

their respective courts are required to be held in the divisions of the district, except in the division in which such clerk shall himself reside, each of which deputies shall, in the absence of the clerk, exercise all the powers and perform all the duties of the clerk within the division for which he shall be 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 all such deputies.

*Proviso.*  
Deputies, removal,  
etc.

SEC. 5. That the terms of the district court for the district of the State of Utah shall be held at the city of Salt Lake, beginning on the first Monday of May and the first Monday of December in each year, and at the city of Ogden, beginning on the first Monday of March and the first Monday of September of each year; and all suits, prosecutions, process, recognizances, bail bonds, and other things pending in or returnable to said court are hereby transferred to and shall be made returnable to and have force in the said respective terms in this Act provided, in the same manner and with the same effect as they would have had had said place of holding been designated in the original Act.

Terms.  
Salt Lake.  
Ogden.

SEC. 6. That no action, suit, proceeding, information, indictment, recognizance, bail bond, or other process in either of said courts shall abate or be rendered invalid by reason of the change of time in the holding of the terms of said courts, but the same shall be deemed to be returnable to, pending, and triable at the terms herein provided for.

Pending causes.

Received by the President, February 18, 1897.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CHAP. 372.—An Act To prevent trespassing upon and providing for the protection of national military parks.

March 3, 1897.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every person who willfully destroys, mutilates, defaces, injures, or removes any monument, statue, marker, guidepost, or other structure, or who willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within the limits of any national parks shall be deemed guilty of a misdemeanor, punishable by a fine of not less than ten dollars nor more than one thousand dollars for each monument, statue, marker, guidepost, or other structure, tree, shrub, or plant destroyed, defaced, injured, cut, or removed, or by imprisonment for not less than fifteen days and not more than one year, or by both fine and imprisonment.

National military  
parks.  
Punishment for de-  
stroying monuments,  
etc.

SEC. 2. That every person who shall trespass upon any national parks for the purpose of hunting or shooting, or who shall hunt any kind of game thereon with gun or dog, or shall set trap or net or other device whatsoever thereon for the purpose of hunting or catching game of any kind, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment for not less than five days or more than thirty days, or by both fine and imprisonment.

Punishment for  
hunting.

SEC. 3. That the superintendent or any guardian of such park is authorized to arrest forthwith any person engaged or who may have been engaged in committing any misdemeanor named in this Act, and shall bring such person before any United States commissioner or judge of any district or circuit court of the United States within either of the districts within which the park is situated, and in the district within which the misdemeanor has been committed, for the purpose of holding

Arrest and trial of  
offenders.

him to answer for such misdemeanor, and then and there shall make complaint in due form.

Refusal to surrender  
leased property.

SEC. 4. That any person to whom land lying within any national parks may have been leased, who refuses to give up possession of the same to the United States after the termination of said lease, and after possession has been demanded for the United States by any park commissioner or the park superintendent, or any person retaining possession of land lying within the boundary of said park which he or she may have sold to the United States for park purposes and have received payment therefor, after possession of the same has been demanded for the United States by any park commissioner or the park superintendent, shall be deemed guilty of trespass, and the United States may maintain an action for the recovery of the possession of the premises so withheld in the courts of the United States, according to the statutes or code of practice of the State in which the park may be situated.

Action of trespass  
to recover.

Application.

SEC. 5. This Act shall apply only to the military parks of the United States.

Approved, March 3, 1897.

March 3, 1897.

CHAP. 373.—An Act To amend an Act entitled "An Act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Alabama," approved March first, eighteen hundred and ninety-three.

Bridge over Ala-  
bama River, Mont-  
gomery, Ala.  
Vol. 27, p. 528.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section six of an Act approved March first, eighteen hundred and ninety-three, to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near Montgomery, Alabama, be, and is hereby, amended to read as follows:

Time for construc-  
tion extended.

"SEC. 6. That all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the bridge herein authorized shall not be commenced within one year from March first, eighteen hundred and ninety-seven, and be completed within three years from same date, the rights and privileges hereby granted shall cease and be determined.

Approved, March 3, 1897.

March 3, 1897.

CHAP. 374.—An Act To define the rights of purchasers under mortgages authorized by an Act of Congress approved April twentieth, eighteen hundred and seventy-one, concerning the Atlantic and Pacific Railroad Company.

Atlantic and Pacific  
Railroad Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any mortgage made by the Atlantic and Pacific Railroad Company under and by virtue of Acts of Congress is foreclosed in any court of the United States, or of any State or Territory thereof, and any sale of the road, equipment, lands, franchises, privileges, and other rights and property covered by said mortgage is made under a decree or decrees of such courts, the purchaser at any such sale or sales, and their associates or assigns, shall constitute a new company, which shall have and shall be entitled to hold and possess the franchises and property so sold, and to exercise the same rights, powers, privileges, grants, and franchises, including the franchise to be a corporation, granted by the Act of Congress approved July twenty-seventh, eighteen hundred and sixty-six, incorporating the Atlantic and Pacific Railroad Company, and by acts amendatory thereof and supplemental thereto, which were owned and possessed by said Atlantic and Pacific Railroad Company, or said

Purchasers under  
foreclosure to succeed  
to franchises, etc.

Vol. 14, p. 292.

Vol. 17, p. 19; Vol. 24,  
p. 123.