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Utah.
Lands without water for domestic use.

SEC. 6. That whenever the Secretary of the Interior shall find that any tracts of land, in the State of Utah, subject to entry under this Act, do not have upon them such a sufficient supply of water suitable for domestic purposes as would make continuous residence upon the lands possible, he may, in his discretion, designate such tracts of land, not to exceed in the aggregate two million acres, and thereafter they shall be subject to entry under this Act without the necessity of residence: *Provided*, That in such event the entryman on any such entry shall in good faith cultivate not less than one-eighth of the entire area of the entry during the second year, one-fourth during the third year, and one-half during the fourth and fifth years after the date of such entry, and that after entry and until final proof the entryman shall reside within such distance of said land as will enable him successfully to farm the same as required by this section.

Residence not required, if so designated.

Proviso.
Cultivation required.

Approved, February 19, 1909.

February 19, 1909.
[H. R. 16274.]

[Public, No. 246.]

CHAP. 161.—An Act To amend section ten of chapter two hundred and fifty-two, volume twenty-nine, of Public Statutes at Large.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section ten of chapter two hundred and fifty-two, volume twenty-nine, Public Statutes at Large, is hereby amended by striking out in the twelfth line of said section the word "two" and inserting in place thereof the word "three," so that said section as amended shall read as follows:

United States courts.

Vol. 29, p. 182, amended.

Marshals.
Office deputies, etc., allowed.

"SEC. 10. That when in the opinion of the Attorney-General the public interest requires it, he may, on the recommendation of the marshal, which recommendation shall state the facts as distinguished from conclusions, showing necessity for the same, allow the marshals to employ necessary office deputies and clerical assistance, upon salaries to be fixed by the Attorney-General, from time to time, and paid as hereinafter provided. When any of such office deputies is engaged in the service of any writ, process, subpoena, or other order of the court, or when necessarily absent from the place of his regular employment, on official business, he shall be allowed his actual traveling expenses only, and his necessary and actual expenses for lodging and subsistence, not to exceed three dollars per day, and the necessary actual expenses in transporting prisoners, including necessary guard hire; and he shall make and render accounts thereof as hereinafter provided."

Expenses, serving writs, etc.

Per diem increased.

Approved, February 19, 1909.

February 19, 1909.
[H. R. 21560.]

[Public, No. 247.]

CHAP. 162.—An Act To provide for circuit and district courts of the United States at Gadsden, Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the middle division of the northern judicial district of the State of Alabama is hereby established, composed of the counties of Cherokee, Dekalb, Marshall, Etowah, and Saint Clair.

Alabama northern judicial district.
Middle division created.
R. S., 532, p. 89.

SEC. 2. That a term of the circuit and the district courts of the middle division of the northern judicial district of the State of Alabama shall be held at Gadsden, in Etowah County, in said State, on the first Tuesday in February and on the first Tuesday in August of each year: *Provided, however*, That suitable rooms and accommodations are furnished for the holdings of said courts, free of all expense to the Government, until a public building shall be provided for by law.

Terms at Gadsden.
R. S., secs. 572, 658, pp. 98, 120.

Proviso.
Court rooms.