

not to exceed the sum of six thousand five hundred dollars at any one light station.

SEC. 4. That when the Secretary of Commerce and Labor shall determine to erect a light-keeper's dwelling at any light station under the provisions of section three of this Act, and no suitable site for such dwelling shall then belong to the United States, said Secretary of Commerce and Labor is hereby authorized to acquire by purchase, condemnation, or otherwise, a suitable site at such light station, at a cost not to exceed one thousand dollars.

SEC. 5. That the Act entitled "An Act to establish a light and fog station at Point Dume, Los Angeles County, California," approved February twentieth, nineteen hundred and one, is hereby repealed; and the Secretary of the Treasury shall cause the unexpended balance of the appropriation for the establishment of a light and fog signal station at Point Dume, California, carried in the Act entitled "An Act making appropriation for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes," approved March third, nineteen hundred and one, to be carried to the surplus fund and covered into the Treasury.

SEC. 6. That hereafter officers of the Army and Navy detailed for service in connection with the Light-House Establishment shall be paid their actual traveling expenses when traveling under orders on official duty to and from points which can not be conveniently reached by vessel or railroad.

SEC. 7. That the Secretary of Commerce and Labor shall cause the Light-House Board to make a report to him for transmission to Congress at the opening of the next session thereof of all aids to navigation now in service which may be discontinued without distinct injury to the interests of navigation.

SEC. 8. That the Light-House Board is authorized to employ temporarily at Washington not exceeding three draftsmen, to be paid at current rates, to prepare plans for the tenders and light vessels authorized by this Act, and to be paid from the respective appropriations therefor, such employment to terminate on or before the date when the plans for such tenders and vessels shall be finished and proposals for building them, respectively, are invited by advertisement.

SEC. 9. That the Secretary of Commerce and Labor is hereby authorized to convey to the Broadwater Club, a corporation organized and existing under the laws of the State of Pennsylvania, the tract of land embraced in the former Hog Island, Virginia, light station, containing six and one-half acres of land, more or less, by the proper legal description thereof: *Provided*, That the said Secretary of Commerce and Labor shall find that the said Broadwater Club has acquired all the right, title, and interest of Joseph L. Ferrell and Elise H. Ferrell, his wife, therein, or in an agreement with the Light-House Board or the United States for a conveyance thereof.

Approved, February 26, 1907.

CHAP. 2073.—An Act To divide the judicial district of Nebraska into divisions and to provide for an additional district judge in said district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the district of Nebraska, who shall reside in said district, and who shall possess the same powers, perform the same duties, and receive the same salary as the present judge of said district.

Purchase of sites.

Point Dume, Cal.
Vol. 31, p. 798 re-
pealed.

Unexpended bal-
ance.
Vol. 31, p. 1138.

Traveling expenses.

Report.

Draftsmen for plans
of new vessels.

Hog Island, Va.
Conveyance of, to
Broadwater Club.

Proviso.
Title.

February 27, 1907.
[S. 2769.]

[Public, No. 133.]

United States courts.
Nebraska judicial
district.
Additional judge ap-
pointed.
R. S. sec. 551, p. 93.

Division of business.

SEC. 2. That the present district judge in said district and the one appointed under this Act shall agree between themselves upon the division of business and assignment of cases for trial in said districts: *Provided, however,* That in case the said two district judges do not agree the senior circuit judge of the eighth circuit shall make all necessary orders for the division of business and the assignment of cases for trial in said district.

Proviso.

Assignment by circuit judge.

Regular terms.

SEC. 3. That the regular terms of the circuit and district courts of the United States for said district of Nebraska shall be held at the following times and places, namely: At Omaha, beginning on the fourth Monday in September and the first Monday in April; at Norfolk, beginning on the third Monday in September; at Grand Island, beginning on the second Monday in January; at North Platte, beginning on the first Monday in January; at Chadron, beginning on the second Monday in September; at Lincoln, beginning on the fourth Monday in October and the second Monday in May; at Hastings, beginning on the second Monday in March, and at McCook, beginning on the first Monday in March.

Places.

Vol. 28, p. 221, amended.

Special terms.

SEC. 4. That special terms of the circuit and district courts may be held in said district whenever such special terms are deemed necessary by the judges thereof, and the time or times of holding such special sessions of said courts shall be fixed by the judges either by rule of said courts or by special order of a judge thereof.

Eight divisions established.

Divisions.

Omaha.

Norfolk.

Chadron.

Grand Island.

North Platte.

Lincoln.

Hastings.

McCook.

Proviso.

Court room.

SEC. 5. That for the purpose of holding terms of court in said district of Nebraska said district shall be divided into eight divisions, known as the Omaha division, the Norfolk division, the Grand Island division, the North Platte division, the Chadron division, the Lincoln division, the Hastings division, and the McCook division. The territory comprising the counties of Douglas, Sarpy, Washington, Dodge, Colfax, Platte, Nance, Boone, Wheeler, Burt, Thurston, Dakota, Cuming, Cedar, and Dixon shall constitute the Omaha division, all terms of court for which shall be held in the city of Omaha. The territory comprising the counties of Madison, Antelope, Knox, Pierce, Stanton, Wayne, Holt, Boyd, Rock, Brown, and Keyapaha shall constitute the Norfolk division, all terms of court for which shall be held at the city of Norfolk. The territory comprising the counties of Cherry, Sheridan, Dawes, Boxbutte, and Sioux shall constitute the Chadron division, all terms of court for which shall be held at the city of Chadron. The territory comprising the counties of Hall, Merrick, Howard, Greeley, Garfield, Valley, Sherman, Buffalo, Custer, Loup, Blaine, Thomas, Hooker, and Grant shall constitute the Grand Island division, all terms of court for which shall be held at the city of Grand Island. The territory comprising the counties of Lincoln, Dawson, Logan, McPherson, Keith, Deuel, Cheyenne, Kimball, Banner, and Scotts Bluff shall constitute the North Platte division, all terms of court for which shall be held at the city of North Platte. The territory comprising the counties of Cass, Otoe, Johnson, Nemaha, Pawnee, Richardson, Gage, Lancaster, Saunders, Butler, Seward, Saline, Jefferson, Thayer, Fillmore, York, Polk, and Hamilton shall constitute the Lincoln division, all terms of court for which shall be held at the city of Lincoln. The territory comprising the counties of Clay, Nuckolls, Webster, Adams, Kearney, Franklin, Harlan, and Phelps shall constitute the Hastings division, all terms of court for which shall be held at the city of Hastings. The territory comprising the counties of Gosper, Furnas, Redwillow, Frontier, Hayes, Hitchcock, Dundy, Chase, and Perkins shall constitute the McCook division, all terms of court for which shall be held at the city of McCook: *Provided,* That where provision is made herein for holding court at places where there is no Federal buildings, a suitable room in which to hold court, together with light and heat, shall be

provided by the city or county where such court is held without any expense to the United States.

SEC. 6. That the clerks of the circuit and district courts of said district shall appoint deputy clerks at places where court is required to be held in the divisions of said district in which the clerk himself does not reside, who shall keep their offices and reside at the places appointed for the holding of said courts in the division of such residence and who shall keep the records of such courts in such division, and in the absence of the clerk shall exercise all of the official powers of the clerk within the division for which they are appointed: *Provided*, That the appointment of each deputy shall be approved by the court he represents and may be removed by said court at its pleasure. The clerk shall be responsible for the official acts and negligence of his deputies.

Appointment of deputy clerks.

Proviso.
Court to approve appointment, etc.

SEC. 7. That all civil actions not of a local nature, against a single defendant, must be brought in the division where said defendant resides; but if there are two or more defendants residing in different divisions of said district the plaintiff may sue in any division in which a defendant resides, and all issues arising in such suit shall be tried in such division unless by consent of the parties, with the approval of the court, the case shall be removed to some other division.

Jurisdiction.
Civil suits not of a local nature.

SEC. 8. That all civil actions of a local nature at law or in equity shall be brought in the division where the subject-matter of the action is located; and where any such action is properly brought in such division and the defendant resides in a different division in said district from that in which the action is brought, the plaintiff may have original and final process against said defendant directed to the marshal of said district. Any such action, at law or in equity, where the land or other subject-matter lies partly in one division and partly in another within said district, may be brought in any division where any part of the land or other subject-matter of the action is situated.

Of a local nature.

SEC. 9. That all prosecutions for crimes or offenses committed after the passage of this Act shall be cognizable only in the division of the district where the same was committed, unless the court, upon application of the defendant for good cause shown, shall order that the cause be removed for trial to another division of the district, and such application may be made to a court when sitting in any division in said district upon such notice to the prosecution as the court may require.

Prosecution of crimes, etc.

SEC. 10. That all petit jurors summoned for service in any division shall be residents of such division. At or about the time for the selecting of a petit jury for any term of court in any division, if it shall be made to appear to the satisfaction of a district judge of said district that there is no litigation for trial at such coming term of court in such division in which there are issues triable to a jury, said judge may order that no jury be summoned for said term in said division.

Petit jurors.

SEC. 11. That unless otherwise ordered by the district court, grand juries in said district shall sit in the Omaha division and the Lincoln division only. The grand jury sitting in the Omaha division shall take cognizance and have jurisdiction of all crimes and offenses committed in the territory comprising the Omaha division, the Norfolk division, the Grand Island division, the North Platte division, and the Chadron division, and such grand jurors shall be drawn from the territory comprising said divisions. The grand jury sitting in the Lincoln division shall take cognizance and have jurisdiction of all crimes and offenses committed in the territory comprising the Lincoln division, the Hastings division, and the McCook division, and such grand jurors shall be drawn from the territory comprising said divisions. The foreman of each grand jury shall indorse upon each indictment found the name of the division in which the crime or offense was committed; and if such crime or offense was committed in any division other than the division

Grand juries.

Sittings, Omaha.

Lincoln.

Transfer of process.

Proviso.
Special grand jury.

in which said grand jury is sitting, the same, together with all process, writs, and recognizances relating thereto, shall be certified and transferred to the division indorsed on such indictment: *Provided*, That a district judge of said district may order the summoning of a grand jury for any term of court in any division of said district, and in such case such grand jury shall be drawn from the territory comprising such division only, and such grand jury shall take cognizance only of crimes and offenses committed in said division.

Prior crimes, etc.

SEC. 12. That all provisions of this Act in any way changing or modifying existing law or procedure shall not apply to crimes and offenses committed prior to the time when the same takes effect, and when necessary to obtain indictments or for the trial of any such crimes and offenses jurors, both grand petit, shall be selected, drawn, and summoned from the entire district, and such causes shall be commenced and prosecuted in the same manner as if this Act had never been passed.

Marshal's salary in-
creased.
Vol. 29, p. 182,
amended.

SEC. 13. That from and after the first day of July, nineteen hundred and seven, the salary of the marshal for the district of Nebraska shall be four thousand dollars per annum.

Repeal.

SEC. 14. That all laws and parts of laws so far as inconsistent with the provisions of this Act are hereby repealed.

Effect.

SEC. 15. That this Act shall take effect from and after its approval by the President.

Approved, February 27, 1907.

February 27, 1907.
[S. 8182.]

CHAP. 2074.—An Act Authorizing the Twin City Power Company to build two dams across the Savannah River above the city of Augusta, in the State of Georgia.

[Public, No. 134.]

Savannah River.
Twin City Power
Company may dam, at
Dortons Creek and
Prices Island, S. C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: That the Twin City Power Company, a corporation organized under the laws of the State of South Carolina, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam across the Savannah River, at or near where Dortons Creek, in the county of Edgefield, State of South Carolina, empties into the Savannah River, and also a dam across the said river at or near the southern end of Prices Island in said river and about five miles from the mouth of Dortons Creek in the State of South Carolina, in accordance with the provisions of the Act entitled "An Act to regulate the construction of dams across navigable waters," approved June twenty-first, nineteen hundred and six: *Provided*, That one of said dams shall be completed within three years, and the other within five years from the passage of this Act.

Ante, p. 386.

Proviso.
Time of construc-
tion.
Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 27, 1907.

February 27, 1907.
[H. R. 129.]

CHAP. 2075.—An Act For the opening of a connecting parkway along Piney Branch, between Sixteenth street and Rock Creek Park, District of Columbia.

[Public, No. 135.]

District of Columbia.
Parkway along
Piney Branch.
Condemning land
for, between Six-
teenth street and
Rock Creek Park.
Ante, p. 151.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under and in accordance with the provisions of sections four hundred and ninety-one a to four hundred and ninety-one n, both inclusive, of subchapter one of chapter fifteen of the Code of Law for the District of Columbia, within ninety days after the passage of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia