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CHAP. 3595.—An Act To amend an Act entitled "An Act to divide the judicial district of North Dakota," approved April twenty-sixth, eighteen hundred and ninety.

June 29, 1906.
[S. 3433.]
[Public, No. 341.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An Act to divide the judicial district of North Dakota," approved April twenty-sixth, eighteen hundred and ninety, be amended so as to read as follows:

United States courts. North Dakota judicial district. Vol. 26, p. 67.

"That the State of North Dakota shall constitute one judicial district.

Five divisions.

"SEC. 2. That for the purpose of holding terms of the district court said district shall be divided into five divisions, to be known as the southwestern, southeastern, northeastern, northwestern, and western divisions. That portion of the State comprising the present counties of Burleigh, Stutsman, Logan, McIntosh, Emmons, Kidder, Foster, Wells, McLean, and all the territory in said State of North Dakota lying west of the Missouri River and south of the twelfth standard parallel shall constitute the southwestern division, the court for which shall be held at the city of Bismarck. That portion of the State comprising the present counties of Cass, Richland, Barnes, Dickey, Sargent, Lamoure, Ransom, Griggs, and Steele shall constitute the southeastern division, the court for which shall be held at the city of Fargo. That portion of the State comprising the present counties of Grand Forks, Traill, Walsh, Pembina, Cavalier, and Nelson shall constitute the northeastern division, the court for which shall be held at the city of Grand Forks. That portion of the State comprising the present counties of Ramsey, Eddy, Benson, Towner, Rolette, Bottineau, Pierce, and McHenry shall constitute the northwestern division, the court for which shall be held at the city of Devils Lake. That portion of the State comprising the present counties of Ward and Williams and all that territory lying west of the Missouri River and north of the twelfth standard parallel in the State of North Dakota shall constitute the western division, the court for which shall be held at the city of Minot.

Southwestern.

Southeastern.

Northeastern.

Northwestern.

Western added. Vol. 26, p. 68, amended.

"SEC. 3. That the terms of the district court for the district of North Dakota shall be held at Bismarck on the first Tuesday in March in each year; at Fargo on the third Tuesday in May in each year; at Grand Forks on the second Tuesday in November in each year; at Devils Lake on the first Tuesday in July in each year, and at Minot on the second Tuesday in October in each year. And the provisions of law now existing for the holding of said court on the first Monday in April and November of each year is hereby repealed, and all suits, prosecutions and processes, recognizances, bail bonds, and other proceedings of whatever nature pending in or returnable to said court on the days last named are hereby transferred to and shall be made returnable to and have force in the said respective terms provided in this Act in the same manner and with the same effect as they would have had had this Act not been passed.

Terms of district court; places.

Vol. 26, p. 68, repealed.

Transfer of pending cases.

"SEC. 4. That all civil suits not of a local character now pending or which shall be brought in the district or circuit courts of the United States for the district of North Dakota in either of the said divisions against a single defendant, or where all the defendants reside in the same divisions of said district, shall be brought in the division in which the defendant or defendants reside, or, if there are two or more defendants residing in different divisions, such suit may be brought in either division, and all mesne and final process subject to the provisions of this Act, issued in either of said divisions, may be served and executed in either or all of said divisions. All issues of fact in civil causes triable in any of the said courts shall be tried in the division where the defendant or one of the defendants reside, unless by consent of both parties the case shall be removed to some other division.

Civil suits not of a local character.

Terms of circuit court; places.

"SEC. 5. That the circuit court of the United States for said district shall be held at Bismarck on the first Tuesday in March in each year, at Fargo on the third Tuesday in May in each year, at Grand Forks on the second Tuesday in November in each year, at Devils Lake on the first Tuesday in July in each year, and at Minot on the second Tuesday in October in each year, and cases taken on appeal or writ of error from the district court shall be returnable to the circuit court held in that judicial subdivision from which the appeal was taken. When the circuit court or district court is held, as provided in this Act, at the same time and place, one grand and one petit jury only shall be summoned and serve in both said courts.

Cases taken on appeal, etc.

Juries.

Appointment of deputy clerks.

"SEC. 6. That the clerk of the circuit and district courts for said district shall each appoint a deputy clerk at the place where their respective courts are required to be held in the division of the district in which such clerk shall not himself reside, each of whom shall, in the absence of the clerk, exercise all the powers and perform all the duties of clerk within the division for which he shall be appointed: *Provided*, That the appointment of such deputies shall be approved by the court for which they shall have been respectively appointed, and may be annulled by such court at its pleasure, and the clerks shall be responsible for the official acts and negligence of all such deputies."

Proviso. Approval of appointments.

Approved, June 29, 1906.

June 29, 1906. [S. 4256.]

[Public, No. 342.]

CHAP. 3596.—An Act For the relief of the Alaska Short Line Railway and Navigation Company's Railroad.

Alaska. Time extended for construction of Alaska Short Line Railway and Navigation Company's Railroad. Vol. 30, p. 410.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time of the Alaska Short Line Railway and Navigation Company to comply with the provisions of sections four and five of chapter two hundred and ninety-nine of the laws of the United States entitled "An Act extending the homestead laws and providing for the right of way for railroads in the district of Alaska, and for other purposes," approved May fourteenth, eighteen hundred and ninety-eight, in acquiring and completing its railroad now under construction in Alaska is hereby extended as follows:

Filing map, etc.

Vol. 30, p. 410.

First. The time to file the map and profile of definite location of its second section of at least twenty miles with the register of the land office in the district of Alaska, as provided in said sections four and five, is hereby extended to and including the twentieth day of March, nineteen hundred and seven.

Completion of twenty miles of first section. Time extended to March 20, 1907.

Second. The time to complete the first section of at least twenty miles of its railroad, as provided in said section five, is hereby extended to and including the twentieth day of March, nineteen hundred and seven, and such railroad and navigation company shall be entitled to all the benefits conferred upon it by the provisions of such Act upon its due compliance with all the provisions thereof, excepting only the provisions thereof relating to the filing of the map and profile of definite location of its second section of not less than twenty miles of its road: *Provided*, That it shall have successively one year each after said twentieth day of March, nineteen hundred and seven, in which to file the map and profile of its definite location of the succeeding sections of not less than twenty miles each: *And provided further*, That it shall have five years in which to complete its entire line from Iliamna Bay to the Yukon River.

Proviso. Filing map of other sections.

Time of construction from Iliamna Bay to Yukon River.

Approved, June 29, 1906.