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Description—contd.

Township twelve north, range seventy-four west: Fractional sections twenty-three and twenty-four; section twenty-six.

Township one south, range seventy-one west: Sections four to seven, inclusive; west half and northeast quarter of section eight; north half of section nine; west half of section seventeen; sections eighteen and nineteen; west half of section twenty; northwest quarter of section twenty-nine; north half of section thirty.

Township one south, range seventy-two west: Sections one to four, inclusive; sections nine to sixteen, inclusive; sections twenty-one to twenty-eight, inclusive; sections thirty-one to thirty-six, inclusive.

Township two south, range seventy-one west: Sections two to ten, inclusive.

Township two south, range seventy-two west: Sections one to twelve, inclusive.

Proviso. Enlarged homestead entries permitted in. Vol. 38, p. 957.

Provided, That the Secretary of the Interior may, in his discretion, continue thereafter to allow additional entries, within the previously described areas, under the provisions of section three of the Act approved February nineteenth, nineteen hundred and nine, entitled "An Act to provide for an enlarged homestead," as amended by the Act approved March third, nineteen hundred and fifteen (Thirty-eight Statutes, page nine hundred and fifty-six).

Approved, September 8, 1916.

September 8, 1916. [H. R. 15807.]

[Public, No. 283.]

CHAP. 475.—An Act To provide for holding sessions of the United States district court in the district of Maine and for dividing said district into divisions, and providing for offices of the clerk and marshal of said district to be maintained in each of said divisions, and for the appointment of a field deputy marshal in the division in which the marshal does not reside.

United States courts. Maine judicial district. Vol. 36, p. 1114. Vol. 37, p. 51, amended. Terms. Bangor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, and until otherwise provided by law, two sessions of the United States District Court for the District of Maine shall be held in each and every year in the city of Bangor, in said district, beginning, respectively, on the first Tuesday of February and the first Tuesday of June, and three sessions of said court shall be held in each and every year in the city of Portland, in said district, beginning, respectively, on the first Tuesday of April, on the third Tuesday of September, and on the second Tuesday in December.

Portland.

Offices by clerk and marshal.

Sec. 2. The clerk of said district court for said district of Maine and the marshal of said district shall each at all times maintain by himself or by deputy an office in charge of himself or deputy, both at said city of Bangor and at said city of Portland. The deputy clerk in charge of the office in the division in which the clerk does not reside himself shall reside in the city where the office of which he has charge is located. That said marshal shall appoint a field deputy, who shall have charge of the office in the division in which the marshal does not reside himself, who shall reside in the city where the office of which he has charge is located, and who, within and for said division, in the absence of the marshal, shall have all the powers of the marshal, and who shall also, throughout said district of Maine, have all the powers of other deputy marshals. And such field deputy, before he enters on the duties of his office, shall give bond before the judge of said district of like tenor, effect, and amount and of similar form and condition, with like sureties, and to be approved in like manner, as now or may hereafter be required by law of the marshal of said district.

Deputy clerk.

Field deputy marshal.

Bond required.

Divisions created.

Sec. 3. That for the purpose of holding terms of the United States district court the district of Maine as heretofore constituted shall be divided into two divisions, to be known, respectively, as the northern

and southern divisions. The counties of Aroostook, Penobscot, Piscataquis, Washington, Hancock, Waldo, and Somerset shall be known as the northern division, the court for which shall be held in the said city of Bangor. The remaining counties in said State and district of Maine shall constitute the southern division, the court for which shall be held in the said city of Portland.

Northern division.

Southern division.

Sec. 4. That for the purpose of determining the jurisdiction and venue of all causes, suits, actions, bills, petitions, matters, libels, proceedings, prosecutions, indictments, complaints, informations, and other judicial business, whether civil or criminal, or whether in equity, in admiralty, in prize, in forfeiture, or in condemnation, in rem, in personam, or mixed, whatsoever, cognizable in the United States district court, each of said divisions shall be as if it were a separate and distinct judicial district of the United States. There shall be but one judge, one clerk, one marshal, and one district attorney for said district of Maine. United States commissioners in either of said divisions, until otherwise provided by law, shall be appointed and have jurisdiction and cognizance through said district of Maine in the same manner and to the same extent and effect that they now have under existing law.

Venue of causes, etc. Separate status of divisions.

Officers not changed.

Commissioners.

Sec. 5. That any cause, suit, action, bill, petition, matter, libel, proceeding, prosecution, indictment, complaint, information, or other judicial business, whether civil or criminal, or whether in equity, in admiralty, in prize, in forfeiture, or in condemnation, in rem, in personam, or mixed, whatsoever, pending in either of said divisions, when all the parties thereto so stipulate in writing, and where the ends of justice or the convenience of the parties will be promoted thereby, may, at the discretion of the court or judge, be transferred wholly or specially for the hearing, trial, or determination of any single proceeding, matter, step, or motion therein from one of said divisions to the other. On request of all accused in any criminal prosecution and of all claimants in any cause, proceeding, libel, information, or other matter in rem, the same may be transferred, at the discretion of the court or judge from one of said divisions to the division in which a term of said court is next to be held, without the joinder in such request of the United States when the Government is the only other party thereto not joining in such request.

Transfers on stipulations of parties, to other division.

On request of accused and claimants.

Sec. 6. That all ex parte, of course, default and pro confesso, proceedings and matters, and all interlocutory matters in which all interested parties are present and consenting that such hearing may be had, in whichever of said divisions the same may be cognizable or pending, may be heard and determined by the court or judge and all findings, orders, judgments, and decrees be made, and all mesne and final process therein be tested, sealed, issued, and renewed in either of said divisions, in term time, vacation, or chambers.

Determination of ex parte, etc., matters by judge in either division.

Sec. 7. That nothing in this Act contained shall be construed to deprive the court or judge of the power to grant a change of venue or continuance in any cause, proceeding, or matter whatsoever according to law and the requirements of justice.

Change of venue by court.

Sec. 8. That this Act shall take effect on the day following its passage, but it shall not apply to or in anywise affect any cause, suit, action, bill, petition, matter, libel, proceeding, prosecution, indictment, complaint, information, stipulation, bail bond, or recognizance now pending in said court, or which has already been instituted, begun, filed, entered, made, served, found, or taken, but the same shall depend, be entered, returned, continued, prosecuted, tried, heard, and determined and suitable and appropriate orders, judgment, decrees, and executions, mesne and final and all other process, attachment, monitions, stipulations, bonds, recognizances therein, shall be made, signed, tested, sealed, issued, renewed, served, executed, entered, and returned, the same as under existing law and as

Pending causes, etc., continued under former law.

Inconsistent laws repealed.

if this Act had never been passed, except for the purposes mentioned in sections five and six of this Act. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved, September 8, 1916.

September 8, 1916.
[H. R. 16532.]
[Public, No. 234.]

CHAP. 476.—An Act Authorizing an adjustment of the boundaries of the Whitman National Forest, in the State of Oregon, and for other purposes.

Whitman National Forest, Oreg.
Timber, etc., lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any land within the following-described areas found by the Secretary of Agriculture to be chiefly valuable for the production of timber or for the protection of stream flow may be included within and made part of the Whitman National Forest, in the State of Oregon, by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests: Township eleven south, range thirty-four east; townships eleven and twelve south, range thirty-five east; township ten south, range thirty-five and one-half east; townships ten and eleven south, range thirty-six east, Willamette meridian, in the State of Oregon.

Description.

Exchange of timber for private lands to be added to.

Sec. 2. That the Secretary of the Interior be, and hereby is, authorized to accept on behalf of the United States title to any lands in private ownership within established boundaries of the said Whitman National Forest which, in the opinion of the Secretary of Agriculture, are chiefly valuable for the production of timber or the protection of stream flow, and in lieu thereof may give in exchange such Government timber in or near the Whitman National Forest as may be determined by the Secretary of Agriculture to be of approximately equal value; and any reconveyed lands shall, upon acceptance, become subject to all laws affecting national forests.

Approved, September 8, 1916.

September 8, 1916.
[H. R. 12889.]
[Public, No. 285.]

CHAP. 477.—An Act Authorizing the Secretary of the Interior to sell the unsold and unappropriated portions of lands within the town site of Newell, South Dakota, and for other purposes.

Newell, S. Dak.
Town-site lands in, reserved for irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to reserve and set apart such portions of the unsold and unappropriated lands within the town site of Newell, Butte County, South Dakota, as he deems necessary for administrative purposes in connection with the Belle Fourche irrigation project, and after subdividing the remaining portions of such lands into tracts that in his judgment would render the same most salable, and, appraising the reasonable value of each such tracts, sell the same, for not less than the appraised value, at public auction to the highest bidder, on such terms and under such rules and regulations as he may establish.

Sale of remaining lots.

Proceeds.
Amount for town water supply.

Sec. 2. That of the proceeds of such sales, after deducting all expenses incurred in the subdivision, appraisement, and sale of said land, an amount not exceeding $15,000 shall be covered into the Treasury of the United States in a special fund available only for expenditure by the Secretary of the Interior to provide or assist in providing the said town of Newell, Butte County, South Dakota, an adequate system of water supply for domestic purposes, under such terms and conditions as may be provided by the Secretary of the Interior, or for such other and further public improvements as the Secretary of the Interior and the municipal authorities of said town may agree upon. The net proceeds of such sale in excess of $15,000, if any there be, shall be covered into the Treasury of the United

Balance to reclamation fund.