

June 11, 1864.

CHAP. CXX. — *An Act to change and define the Boundaries of the Eastern and Western Judicial Districts of Virginia, and to alter the Names of said Districts, and for other Purposes.*

Jurisdiction and name of western district of Virginia;
of eastern district.

Sessions of district of West Virginia;

of Virginia.

Records and files, where to be kept.

Pending process.

Proceedings of court of western district of Virginia confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the jurisdiction of the western district of Virginia shall hereafter be coextensive with, and confined to the limits of the State of West Virginia, and shall be called the district of West Virginia; and the jurisdiction of the eastern district of Virginia shall hereafter be coextensive with the limits and include the whole of the State of Virginia, and shall be called the district of Virginia. The judge of the said district of Virginia shall annually hold six sessions as follows: At Clarksburg, on the 24th days of March and August; at Wheeling, on the sixth days of April and September; and at Charleston, on the nineteenth days of April and September. The judge of the district of Virginia shall, in addition to the sessions heretofore held by him as judge of the eastern district of Virginia, hold sessions at the times and places within the district of Virginia when and where sessions were held prior to the passage of this act by the judge of the western district of Virginia.

SEC. 2. *And be it further enacted,* That all the records and files of the courts of the western district of Virginia, hitherto held within the limits of the district of Virginia, as prescribed and fixed in the first section of this act, shall remain and be kept in the district of Virginia; and all records and files of the courts of the western district of Virginia, hitherto held within the limits of the district of West Virginia, as prescribed and fixed by the first section of this act, shall remain and be kept in the district of West Virginia. And all writs, suits, pleas, recognizances, indictments, and all other process, civil or criminal, issued, sued out, commenced, or pending, of which, if this act had never been passed, the judge of the western district would have had jurisdiction within the limits of the said district of Virginia, as defined by this act, shall be returned, entered, and have day before, and be heard and determined by, the judge of the district of Virginia, in the same manner, and with the same validity and effect, as they should have been returned, entered, heard, and determined by the judge of the western district of Virginia, if this act had never been passed.

SEC. 3. *And be it further enacted,* That all the judicial proceedings of the court of the western district of Virginia had within the limits of the district of West Virginia, as fixed by the first section of this act, since the erection of West Virginia into a state, are hereby made and declared to be as valid and binding as if this act had been passed contemporaneously with the act establishing the State of West Virginia, and said judicial proceedings had been under and by virtue of this act.

APPROVED, June 11, 1864.

June 11, 1864.

CHAP. CXXI. — *An Act to provide for the summary Trial of minor Offences against the Laws of the United States.*

Special sessions of United States district courts may be held to try, &c.

Complaints against officers and mariners of vessels, for offences not capital or infamous, to be

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the judge of any district court of the United States to hold a special session of said court at any time, whether in term or vacation, for the trial of minor offences against the laws of the United States, as hereinafter provided.

SEC. 2. *And be it further enacted,* That whenever a complaint shall be made against any master, officer, or mariner of any ship or vessel belonging, in whole or in part, to any citizen or citizens of the United States, of the commission of any offence, not capital or otherwise infamous, against any law of the United States made for the protection of persons or prop-

erty engaged in commerce or navigation, it shall be the duty of the district attorney to investigate the same, and the general nature thereof, and if, in his opinion, the case is such as should be summarily tried under the provisions of this act, he shall report the same to the district judge, and the judge shall forthwith, or as soon as the ordinary business of the court will permit, proceed to try the cause, and for that purpose may, if necessary, hold a special session of the court.

investigated by district attorney, and summarily tried.

SEC. 3. *And be it further enacted*, That at such trial it shall not be necessary that the accused shall have been previously indicted, but a statement of complaint, verified by oath, in writing, shall be presented to the court, setting out the offence in such manner as clearly to apprise the accused of the character of the offence complained of, and to enable him to answer the complaint. And the said complaint or statement shall be read to the accused, who may plead to or answer the same, or make a counter-statement.

No indictment necessary.

Written complaint on oath.

Defendant may answer and make counter-statement.

SEC. 4. *And be it further enacted*, That the said trial shall thereupon be proceeded with in a summary manner, and the case shall be decided by the court, unless, at the time for pleading or answering, the accused shall demand a jury, in which case the trial shall be upon the complaint and plea of not guilty.

Summary trial to be had by the court.

Jury.

SEC. 5. *And be it further enacted*, That it shall not be lawful for the court to sentence any person convicted on such trial to any greater punishment than imprisonment in jail for one year, or to a fine exceeding five hundred dollars, or both, in its discretion, in those cases where the laws of the United States authorize such imprisonment and fine.

Limit of sentence in such cases.

SEC. 6. *And be it further enacted*, That it shall be lawful for the court to allow the district attorney to amend his statement or complaint at any stage of the proceedings, before verdict, if, in the opinion of the court, such amendment will work no injustice to the accused; and if it appear to the court that the accused is unprepared to meet the charge as amended, and that an adjournment of the cause will promote the ends of justice, such adjournment shall be made until a further day, to be fixed by the court.

Complaint or statement may be amended, &c.

SEC. 7. *And be it further enacted*, That at such trial, if by jury, the United States and the accused shall each be entitled to three peremptory challenges. Challenges for cause, in such cases, shall be tried by the court without the aid of triers.

If trial by jury, peremptory challenges allowed.

Other challenges.

APPROVED, June 11, 1864.

CHAP. CXXII. — *An Act to abolish the Collection Districts of Port Orford and Cape Perpetua, in the State of Oregon.* June 11, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collection districts of Cape Perpetua and Port Orford, heretofore established by law, are hereby abolished, and the same attached to the collection district of Oregon.

Collection districts of Port Orford and Cape Perpetua abolished.

APPROVED, June 11, 1864.

CHAP. CXXIII. — *An Act to amend an Act entitled "An Act to confirm certain private Land Claims in the Territory of New Mexico."* June 11, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sixth section of the act entitled "An act to confirm certain private land claims in the Territory of New Mexico," approved June twenty-first, eighteen hundred and sixty, be, and the same is hereby, so amended as to enable the heirs of Luis Maria Baca to raise and withdraw the selection and location of one of the square bodies of land confirmed to them by said act, heretofore located by said heirs on the Pecos River, adjoining the Fort Sumner res-

1860, ch. 167. Vol. xii. p. 71.

Heirs of Luis Maria Baca may relocate certain land in New Mexico.