

of Minnesota against defendants residing or found therein, shall be returned to the place appointed for the holding of said courts in the division where such defendant resides. That if there be more than one defendant, and they reside in different divisions of the district, the plaintiff may sue in either division, and send duplicate writ or writs to the other defendants; and the said writs, when executed and returned into the court from which they issued, shall constitute one suit and be proceeded in accordingly.

Duplicate writs, etc.

SEC. 3. That all actions triable in either of the courts of said district shall be tried in the division in which the process is returnable under the provisions of this act, unless by consent of all parties the action be removed to some other division of said district.

Where triable.

SEC. 4. That regular terms of the circuit and district courts shall be held as follows: For the first division, on the first Tuesday in June, and the first Tuesday in December; for the second division, on the third Tuesday in April and the first Tuesday in November; for the third division, on the fourth Tuesday in June and the second Tuesday in January; for the fourth division, on the first Tuesday in March and the first Tuesday in September; for the fifth division on the second Tuesday in May and the second Tuesday in October; for the sixth division on the fourth Tuesday in March and the fourth Tuesday in September.

Terms of circuit and district courts.

SEC. 5. That the clerks of the circuit and district courts of the district of Minnesota 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, who shall keep his office and reside at the place appointed for holding said courts in the division of such residence, and shall keep the records of said courts for such division, and in the absence of the clerk, may exercise all the official powers of the clerks within the division for which he is 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 their respective deputies.

Appointment of deputy clerks.

SEC. 6. That a grand and petit jury shall be summoned for each of said terms, which petit jury shall be competent to sit and act as such jury in either or both of said courts at such terms: *Provided*, That the judge of district court may, in his discretion, dispense with the summoning or impaneling of more than one grand jury in each year in any of said divisions.

Proviso.
Subject to judicial approval, etc.

SEC. 7. That this act shall take effect and be in force from and after the first day of August, anno Domini eighteen hundred and ninety.

Juries.

Proviso.
Discretionary limitation.

Operation.

Approved, April 26, 1890.

CHAP. 168.—An act for the erection of a public building in the city of San Jose State of California

April 28, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon a suitable building, with fire-proof vaults therein, for the accommodation of the post-office and other Government offices, at the city of San Jose, California. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of two hundred thousand dollars: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than forty feet, including streets and alleys,

San José, Cal.
Public building, etc.

Site.
Building.

Plans; cost.

Proviso.

Open space.

No money available until valid title and jurisdiction pass.

and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of California shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Appropriation.

SEC. 2. That the sum of two hundred thousand dollars is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act.

Approved, April 28, 1890.

April 28, 1890.

CHAP. 169.—An act granting the counties of Hennepin and Dakota, Minnesota, the right to build two bridges across the Minnesota River.

Counties of Hennepin and Dakota, Minn., may construct two bridges across Minnesota River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the board of county commissioners of the county of Hennepin and State of Minnesota be, and the same hereby are, authorized to construct and maintain two bridges over the Minnesota River and approaches thereto. One bridge to be located by a majority of the said board of county commissioners of said Hennepin County, and a majority of the board of county commissioners of the county of Dakota, in said State of Minnesota, either in section thirteen in township twenty-seven, range twenty-four west of the fourth principal meridian; or in section eighteen, township twenty-seven, range twenty-three west of the fourth principal meridian, as in the judgment of said majority of said commissioners shall be the best place for the construction of said bridge and approaches thereto; and one bridge and approaches thereto, between and connecting said Hennepin County and the county of Scott, in said State of Minnesota, at the point or place on said Minnesota River commonly known as and called "Bloomington Ferry" or "Lyndale Avenue," or at any place where said board of county commissioners of Hennepin County may decide between said points. Said bridges and approaches shall be of such plans and material as said board of county commissioners of Hennepin County shall in their discretion determine, except that said bridges shall be constructed as draw-bridges, and shall be and remain forever free. Said bridge or bridges shall be constructed to provide for free passage of wagons and vehicles of all kinds, for the transit of animals and for foot passengers.

Location of one bridge.

Location of the other.

Plans and material.

Draw.

Free wagon and foot bridges.

Lawful structure and post-route.

Postal telegraph.

Construction.
Pivot draw-bridge.
Main draw.
Draw-spans.

Width.

Elevation.

Unimpeded water-flow.

SEC. 2. That any bridge built under this act and subject to its limitations, shall be a lawful structure, and shall be recognized as a post-route, and shall enjoy the rights and privileges of other post-roads in the United States: *Provided*, That the United States may construct a postal telegraph over said bridge or bridges without charge therefor.

SEC. 3. That any bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel at an accessible and the best navigable point, and with draw-spans having a clear water-way, measured at the lowest stage of water known at the locality, of not less than eighty feet in clear width, which shall not thereafter be reduced by deposits of rip-rap, or by other material about the piers and abutments; and the spans shall not be less elevation than ten feet above extreme high-water mark, as shown at the point of location, measuring to the lowest part of the superstructure of said bridge, and provision shall be made in the location and construction of the abutments and approaches to allow the free passage of flood water; and the piers of said bridge shall be parallel to and the bridge itself at right angles to the direction of the current of said