

or proper, a disinterested attorney shall be assigned by the court to enter his appearance for the defendant and actively defend the cause, and such attorney shall receive such compensation for his services as the court may determine to be proper, such compensation to be paid by the parties as the court may direct."

Approved June 20, 1949.

[CHAPTER 230]

AN ACT

To amend section 13-108 of the Code of Laws of the District of Columbia to provide for constructive service by publication in annulment actions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first paragraph of section 105 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1206, ch. 854), as amended (sec. 13-108, D. of C. Code, 1940 edition), is amended to read as follows:

"Publication may be substituted for personal service of process upon any defendant who cannot be found and who is shown by affidavit to be a nonresident, or to have been absent from the District for at least six months, or against the unknown heirs or devisees of deceased persons, in suits for partition, divorce, annulment, by attachment, foreclosure or mortgages and deeds of trust, the establishment of title to real estate by possession, the enforcement of mechanics' liens, and all other liens against real or personal property within the District, and in all actions at law and in equity which have for their immediate object the enforcement or establishment of any lawful right, claim, or demand to or against any real or personal property within the jurisdiction of the court."

Approved June 20, 1949.

[CHAPTER 231]

AN ACT

To provide for the appointment of an additional judge for the juvenile court of the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to appoint, by and with the consent of the Senate, for a term of six years, or until his successor is appointed and confirmed, one additional judge for the juvenile court of the District of Columbia, who shall at the time of appointment be a resident of the District of Columbia. The position occupied by the present judge of said juvenile court shall be abolished when a vacancy shall occur in said position or at the expiration of the present six-year term of said judge, whichever shall first occur.

Approved June 20, 1949.

[CHAPTER 232]

AN ACT

Providing for the temporary deferment in certain unavoidable contingencies of annual assessment work on mining claims held by location in the United States, and enlarging the liability for damages caused to stock raising and other homesteads by mining activities.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the performance of not less than \$100 worth of labor or the making of improvements aggregating such amount, which labor or improvements are

June 20, 1949

[S. 1134]

[Public Law 113]

D. C. Code, amend-  
ment.

Substitution of pub-  
lication for personal  
service of process.

June 20, 1949

[S. 1557]

[Public Law 114]

Juvenile Court, D. C.  
Appointment of ad-  
ditional judge.

June 21, 1949

[H. R. 3754]

[Public Law 115]

Mining claims.  
Deferment of an-  
nual assessment work.

required under the provisions of section 2324 of the Revised Statutes of the United States to be made during each year, may be deferred by the Secretary of the Interior as to any mining claim or group of claims in the United States upon the submission by the claimant of evidence satisfactory to the Secretary that such mining claim or group of claims is surrounded by lands over which a right-of-way for the performance of such assessment work has been denied or is in litigation or is in the process of acquisition under State law or that other legal impediments exist which affect the right of the claimant to enter upon the surface of such claim or group of claims or to gain access to the boundaries thereof.

SEC. 2. The period for which said deferment may be granted shall end when the conditions justifying deferment have been removed: *Provided*, That the initial period shall not exceed one year but may be renewed for a further period of one year if justifiable conditions exist: *Provided further*, That the relief available under this Act is in addition to any relief available under any other Act of Congress with respect to mining claims.

SEC. 3. All deferred assessment work shall be performed not later than the end of the assessment year next subsequent to the removal or cessation of the causes for deferment or the expiration of any deferments granted under this Act and shall be in addition to the annual assessment work required by law in such year.

SEC. 4. Claimant shall file or record or cause to be filed or recorded in the office where the notice or certificate of location of such claim or group of claims is filed or recorded, a notice to the public of claimant's petition to the Secretary of the Interior for deferment under this Act, and of the order or decision disposing of such petition.

SEC. 5. Notwithstanding the provisions of any Act of Congress to the contrary, any person who hereafter prospects for, mines, or removes by strip or open pit mining methods, any minerals from any land included in a stock raising or other homestead entry or patent, and who had been liable under such an existing Act only for damages caused thereby to the crops or improvements of the entryman or patentee, shall also be liable for any damage that may be caused to the value of the land for grazing by such prospecting for, mining, or removal of minerals. Nothing in this section shall be considered to impair any vested right in existence on the effective date of this section.

Approved June 21, 1949.

[CHAPTER 233]

AN ACT

To amend section 16-416 of the Code of Laws of the District of Columbia, to conform to the nomenclature and practice prescribed by the Federal Rules of Civil Procedure.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Acts of March 3, 1901 (31 Stat. 1345, ch. 854, sec. 963), and of June 30, 1902 (32 Stat. 537, ch. 1329), otherwise known as section 16-416 of the Code of Laws of the District of Columbia, 1940 edition, are amended to read as follows:

"All applications for divorce or for a decree annulling a marriage shall be made by complaint to the United States District Court for the District of Columbia, and the proceedings thereupon shall be the same as in equity causes, except so far as otherwise herein provided."

Approved June 21, 1949.

30 U. S. C. § 28.

Termination.

Performance of deferred work.

Filing of notice.

Liability for damages.

June 21, 1949  
[S. 1129]  
[Public Law 116]

D. C. Code, amendment.

Application for divorce or marriage annulment.