts.
Vermont judicial district.
Terms at Newport.
R. S., secs. 572, 658, pp. 101, 122.

SEC. 2. That all Acts and parts of Acts in conflict with this Act are hereby repealed.

Repeal.

Approved, April 22, 1904.

CHAP. 1420.—An Act To amend the first section of an Act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January thirtieth, nineteen hundred and three.

April 22, 1904.
[H. R. 9648.]
[Public, No. 143.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January thirtieth, nineteen hundred and three, be, and the same is hereby, amended by striking out the concluding words of said section, to wit, "on the first Monday in September in each year," and inserting in lieu thereof the words "on the third Monday in October in each year."

United States courts.
Fifth judicial circuit.
Term at Montgomery, Ala., changed.
Vol. 32, p. 784, amended.

Approved, April 22, 1904.

CHAP. 1421.—An Act To authorize the holding of a regular term of the district and circuit courts of the United States for the western district of Virginia in the city of Bigstone Gap, Virginia.

April 22, 1904.
[H. R. 11518.]
[Public, No. 144.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a regular term of the district and circuit courts of the United States for the western district of Virginia shall be held in each year in the city of Bigstone Gap, Virginia, on the second Monday in August.

United States courts.
Virginia western district.
Term at Bigstone Gap, Va.
R. S., secs. 572, 658, pp. 101, 123.

SEC. 2. That in the western district of Virginia the clerk of the circuit and district courts at Lynchburg, Virginia, shall appoint a deputy clerk who shall be deputy clerk of both the circuit and district courts and who shall reside and keep his office at Bigstone Gap, Virginia, for the purpose of taking charge and custody of the court records and papers, attending the sessions of said courts, issuing all proper process, and discharging all the clerical duties in connection with the business of said courts at Bigstone Gap, Virginia.

Deputy clerk.