

Proviso.
Mode of read-
justing salaries
July 1, 1864, to
July 1, 1874, ap-
proved.
Vol. 13, p. 335.
Vol. 22, p. 487.

Vol. 10, p. 298.

Readjustment s
ratified.

Claims in excess
of amount found
due, disallowed.

Claims to be pre-
sented before Jan-
uary 1, 1887.
Same method to
be pursued.
Any different
method prohib-
ited.
No suit main-
tainable against
receiving officer.

Mode of pay-
ment.

Department as due and unpaid, payable from deficiency in the postal revenue for eighteen hundred and eighty-three and prior years, three hundred and eighty thousand two hundred and nine dollars and forty-six cents: *Provided*, That the method of reviewing and readjusting the salaries of postmasters and late postmasters of the third, fourth, and fifth classes, under the classification of the act of July first, eighteen hundred and sixty-four, during the period between July first, eighteen hundred and sixty-four, and July first, eighteen hundred and seventy-four, which has been practiced in the Post-Office Department under and since the act of March third, eighteen hundred and eighty-three, entitled "An act authorizing and directing the Postmaster-General to readjust the salaries of certain postmasters in accordance with the provision of section eight of the act of June twelfth, eighteen hundred and sixty-six," by which all such reviews and readjustments have been made prospectively for the biennial periods provided for in the said act of July first, eighteen hundred and sixty-four, upon the basis of the quarterly returns of postmasters during the preceding biennial periods, respectively, whenever the salary actually paid was ten per centum less in amount than such salary should have been if adjusted correctly upon such returns by computing what the commissions upon the same would have been under the act of June twenty-second, eighteen hundred and fifty-four, and averaging the amount thereof annually, as directed by the act of July first, eighteen hundred and sixty-four, for fixing salaries, is approved and ratified as a correct administration of the aforesaid act of March third, eighteen hundred and eighty-three, and of all other acts applicable thereto; and that the several readjustments which have been made are ratified as a correct disposition of the several claims which have been considered and disposed of, and for which this appropriation is made; and the several persons to whom amounts have been respectively found due are declared the rightful persons entitled to the same, and such amounts to be the full sums due upon any and all such claims; and that all claims in excess thereof, and all other claims for readjustment which have been examined and found by the proper officers of the Post-Office Department not entitled to readjustment within such rule of administration, are disallowed and barred. That no claim for review or readjustment of any such salary shall be hereafter considered unless the same shall be presented to the Post-Office Department before the first day of January, eighteen hundred and eighty-seven; and that in considering all claims not yet readjusted the same method shall be pursued which is hereby approved; and any and every different method of readjustment of salaries of such postmasters and late postmasters during the period between July first, eighteen hundred and sixty-four, and July first, eighteen hundred and seventy-four, than is herein approved, is hereby prohibited; and no action or suit shall be maintainable in any court against any officer of the United States by reason of his action in reviewing or refusing to review, or allowing or disallowing, any application for readjustment of any such salary: *And provided further*, That payment of all sums hereby appropriated shall be made by warrants or checks, as provided by the said act of March third, eighteen hundred and eighty-three, payable to the order of and transmitted to the persons entitled respectively thereto.

Approved, August 4, 1886.

August 5, 1886.
Southern judi-
cial district Cali-
fornia established.

Counties in-
cluded.

CHAP. 928.—An act to detach certain counties from the United States judicial district of California, and create the United States judicial district of southern California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the State of California now comprised in the counties of San Diego, San Bernardino, Los Angeles, Ventura, Santa Barbara, San Luis Obispo,

Fresno, Tulare, and Kern is hereby detached from the United States judicial district of California, and made a separate judicial district, called the southern district of California.

SEC. 2. That the regular terms of the circuit and district courts of the United States, respectively, shall be held at Los Angeles, in said southern district of California, beginning on the second Monday in August and the second Monday in January in each year.

Terms.

SEC. 3. That the district of California shall hereafter consist of all of the counties of said state not named in this act, and shall hereafter be called the northern district of California; and the circuit and district courts shall be held therein at San Francisco as follows: Beginning on the first Monday in February, the second Monday in July, and the fourth Monday in November in each year.

Other counties to compose northern district

Terms.

SEC. 4. That all suits and other proceedings of every kind and nature now pending in the circuit or district court of the United States for the district of California shall be tried and disposed of in the circuit and district courts, respectively, for said northern district of California, as the same would have been if this act had not been passed, and for that purpose, jurisdiction is reserved to said courts in the said northern district of California; and the clerks of the circuit and district courts of the present district of California shall retain the records and files of said courts at the city of San Francisco, and do and perform all the duties appertaining to the said offices, respectively, within said northern district, except as hereinafter provided; and all process returnable to or proceedings noticed for any term of the present circuit or district court of California shall be deemed returnable to the next term of said courts, respectively, in the said northern district, as fixed by this act.

Pending suits to be disposed of in present district.

Clerks.

SEC. 5. That upon application of any party to any suit or proceeding now pending in the present circuit or district court of the present district of California, which would have been commenced in the proper court for the southern district of California if this act had been in force at the time of the commencement thereof, the proper court shall order that the same be removed for further proceedings to the proper court for said southern district, at the cost of the party applying for such removal; and thereupon the clerk shall transmit certified copies of all the papers, and of all orders and records made therein, to the clerk of the court to which such suit or proceeding shall be removed, and all other proceedings shall be had in said court to which the same shall be removed as if said suit or proceeding had originally been commenced therein.

Removal of suits.

SEC. 6. That the passage of this act shall not have the effect to destroy or impair the lien of any judgment or decree rendered in the circuit or district court of the United States for the present district of California prior to this act taking effect; and final process on any judgment or decree entered in the circuit or district court of the United States for the district of California, or which shall be entered therein prior to this act taking effect, and all other process for the enforcement of any order of said courts, respectively, in any cause or proceeding now pending therein except on proceedings removed as herein provided, shall be issued and made returnable to the proper court for the said northern district of California, and may be directed to and executed by the marshal of the United States for the said northern district in any part of the State of California.

Effect of judgments, etc., not impaired.

Final process on pending causes, returnable to courts of northern district.

SEC. 7. That there shall be appointed a district judge for said southern district of California, who shall reside therein, and who shall receive an annual salary of four thousand dollars, payable quarterly from the Treasury; and there shall also be appointed a marshal and attorney of the United States for said southern district of California, who shall respectively, receive such fees and compensation and exercise such powers and duties as are now fixed and enjoined by law.

District judge. Salary.

Marshal, district attorney

SEC. 8. That the circuit and district judges of said southern district of California shall each, respectively, appoint a clerk for their respective

Clerks to be appointed by judges.

- Transcripts of records, etc. SEC. 9. That either of the clerks of the circuit and district courts for the said northern district of California, is hereby authorized, at the request of the district judge of said southern district, and at the cost of the parties requiring the same, to make transcripts of any of the records, files, or papers of the district and circuit courts of the United States remaining in the office of the clerks of the present district of California, and of all matters and proceedings which relate to or concern liens upon or titles to real estate situated in said southern district; and such transcripts, when so made by either of said clerks, shall be certified to be true and correct by the clerk making the same, and the same, when so made and certified, and filed in the proper court, shall constitute the record in such court, and shall be evidence in all courts and places equally with said originals.
- Tenure of office of present incumbents not affected. SEC. 10. That nothing in this act shall in any manner affect the tenure of office of the judge, marshal, United States attorney, or other officers of the present district of California, who shall, respectively, be entitled to the same salaries, fees, and emoluments provided by law.
- Offenses heretofore committed to be tried, etc., as at present. SEC. 11. That all offenses heretofore committed in the district of California shall be prosecuted, tried, and determined in the same manner and with the same effect, to all intents and purposes, as if this act had not been passed.

Approved, August 5, 1886.

August 5, 1886.

CHAP. 929.—An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works herein named:
- River and harbor appropriations. Harbors. Rockland, Me. Improving harbor at Rockland, Maine: Continuing improvement, twenty-two thousand five hundred dollars.
- Saco River, breakwater, Me. Improving breakwater at the mouth of Saco River, Maine: Continuing improvement and repairs, twelve thousand five hundred dollars.
- Portland, Me. Improving harbor at Portland, Maine: Continuing improvement, thirty thousand dollars.
- Back Cove, channel, Me. Improving the channel in Back Cove, Portland, Maine: Continuing improvement, twenty-six thousand two hundred and fifty dollars.
- York, Me. Improving harbor at York, Maine, fifteen thousand dollars.
- H. Portsmouth, N. Improving harbor at Portsmouth, New Hampshire: Continuing improvement, fifteen thousand dollars.
- H. Little Harbor, N. Improving the harbor of refuge at Little Harbor, New Hampshire: Continuing improvement, ten thousand dollars.
- Burlington, Vt. Improving harbor at Burlington, Vermont: Continuing improvement, eighteen thousand seven hundred and fifty dollars.
- Gordon's Landing breakwater, Lake Champlain. For a breakwater at Gordon's Landing, on Lake Champlain, to be built on the twelve-foot curve mentioned in the papers accompanying the report of the Secretary of War to the Senate dated March first, eighteen hundred and eighty-six (Executive Document Number Eighty-one, Forty-ninth Congress, first session), eighteen thousand seven hundred and fifty dollars.
- Boston, Mass. Improving harbor at Boston, Massachusetts: Continuing improvement, fifty-six thousand two hundred and fifty dollars; of which eighteen thousand seven hundred and fifty dollars are to be expended at Fort Point Channel, on Part A, below Congress Street Bridge.